

**THE LEGACY OF MICHAEL COLLINS 1922-1932**

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Ph.D.  
University of Edinburgh  
September 1998

## ABSTRACT

Between 1917 and 1921 Michael Collins emerged as the paramount leader of the movement to end British rule in Ireland. As Minister for Finance in the underground Dail government he raised a massive loan to finance the political and military campaign. He directed the Irish Volunteers intelligence network and guerilla campaign, and as President of the secret Irish Republican Brotherhood he involved himself in all aspects of the struggle. When the cycle of terror and reprisal exhausted itself in the summer of 1921, Collins was one of the Irish plenipotentiaries who negotiated with the leaders of the British Empire, and was largely responsible for gaining endorsement of the settlement that emerged.

Collins became Chairman of the Provisional Government, and when the opposing minority took up arms against the infant state he led the fight against comrades of former days as Commander-in-Chief of the nascent National Army. The decisive battles of the Civil War won, Collins met his death in his native West Cork on 20 August 1922 when his convoy was ambushed at Beal na mBlath. He was 31 years of age.

Could an influence as powerful as Collins' be extinguished by a fluke shot? To what extent was the Ireland of 1922 to 1932, the years when his political heirs reigned, Michael Collins' Ireland? This is the question at the heart of this thesis.

To measure the impact of the Collins legacy, I have identified a set of key indicators:

- \* The continuing impact of Collins' actions on events.
- \* The continuing influence of his political ideas.
- \* The behaviour of his entourage and followers.
- \* The extent to which he has been interpreted and re-interpreted, by whom and why.

Following an opening chapter which analyses Collins' career, I have applied the above indicators to the issues and policy questions that concerned him at the time of his death:

Firstly, the conduct and conclusion of the Civil War. I examine the different views as to whether or not Collins would have sanctioned the executions and reprisals policy which bequeathed its own bitter legacy. Secondly, I examine the tensions within the National Army over its development - politically-motivated cadre, or a professional army subservient to the Irish electorate? While the former view has its advocates I argue that those who enforced the latter vision were following the direction set by Collins.

Central to my thesis is the argument that Michael Collins, more than any of his leading Pro-Treaty allies or Anti-Treaty opponents, detested the partition of Ireland. I argue that the gap between Collins' expectation and the Boundary Commission's report was a major failure of his legacy. By contrast, I argue that his Pro-Treaty heirs made an important contribution to transforming imperial relationships in the direction of the "association of free states" envisaged by Collins when he signed the Treaty.

I discuss the extent to which the record of the Cumann na nGaedheal governments of 1922-1932 was primarily a vindication of, or a departure from, Collins. I also test De Valera and Fianna Fail's claim on Collins' legacy.

The thesis also examines the efforts to airbrush Collins from the official history, and the reasons behind his 'come-back' in recent years including analysis of the significance of Collins' biographers. An appendix examines a Scottish connection in the circumstances surrounding his death.

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## ACKNOWLEDGEMENTS

My thanks are due to my supervisors Owen Dudley Edwards and Professor Malcolm Anderson for their advice and guidance. I am particularly indebted to Owen Dudley Edwards, my principal supervisor, for sharing his invaluable insight gained from his personal acquaintance with several of the characters featured in the course of this thesis, and for the hospitality he and his family have extended to me since I embarked on this field of study in 1994.

I wish to record my thanks to the staff of the various archive sources and libraries in Ireland, Scotland and England that I have consulted in course of my research. In particular I wish to record my thanks to Seumas Helferty and his staff at the Archives Department of University College Dublin, and to Commandant Peter Young and Commandant Victor Lang of the Irish Army Archives at Cathal Brugha Barracks for their guidance and the goodwill showered on me during successive summers studying in Dublin. Particular thanks are due to Fine Gael headquarters for permitting access to the Cumann na nGaedheal/Fine Gael papers held at UCD. Thanks are also due to all those who agreed to be interviewed including former Taoiseach Dr. Garret FitzGerald and Nora Owen and Proinsias De Rossa, both of whom were busy government ministers when they made time to talk to me.

Thanks are also due to the Justin Arburthnott Fund for Anglo/Irish understanding which part-funded some of my research trips to Dublin, and to my employers, the Recreation Department of the City of Edinburgh Council, for assisting with word processing facilities.

This thesis is dedicated to my own Irish connection, my mother Sarah McLean (nee King). It could not have been undertaken without her support, encouragement and understanding over the course of the last four years.

## **Introduction**

## How It Began

In the summer of 1992, as part of an ongoing attempt to establish myself as a freelance features writer, I attempted to interest Scottish newspapers in an article to coincide with the 70th anniversary of the skirmish at Beal na mBlath. My selling point was the suggestion of a Scottish connection with death of Michael Collins in the shape of John McPeak, the Glaswegian in charge of the machine gun on the armoured car that formed part of the Commander-in-Chief's convoy on his last journey.<sup>(1)</sup>

Reading of the massive outpouring of grief at Collins' funeral, and the speculation and controversy that continues to surround the circumstances of his death, it became clear to me that it represented the passing of a figure who had a profound impact on events. From further reading around the events from 1916 to his death in 1922, Michael Collins emerged as the rebel with the corporate overview whose touch could be felt in almost every area of the struggle, political and military. He was the paramount leader, the managing director of the national revolution, whose death orphaned the infant Irish state. Could an influence as great as Collins' be terminated by a fluke shot fired at distance through the descending dusk of a late summer's evening? This is the question that has fuelled conspiracy theories concerning his death for more than three quarters of a century.

My interest, however, was captivated by other questions. What impact did Collins' death have on the issues he was grappling with and was most concerned about? How did his death impact on the personnel of the various networks through which he exercised his considerable influence? In short, to what extent was the Ireland of 1922 to 1932, the years in which his Cumann na nGaedheal heirs reigned, Michael Collins' Ireland?

These were the questions that led me to the door of the History Department of the University of Edinburgh in the spring of 1994, and to my enrolment as part-

time postgraduate student in October of that year.

### Problems of Interpretation

There is one aspect of the multi-faceted figure of Michael Collins that all historians can agree on, i.e. that following his death in August 1922 Michael Collins had no future. Collins is a protean figure, a blank screen onto which various political perspectives, and succeeding generations, can project their own concerns and analysis. Musings as to how Ireland might have developed had Collins eluded that fatal bullet in August 1922, and lived into the 1950s or 60s, are certainly fascinating but are not the stuff of historical research. In approaching this study into the legacy of Michael Collins, therefore, I have sought to identify and focus on the following tangible elements of a political legacy:

- 1) The continuing impact of Collins' actions.
- 2) The influence of his political ideas.
- 3) The behaviour of his entourage and followers.
- 4) The extent to which he has been re-interpreted, by whom and why.

Throughout it has been important to clearly distinguish the influence of Collins from the actions of those seeking to claim his mantle. In doing so I have sought to distinguish what Collins actually did and said, as opposed to what other people believed or claimed he intended. Where I wander into the realm of contra-factual history in the main body of the thesis, I have only done so to illustrate how contending legateses speculated as to how Collins would have reacted in certain circumstances. I reserve my own verdict for Appendix II, where I come to some personal conclusions as to what the available evidence suggests about the "great might have been of Irish history".<sup>(2)</sup>

The components of the legacy, identified above, have been applied to the issues and policy questions with which I would argue Collins was most concerned with at the time of his death. They are:

- \* The conduct and conclusion of the Civil War.
- \* The development of the Army and Police Force, and their role in securing democracy and the democratic alteration of power.
- \* Policy towards Northern Ireland, and ultimately the operation of the Boundary Commission.
- \* The reform of imperial relations and the transformation from Empire to Commonwealth.
- \* The validity of his "stepping stone approach" to the Treaty.

### Sources

As a part-time student holding down a full-time job, all available holiday entitlement in the past four years has been spent consulting primary sources in Ireland.

University College Dublin has been the main base for my Irish research forays. Probably as a result of its Catholic/Nationalist tradition, the UCD Archives hold the papers of many of those who played a prominent role between 1912, Ulster's revolt against home rule, and Fianna Fail's coming to power in 1932. The most important single collection I consulted at UCD were the papers of Richard Mulcahy. Mulcahy joined the Irish Volunteers on their formation in 1913, fought in 1916, became Chief of Staff of the Volunteers on the establishment of a full-time GHQ in 1918, was elected to the first Dail and was its first Minister for

Defence - a position he was to hold in the second Dail, the Provisional Government and the first government of the Irish Free State. He resigned from that position in March 1924, as a result of the Army crisis. Returning to government in 1927, Mulcahy was instrumental in the formation of Fine Gael in 1933, succeeding Cosgrave as Leader in 1944. King-maker, but never king, he brokered the Inter-Party governments of 1948 to 51 and 1954 to 59.

Following his retirement from the Dail, Mulcahy devoted much of his time to writing and speaking about events from 1913 to 1922, and reviewing the books and articles written by others. Those who knew Mulcahy described him as "meticulous" and "bookish", characteristics which are certainly borne out by his massive collection of documents, correspondence and cuttings relating to every aspect of the period. When his Commander-in-Chief was struck down in August 1922, Mulcahy took control of many boxes of Collins' papers. There is no aspect of this study that has not been illuminated by material from the Mulcahy collection. Two interesting sets of papers, which demonstrate the diversity of the Mulcahy archive, are the correspondence between Collins and 'his man in Scotland' Joe Vize, and Sean O'Murthuile's unpublished history of the Irish Republican Brotherhood.

The scale and scope of the Mulcahy papers, along with broad indexing, can be daunting for researchers who are not armed with detailed references. This student for one has grappled with the frustration of tracking down references in secondary works to simply "Mulcahy papers, UCD".

I have also made use of the papers of the other leaders of the Pro-Treaty wing of the movement held at UCD. The papers of Eoin MacNeill, the great Early Irish historian who became the first Chief of Staff of the Irish Volunteers in 1913, have been particularly useful in relation to the chapter dealing with the North and the Boundary Commission. MacNeill was the Free State representative on the Boundary Commission, an experience which effectively ended his political career in 1925. Like MacNeill, Ernest Blythe was a Northerner and language enthusiast



but unlike him a Protestant. I drew upon his papers to demonstrate how quickly and decisively he, and others, acted to change the Provisional Government's Northern policy in the days following Collins' death. His papers also provide an interesting insight into how this formerly belligerent supporter of IRA violence, up to July 1921, could reconcile his past with his later contempt for republicans, and his championing of the 'Commonwealth position'.

The papers of the London-born Desmond FitzGerald, responsible for 'publicity' in the Dail Cabinet and Volunteer H.Q., and later Minister for External Affairs in the Free State government, were particularly useful in relation to the section of the thesis dealing with the efforts of the Cumann na nGaedheal governments to transform the British Empire into Collins' vision of an "association of free states". The papers of Michael Hayes - linguist, lawyer, 1916 veteran, political prisoner, Minister for Education and External Affairs in the Dail Cabinet, and Ceann Comhairle (Speaker) of Dail Eireann - are full of published articles and private notes for his intended, but never published, biography of Collins. They were a particularly useful primary source in building up a picture of Collins' role in the War of Independence and Civil War.

University College Dublin also holds the papers of some of the men who were assistants to those who formed the first Irish governments, and later assumed ministerial responsibilities themselves, including Hugh Kennedy and Patrick McGilligan. Kennedy was a legal adviser to the Provisional Government and his papers provide an insight into Collins' efforts to frame a Free State constitution that would be acceptable to Irish opinion, and all but a rump of doctrinaire republicans, while convincing the British that it remained within the terms of the Treaty settlement. Patrick McGilligan's papers are a useful record of his work as successor to Kevin O'Higgins as the lead Free State negotiator in the attempt to shake off the vestiges of Empire. The McGilligan papers also include an accumulation of papers and documents relating to the work of the Boundary Commission and the North, not surprising for a Southern Minister born on Ireland's Northern coast.

UCD's relatively slim collection of official Cumann na nGaedheal/Fine Gael records, which I was able to consult thanks to the permission of Fine Gael headquarters, were a useful complement to Mulcahy's notes on internal tensions within Cumann na nGaedheal from the time of the Army crisis, early 1924, through to Fianna Fail's victory in 1932.

An Anti-Treaty perspective on events was provided by UCD's holdings of Mary MacSwiney's papers and the papers and notebooks of Earnan O'Malley. The MacSwiney papers offer an insight into the Republican case as advocated by an uncompromising opponent of the Treaty. Much of her material was intended for an international audience, particularly the Irish diaspora in North America. This was a fairly obvious role for the sister of Terence MacSwiney, the martyred Lord Mayor of Cork, whose hunger strike to death in Brixton prison captured the attention of the world. Ernie O'Malley was a celebrated 1916 and War of Independence veteran who, despite a close association with Collins, went 'Anti-Treaty', becoming Assistant Chief of Staff in the Irregular IRA in October 1922. Following a period of imprisonment and ill health, O'Malley left Ireland in 1925, and did not return to settle until 1935. The O'Malley 'papers' detail Anti-Treaty political and military organisation in the years 1922-1924. Following his return to Ireland, O'Malley devoted years to interviewing surviving figures of the War of Independence/Civil War, including Collins' leading lieutenants Tobin and Thornton. Some of this material was used for 'The Singing Flame' a history of the Civil War, which was published more than twenty years after his death. The original source material, the 'Notebooks' are difficult to access due to O'Malley's own version of shorthand and his spidery handwriting. To quote O'Malley himself;

" My handwriting was distinctive in its illegibility."<sup>(3)</sup>

I was drawn to Trinity College Dublin in pursuit of the papers of E.M. Stephen. Stephen was the Secretary of the North East Boundary Bureau, which was established by the Free State government to work with Nationalist communities

in Northern Ireland in preparing their submissions to the Boundary Commission. As well as containing the expected comprehensive set of documents on the operation of the NEBB and the Boundary Commission, the Stephen's papers also include a wealth of material dealing with the North and partition from 1912 through to the "ultimate settlement" of 1925. Importantly, it includes a lot of Collins' own material, including his correspondence and papers dealing with the Collins/Craig pact process.

The National Archives of Ireland in Dublin's Bishop Street, encompassing the former State Paper Office and Public Record Office, provided access to government minutes, papers and correspondence - Dail, Provisional Government and Free State. I found them particularly valuable in relation to the countdown to Civil War, the state of Collins' relations with his Provisional Government colleagues following his taking over as Commander-in-Chief of the Army in July 1922, the change in Dublin's Northern policy following Collins' death and the legal advice and arguments provided for the Fianna Fail government as it set about abolishing the Oath of Allegiance. The National Archives were also the source of the original documents in which Collins set out his vision of an "association of free states".

Another important source has been the Irish Army Archives at Cathal Brugha Barracks which provided a rich seam of material on the Army crisis of 1924 and the subsequent inquiry. Other interesting material for this study was provided from captured Irregular IRA documents, including the official communique in which Liam Lynch, Chief of Staff of the Anti-Treaty IRA accepts responsibility for the ambush at Beal na mBlath. It also includes the "McPeak File", which contains material supporting the suggestion that the Army consciously conspired to ensure that civil charges against McPeak failed so that he could then be re-arrested by the military authorities.

At both UCD and Cathal Brugha Barracks I came across copies of submissions made by a variety of people to the Irish Bureau of Military History. The Bureau

was established by De Valera, at academic prompting, in 1947, and in the course of twelve years statements were taken from 1,800 people who had seen active service in the years between the formation of the Irish Volunteers in 1913 and the truce of July 1921. Guarantees were given that the material would remain classified, in the control of the Department of the Taoiseach, until everyone mentioned in the statements had died. At the point of writing, I understand that the Army has indicated to Taoiseach Ahern that it is now time that the collection was opened to the researchers and the public.<sup>(4)</sup>

The National Library of Ireland, and its manuscript department, in Kildare Street, Dublin is home to a selection of the papers of Joseph McGarrity the Irish American leader. McGarrity's correspondence with De Valera and Collins provides an interesting insight into the deteriorating relationship between the two men in the months leading up to the Civil War. Among the papers of 'Florrie' O'Donoghue, the War of Independence veteran who was in contact with Collins in an attempt to bring an early end to the Civil War, is a fascinating insight into the lengths that those around De Valera would go to, more than 35 years after Collins' death, to defend De Valera's reputation from the ghost of Michael Collins. The National Library of Ireland was also my main source for the Irish periodicals and newspapers which were important to every aspect of this study.

Many of the periodicals and most of the secondary works listed in the bibliography were consulted at the National Library of Scotland and the Library of the University of Edinburgh. Those two institutions, particularly the former, have acted as my metaphoric base camp during the course of my study. Several of the secondary sources I have consulted I have come to regard as primary sources. They include memoirs and Collins biographies written by those who had known Collins and lived through the experiences they went on to describe. They include the 1926 'Michael Collins and the Making of a New Ireland', and the 1937 'Michael Collins: Soldier and Statesman' by Piaras Beaslai who had worked with Collins in the Volunteer GHQ, and was appointed as his official biographer by the Collins family and the Cosgrave government. 'With the Dublin

Brigade' written by Charlie Dalton, a member of Collins' notorious 'Squad', and 'Towards Ireland Free', in which Cork commander Liam Deasy writes of his observations of Collins on the occasions he travelled to Dublin to consult with the Volunteer GHQ, are other examples of 'secondary' works that fall into this category.

The other archive sources I have consulted in the course of this study are the Public Record Office in Kew Gardens, London, where the RIC/DMP file on Collins from January 1917 to March 1920, the minutes of British Cabinet meetings held immediately before and during the Treaty negotiations, and British accounts of the 1926 Imperial Conference, were all consulted. The records of legal officers and ministers held by the Scottish Record Office, Edinburgh, were consulted to gain an insight into the authorities awareness of Collins' fundraising and arms procurement networks in Scotland, and to clarify the confusion surrounding the 'Scottish end' of the John McPeak affair.

I also visited the Angus town of Kirriemuir where the staff of Barrie's Birthplace, the J.M. Barrie Museum, were extremely helpful in pulling together all references to Collins in the primary and secondary sources in their care. It was interesting to view through the eyes of the creator of 'Peter Pan' the fascination that Behan's 'Laughing Boy' exerted over elements of fashionable London society during the period of the Treaty negotiations and afterwards.

As far as interviews are concerned I met with two categories of people, academic authorities on various aspects of my study, and leading figures representing the different political strands united in the years 1917 to 1921 under the umbrella of the "second" Sinn Fein, most notably the Cumann na nGaedheal/Fine Gael tradition. Both categories were straddled by Professor Maurice Manning who, when I interviewed him in June 1996, was both teaching in the politics department of UCD and leading Fine Gael in Seanad Eireann. Another interviewee who defies definition is Tim Pat Coogan. While Coogan's biography is rightly regarded as very 'pro-Collins', this former editor of the De Valera

family's 'Irish Press' regards himself to the 'Left', i.e. more nationalist, than the Fine Gael inheritors of Collins' mantle.

Among the political figures interviewed were former Taoiseach Garret FitzGerald. I was interested in the view of Collins he had inherited from his parents, both of whom knew Collins well, and in his assessment of what Collins represents to the modern day Fine Gael. Another fascinating political interview was that carried out with Nora Owen TD, Collins' grandniece who, at the time of the interview in the summer of 1996, was Minister for Justice in the "Rainbow" government. My reasons for interviewing her were to gain an insight into what the Collins family regard as their famous forebear's legacy, and her assessment of its political resonance today. The interview also brought me face to face with the 'Collins gene'. From that interview I believe I gained some insight into the charisma which impressed so many of those who came into contact with Michael Collins.

Among the various film and television documentaries I have consulted, two deserve particular mention. The 1989 RTE, award-winning 'The Shadow of Beal na mBlath', was both written and directed by Colm Connolly, another of my interviewees. The first half of the documentary is an excellent summary of Collins' career while the second part is devoted to a rigorous investigation of the events that unfolded at Beal na mBlath on 22 August 1922. The other is Brian Phelan's drama-documentary, 'The Treaty', produced by Merlin Films for RTE and Thames Television in 1991. I consider the Collins portrayed as something of a composite character, pulling together the different Collins identified by different biographers. This is not surprising given that the film lists Professor Roy Foster, Lord Longford (Frank Pakenham), Professor T.P. O'Neill and Tim Pat Coogan among its historical advisors. Some of the dialogue is clearly based on sources cited by Rex Taylor in his 1958 'Michael Collins', sources which, as I argue in Chapter 7, should be treated with caution. Nevertheless, 'The Treaty' is a detailed portrayal of the negotiating process that was carried out between July and December 1921.

All of the sources consulted are listed in my Bibliography. The different Michael Collins portrayed by different biographers, and in other associated literature, are assessed in Chapter 7.

### Summary

Chapter 1 traces Michael Collins to the paramount leadership of the Irish revolutionary movement. I seek to identify his formative influences and to convey something of the Collins' charisma. It also a 'dramatis personae', allowing me to introduce the cast of characters that are central to this study, and to place them in the orbit operating around Collins. In this chapter I argue that Collins was driven by events and influences to play a role in the revolutionary movement. While regarding him as the paramount leader of the revolution, I also support the view that his rise was partly due to his talent, or good fortune, in avoiding arrest. Apart from a short period in the spring of 1918, Collins was at centre of events in the post-Easter Rising movement from early 1917 onwards.

The title of Chapter 2 is borrowed from Alice Milligan's poem which recalls the legend of Cuchulainn at the Ford to portray the agony of the Civil War, in particular the breach between Collins and his close friend Harry Boland. In 'Till Ferdia Came' I look at Collins' attempts to prevent Civil War, and his subsequent attempts to bring it to a conclusion. I examine the largely anecdotal evidence supporting the claim that Collins was seeking to use old contacts to bring hostilities to an end. I also set out the evidence, and range of opinion, as to whether or not Collins would have sanctioned the executions and reprisals policy adopted by his surviving colleagues. The circumstances and theories surrounding Collins' death are reserved for Appendix III.

In Chapter 3, I argue that the Army Mutiny of March 1924 had as much to do with the career frustrations of the mutineers as with their claims to be "Mick's Men". I present evidence to demonstrate that Collins aimed for a professional Army in which promotion was based on ability and competence before

experience in the Pre-Truce Volunteers. I go on to argue that the suppression of the mutiny was important in consolidating Collins' vision of an army and police force subservient to the elected government of the Irish people. I also discuss how the Mutiny in the Army was reflected in the tensions and divisions within the governing Cumann na nGaedheal party. I look in some detail at Joe McGrath and his 'National Group', and the mini general election of 1925 caused by their collective resignation from Dail Eireann. I argue that they represented the emergence of a self-proclaimed 'Collins Party', and, while I acknowledge their connections with Collins, I argue that they misread how he would have handled the issue which sparked their resignations.

Chapter 4 begins with Collins' role in finessing the Boundary Commission instrument as a way of dealing with the difficult Northern problem. I assemble the available evidence, which suggests that Collins genuinely believed that the Boundary Commission would yield substantial territory to the Free State, and that it was much more than a political figleaf to help him through his immediate political problems in early 1922. If he genuinely believed, as I argue, that the Boundary Commission would deliver, why did he enter the Craig/Collins pact process, and why did he supply and support the Northern units of the IRA through the spring of 1922? I tackle both these questions and weigh up the evidence as to whether or not Collins would have recommenced military action against the Northern authorities once the Civil War was settled. I outline the arguments sustaining the thesis that the boundary revision exercise would have worked out differently had Collins lived, and that his actions towards the North were motivated by a burning desire for Irish unity, a concern that was simply not shared to the same extent by neither his Pro-Treaty heirs nor his Anti-Treaty critics.

Chapter 5 deals with Ireland's place in the world. I identify Collins' vision of the role an independent Ireland could play in working for a new equal "free association of states" that would replace the Empire. I assess the extent to which his heirs worked for that goal. I conclude that Collins' successors in this



particular regard, Kevin O'Higgins and Patrick McGilligan, were largely successful in turning Collins' vision into reality.

In Chapter 6 I debate whether or not the actions of the incoming Fianna Fail government in 1932 demonstrated that Collins' assessment of the Treaty, as a flexible device, had been correct all along, and whether his erstwhile colleagues opposed the abolition of the Oath on the basis of opposing anything De Valera tried to do? I argue that De Valera's actions on taking power in 1932 were a de facto acceptance of Collins' interpretation of the scope offered by the Treaty, and, while lodging a caveat as to how Collins would have interpreted implications of that action for relations with Northern Ireland, I argue that a case can certainly be made for regarding De Valera as Collins' rightful successor.

I begin the final, and relatively eclectic, chapter by looking at the kind of political party *Cumann na nGaedheal* became in the course of the years 1923 to 1932, and ask whether or not Collins would have been at ease in a political organisation that had come to encompass much of the old Irish Parliamentary Party tradition and a sprinkling of former Unionists? I argue that he may well have approved of such a development, given his support for a 'synthesising process' in which the best talents in Ireland pulled together in the national interest.

I contrast Collins' attempts to anchor Irish democracy with the allegation that, had he lived, he would have become a quasi-fascist Irish 'duce'. I then move outwith my main period of study to examine the motivation behind the efforts to render Collins a non-person in De Valera's Ireland, and argue that the differences in their respective visions for Ireland have been exaggerated in a struggle of reputations. I go on to trace Collins' 'comeback', and ask why he has become such an important historical figure in today's Ireland, North and South. I also devote a section of Chapter 7 to Collins' biographers, particularly those who knew Collins personally and published prior to 1932. I look at the different Michael Collins portrayed by the various authors and to what extent the Collins

that each of them depicted was influenced by their own political position and by the time and perspective from which they were writing.

Appendix I is a select biography of Pro-Treaty figures, political and military, who during the period 1922 to 1932 differed with, or split from, the ruling Cumann na nGaedheal government on the grounds that it was failing to honour Collins' legacy. Appendix II draws together some personal conclusions as to how Collins' legacy would have developed if he had survived events at Beal na mBlath. Finally, Appendix III brings me back to where I began, dissecting the allegations that John McPeak could have been a Scottish cog in a conspiracy against Collins. The account presented here adds new material to that contained in my 1996 series on McPeak for the 'Herald' newspaper. I believe it represents the most comprehensive account of the McPeak affair to date.

#### On a personal note

Though comfortable with my own sense of self as a Scot, I have no memory of a time when I was not aware of my own Irish lineage. My maternal great grandfather, John King, left Clifden, County Galway, in the closing years of the last century to seek a living in Scotland, eventually settling in the Midlothian area. Until embarking on this study, however, my interest in Irish affairs was mainly expressed through collecting postal history.

My great grandfather died long before I was born. I was therefore intrigued to learn from the Reverend Dr. Andrew Ross of Edinburgh University's Divinity Faculty that one of his Irish Catholic uncles, a man who also lived and worked in the mining villages of Midlothian in the 1920s, regarded the death of Collins as a defining moment for him and others in the Irish community. He claimed that until August 1922 they had shared an optimism for the new Ireland, continued to regard themselves as primarily Irish and contemplated returning home. That changed with the death of Collins. That was the moment they decided that there was to be no fairy tale return, and that their future lay in Scotland.<sup>(5)</sup> This family

story offers another insight into the significance with which the Irish, in the 32 counties and the diaspora, regarded Michael Collins.

I would ask my readers to please excuse the Scottish-related and philatelic references. They represent the stamp of my own personality on this study.

Introduction. Notes and References

- 1) Interest was expressed by the 'Herald' (formerly Glasgow Herald) but it took the pre-publicity for Neil Jordan's 'Michael Collins' in 1996 to prompt the paper into acting on its option. Working with Herald's senior features writer I completed a major investigation into the McPeak affair which was serialised over three days in September 1996.
- 2) A phrase used by Fintan O'Toole to describe Collins in *In the Shadow of the Gun. The Return of Michael Collins*, BBC2, 1995.
- 3) Ernie O'Malley, *On Another Man's Wound*, Anvil, Dublin, 1979 edition, p.262.
- 4) The author in discussion with Commandant Peter Young of the Irish Army Archives, Cathal Brugha Barracks, Dublin, July 1998.
- 5) The author in discussion with the Reverend Dr. Andrew Ross of the Faculty of Divinity of the University of Edinburgh, February 1998.

**Chapter 1:**  
**The Rise and Rise of Michael Collins**

## Introduction

In this chapter I trace Michael Collins' rise to the leadership of the Irish national movement, and the reasons for that progress. I support the view that Collins was driven by background and circumstances to play a major role in the Irish national revolution. I also argue that Collins' determination to avoid detention in the days after April 1918 was an important factor in creating the circumstances that led to his emergence as the paramount leader of the movement.<sup>(1)</sup>

I list Collins' actions, and his political ideas, which continued to impact on events after his death. I draw on the testimony of his contemporaries to illustrate the powerful personality that created the Collins charisma that enchanted so many.

This chapter is also my 'dramatis personae', in which I introduce the cast of characters that are central to my thesis. They are the individuals who formed Collins' entourage and followers during his lifetime, and who sought to faithfully fulfil what they perceived, from their various perspectives, to be his real legacy. I also explain the significance of the role of the Irish Republican Brotherhood, the Frongoch experience, and Collins' time at the helm of the National Aid Association, in putting together the networks through which his influence was exerted in life and preserved following his death in August 1922.

## West Cork

Michael Collins was born at the family homestead, Woodfield, near Clonakilty in rural West Cork on 16 October 1890, the youngest of eight children born to Michael John Collins and Mary Anne O'Brien. Collins senior had married late in life and was an impressive seventy five years of age by the time young Michael was born. The West Cork setting and the circumstances of Collins' birth, and early years, help to explain his life-long association with the Irish nationalist

movement.

West Cork was noted for its allegiance to the cause of Irish nationalism. One local notable was Jeremiah O'Donovan Rossa of Rosscarbery, a founder member of the Irish Republican Brotherhood, the secret society established in 1858 on a commitment to physical force to sever the union between Ireland and Britain, and a participant in the unrest of the 1860s. His funeral in August 1915, following the return of his remains from America, was a defining moment in the emergence of a new generation of leaders, when Patrick Pearse in the graveside oration claimed the Fenian mantle.<sup>(2)</sup>

Cork was one of the main centres of land agitation, an issue inextricably linked with the national demand, and young Michael Collins grew up with tales of 'land-lordism', dispossession and resistance. The south had been one of the centres of the Rebellion of 1798, and Cork's Bantry Bay had been the scene of an earlier, abortive, near-landing of a French-backed force in 1796. The ghosts of Wolfe Tone's United Irishmen may have been very real to young Michael Collins. Memories of the 'Year of the French' were stirred throughout Ireland with the centenary of 1798, and the Collins clan had its own links to those days.<sup>(3)</sup> Michael Collins senior had received some impressive scraps of education, including a grasp of Greek, Latin and mathematics, from a cousin who worked in the tradition of the old 'hedge schoolmasters', the itinerant educators who sought to provide education to the excluded Roman Catholic population prior to Catholic Emancipation in 1829. The 'hedge schoolmaster' in question had lived through the Rebellion and had apparently known Wolfe Tone personally.<sup>(4)</sup> Another '98 connection was local smiddy James Santry, whose grandfather was 'out' in the Rebellion. Santry was an inveterate storyteller and held Michael spellbound with tales of his father forging pikes for subsequent attempts to emulate the men of '98 in 1848 and 1867.<sup>(5)</sup> Collins also heard grim first hand tales from his father and maternal grandmother, both of whom had lived through the Great Famine, the Young Ireland revolt and the political disappointments of the 1880s.<sup>(6)</sup> Much of this reminiscence may well have taken

place at the end of the long working day, and might explain what Collins meant when he told the journalist Hayden Talbot;

" Great age held something for me that was awesome. I was much fonder of old people in the darkness than young people in the daytime." <sup>(7)</sup>

Surviving newsreel footage of the 'pact' election of June 1922 shows Collins completely at ease campaigning among older voters, displaying an undoubted warmth that glows through the silent, flickering images.<sup>(8)</sup> Although his father died when Collins was only six years of age, there is little doubt that being the son of an elderly father equipped him with a fondness for the company of older people.

There was another important influence in the life of the young Michael Collins, his schoolmaster at the Lisavaird National School, Denis Lyons. Lyons was a member of the Irish Republican Brotherhood and provided Michael with a direct link to the reminiscences and anecdotes of the Collins/O'Brien family and Santry.

In his biography of Collins, Rex Taylor draws on private Collins family papers to quote from an apparently remarkable essay on the political situation in Ireland, written by twelve year old Michael in 1902. He shows contempt for the post-Parnell Irish Parliamentary Party, describing its leaders as "the slaves of England". In a prophetic passage in praise of Arthur Griffith, with whom his own fate was to become so closely associated, the young Collins wrote;

" In Arthur Griffith there is a mighty force afoot in Ireland. He has none of the wildness of some I could name instead there is an abundance of wisdom and awareness of things which are Ireland."<sup>(9)</sup>

Griffith had been an active Parnellite until the great man's death in 1891, but by the time young Michael Collins was penning his admiration for Griffith, the latter was involved with Cumann na nGaedheal, not the party which grew out of the Pro-Treaty element of Sinn Fein in 1923, but youthful, patriotic clubs



promoting Ireland's Gaelic culture and opposition to the Parliamentary Party.

When Michael Collins senior died, aged eighty one in 1897, his final words were reputed to be;

" I shall not see Ireland free, but in my children's time it will come, please god." <sup>(10)</sup>

While support for the national aspiration was bequeathed to Michael Collins, the same was not true for an understanding of the Irish language. Both his parents were native Gaelic speakers but, despite their nationalist politics, they apparently associated the language with failure and backwardness and therefore did not pass it on to their children.<sup>(11)</sup>

The issue of the Irish language aside, Michael Collins' generation, those born in the 1890s, were better educated and enjoyed better opportunities than any previous generation of native Catholic boys. These included competitive entry to the British civil service, and it was this channel of opportunity that brought Michael Collins to London in 1906, as a boy clerk in the West Kensington Branch of the Post Office Savings Bank. While it may seem an unlikely career for a future Irish rebel, the reality is that Collins, and many others who came to play a leading role in the national movement, received a secure administrative grounding, or military training, in British service.

In his 1926 official biography of Collins Piaras Beaslai described the young Michael as "a child of that (the Irish-Ireland) movement", who was destined to be "a great reaper where others had sown."<sup>(12)</sup> Both Beaslai and Taylor present a picture of a young Michael Collins who was driven to fulfil the destiny that lay before him.

### The London Years

On arriving in London to take up his Post Office job, Collins went to stay with

his sister Johanna, known to the family as 'Hannie'. In many ways the events that marked Collins' years in London reflected political developments in Ireland. The first major event, however, was highly personal. His mother died from cancer in 1907.<sup>(13)</sup> Seventeen is a sensitive age to lose a mother, particularly given the earlier death of his father. In London, Michael Collins became involved with the organisations of the 'Irish-Ireland' movement. These included the Gaelic Athletic Association, founded in 1884 to preserve traditional Irish games and pastimes. With all the force of youthful principle Collins supported a move within the London GAA to ban any members found 'guilty' of playing British 'garrison' games, most notably soccer!<sup>(14)</sup> Given the footballing adventures of the Republic of Ireland soccer squad in the 1980s and 1990s, this would certainly be one area where Collins would find himself out of tune with the average person on today's Donnybrook omnibus.

Active in supporting Sinn Fein since his arrival in London, one of Collins' GAA associates introduced him to another important political connection. Sam Maguire, like Collins a native of Cork, a post office clerk, and the captain of the London teams which contested the All Ireland Football Final in 1903, 05 and 06, swore Collins into membership of the Irish Republican Brotherhood in November 1909.<sup>(15)</sup> Collins' biographers have differed over the date of his induction into the IRB, some suggesting a later date.<sup>(16)</sup> The fact that Collins had become Treasurer of the South of England District of the 'Organisation' by 1915, his undoubted awareness of evolving IRB strategy and his standing in IRB circles on his return to Dublin in early 1916, all tend to support the earlier 1909 date. Whatever the precise date, Collins joining the IRB would prove to be a significant moment. Sam Maguire's role in the Michael Collins story is, unconsciously, recalled every September when Ireland's top two footballing counties contest 'The Sam Maguire Cup', the All Ireland Football trophy cast in the design of the Ardagh Chalice, and presented to the GAA as a memorial to Maguire's work for the nationalist cause.

Tom Clarke, an IRB veteran and 'dynamitard' who had spent fifteen years in

British prisons, returned to Dublin in 1908, and threw his influence behind a younger generation of IRB militants who eventually won control of the Organisation's governing body, the Supreme Council, in 1911.<sup>(17)</sup>

In 1910 Collins quit the Post Office to become a clerk with a stockbroking firm, changing jobs again in 1914 when he went to work in a Labour Exchange in Whitehall. In these various jobs he became proficient in typing, double-entry systems and trial balances, skills which would come in useful in fulfilling his future responsibilities.<sup>(18)</sup> During these years Collins came into contact with other Irish activists in mainland Britain who would become important associates in future years. According to one biographer Collins met Joe O'Reilly, another Corkman who would eventually become his close aide, as early as 1911.<sup>(19)</sup> According to another, the first meeting with O'Reilly did not occur until the day war was declared in August 1914, when Collins appeared for London against Scotland in the final of the British Hurling Championship in Liverpool. Whether or not this was his first meeting with O'Reilly, the Merseyside match seems to have been his introduction to another two men who would feature prominently in his future activities - Diarmuid O'Hegarty, another Corkman, and Frank Thornton.<sup>(20)</sup> Collins' closest friend in London, his cousin Sean Hurley, was also from Cork. Whether the predominance of Cork men in Collins' London circle was due to county's fighting spirit, or a reputed 'Cork clannishness', it was true nonetheless.

During Collins' ten years in London the re-united Irish Parliamentary Party under Redmond continued to retain the support, and votes, of the nationalist electorate. Sinn Fein, founded by Arthur Griffith in 1905 on a platform of full independence, albeit with a shared crown, provided the main nationalist opposition. Sinn Fein enjoyed some success in 1909, in terms of building its grassroots organisation, but by 1912 the organisation had dwindled to just one branch in Dublin and the party's name and programme were only sustained by Griffith's paper 'Nationality'.<sup>(21)</sup> Even IRB figures like Patrick Pearse were known to join Redmondite platforms in the months running up to the

introduction of the Home Rule Bill in 1912.

The 1912 legislation disappointed many in Ireland on several fronts. There was concern that the powers devolved denied the proposed Irish Parliament any role in foreign affairs, or in the setting or collection of customs and excise, and that Irish legislators would have to serve six years 'probation' before assuming control of law and order. There was also concern that an amendment by the Ulster Unionists, to exclude the nine counties of historic Ulster from the scope of the legislation, had managed to gather the support of almost 200 MPs.<sup>(22)</sup> Not surprisingly the Bill had been delayed by the hostile House of Lords, thereby effectively placing it in a state of suspended animation for two years. Opinion in nationalist Ireland was also shaken in April 1912 when, in front of British Tory leader Bonar Law and seventy other British MPs, some 90,000 members of the newly formed Ulster Volunteer Force paraded their determination to resist Home Rule. It was the clearest possible indication that the Carson-led Ulster Unionists intended to use the two year stay of execution to win the exclusion of the Protestant north east, by any means necessary.

This Unionist show of force produced a reaction in the rest of the island and on 25 November 1913 the Irish Volunteers were formed at a meeting in Dublin's Rotunda chaired by Eoin MacNeill. Professor of Early Irish History at University College Dublin, MacNeill had called for the formation of a nationalist militia, along the lines of the UVF, with the aim of defending Home Rule. The founding meeting was attended by members of Sinn Fein, the Gaelic Athletic Association, the Gaelic League, and the revolutionaries of the IRB who had their own ideas as to how the new force might develop.<sup>(23)</sup> It did not take long for the Irish community in London to follow events in Dublin, and on 25 April 1914 Michael Collins was enrolled in Number One Company of the Irish Volunteers (London).<sup>(24)</sup>

There were now two armed militias in Ireland, one nationalist, one unionist, each trying to outdo the other in procuring weapons. In an attempt to emulate the

UVF's landing of 35,000 rifles at Larne in April 1914, the Irish Volunteers tried to bring in their own much smaller consignment of c.1,000 rifles at Howth on 26 July 1914.<sup>(25)</sup> While the larger scale gun running activities of the Unionists went ahead unhindered by the authorities, a clash with British troops on the evening of the Howth incident resulted in the deaths of three civilians. The sympathies of sections of the British military had already been betrayed the 'Curragh Mutiny' of March 1914 when a group of officers stationed at the Curragh in County Kildare announced that they would not allow themselves to be used to impose Home Rule on a reluctant Ulster. It could be argued that the skirmish on the night of the Howth gun running incident saw the first shots fired in the 'War of Independence'.<sup>(26)</sup> In his 1990 biography of Collins, Tim Pat Coogan cites a story told by old timers around Howth that Michael Collins was there on the day of the gun running, but Coogan's best attempts to find any evidence of Collins' presence in contemporary accounts came to nothing.<sup>(27)</sup>

Barely a week after the Howth incident the political situation was transformed once again by the onset of World War I. With the outbreak of hostilities the Asquith Government delayed the implementation of Irish Home Rule until the ending of the War. It was also clear that the debate around partition was going to be revisited before any Irish Parliament assembled in Dublin. Redmond could do little about the delay, and he caused controversy in nationalist circles on 14 September 1914 when he made a speech in County Wicklow calling on Irish Volunteers to enlist in the British army.<sup>(28)</sup> From its formation, Redmond had insisted on substantial representation for his party on the Volunteer Executive. His pro-recruitment speech led directly to a split in the Volunteer Organisation. The vast majority of Volunteers, something in the order of 100,000, followed Redmond into what became known as the National Volunteers. The more nationalistic minority, around 10,000 strong, retained the name Irish Volunteers. The IRB seized on the opportunity presented by the split to increase their grip on the Irish Volunteers with three of their number gaining key positions on the Volunteer Executive - Patrick Pearse, Director of Military Organisation, Joseph Plunkett, Director of Military Operations and Thomas MacDonagh, Director of

Training.<sup>(29)</sup>

The further delay in the implementation of Home Rule, the renewed threat of partition and the split in the Volunteers led to a break with what P.S. O'Hegarty described as the IRB's "Fabian" policy.<sup>(30)</sup> As early as August 1914 the IRB Supreme Council endorsed the axiom that England's difficulty was Ireland's opportunity, and agreed that a military rising should take place at the earliest opportunity. Indeed O'Hegarty claims that detailed plans for what was to become the Easter Rising of April 1916 were agreed as early as May 1915.<sup>(31)</sup>

The outbreak of World War I posed problems for Michael Collins. It was likely that conscription would soon be introduced on the British mainland, and he was determined not to fight for Britain. Another change of jobs in April 1915, saw Collins in the employ of the Guaranty Trust Company of New York, a move which has led some biographers to conclude that Collins considered escaping conscription by emigrating to the United States. He may have considered such a move but Ireland won out.<sup>(32)</sup> Michael Collins, having told his employer he was "going to join up", crossed over to Dublin on 15 January 1916. Collins was being genuine when he talked about joining up. He knew the IRB was planning an uprising and he returned home to be part of it.<sup>(33)</sup>

Before drawing the curtain on the Collins years in London there are two other aspects of the young Michael's behaviour which are worth commenting on as they may assist in explaining the actions of the older Collins. While Michael devoted himself to London's Irish organisations, his sister Hannie was anxious to ensure that he absorbed something of the cultural and literary scene in London. Collins was an occasional attender at the theatre and included the popular English classics in his reading. Tom Garvin, Professor of Politics at UCD, has suggested that Collins' future use of young people as couriers in his intelligence and communications networks may well have been modelled on Sherlock Holmes' 'Baker Street Irregulars'.<sup>(34)</sup>

Earlier reference has been made to the hard line that Collins took towards GAA members playing "foreign" games. That action, and an intemperate attack on the Catholic hierarchy, delivered in an early lecture to a London Sinn Fein club, are usually explained away as the earnestness of youth. According to O'Hegarty it was this wild temperament that led to Collins not being considered as leadership material in Irish circles in London.<sup>(35)</sup> While his behaviour during the London years may be partly explained by the excesses of youth, it is certainly the case that Michael Collins possessed an explosive temperament, which has been commented on at length by contemporaries and biographers. Collins would often unwind by unleashing bursts of energy which could often result in his wrestling companions to the ground and extracting a 'piece of ear'. In West Cork wrestling victory is signified by pinning an opponent and then biting his ear, ie taking a 'piece of ear'. These bursts of adrenalin could also take the form of verbal abuse, unleashing a long line of oaths. As quickly as he seized hold of an unsuspecting victim, Collins could burst into the broadest smile and show great care and consideration.<sup>(36)</sup> Depending upon the side of Collins they experienced most, those who knew him would either love him or loathe him. I believe that the force demonstrated by Collins was the same energy which allowed him to meet the exhausting demands that future situations would place upon him.

Collins' behaviour, and a perceived lack of women among his circle of friends during the London years, led to suggestions of homosexuality. In his 1990 biography, Tim Pat Coogan makes reference to previously unpublished correspondence with Susan Killeen from County Clare who, like Collins, worked in the Post Office in London and was active in Irish organisations.<sup>(37)</sup> The correspondence suggests that Collins had a relationship with her in the period 1914 to 1918. I make mention of the existence of an early heterosexual relationship in the life of the young Michael to balance the suggestions of homosexuality. Collins' later relationships with women are still the subject of comment and dispute, and will be referred to where they impinge on this particular study.

## The Easter Rising

On arriving in Dublin, Collins went to work for the family of Joseph Plunkett, one of the new generation of IRB leaders, and a key organiser of the proposed rising. Collins apparently described himself as a financial adviser to Count Plunkett, Joseph's venerable father, but in reality he acted as some kind of clerk to Joseph's sister Geraldine.<sup>(38)</sup> Whatever the precise nature of the job it is highly likely that Collins had been recommended by the IRB. Evidently the job did not pay well as Collins soon took an additional part-time job with a firm of chartered accountants to make ends meet.<sup>(39)</sup> If employment with the Plunketts did not make Collins rich it did introduce him to a wealth of contacts. These included the 'Kimmage Garrison' a group of young men who, like Collins, had fled the British mainland to avoid conscription, and to prepare themselves for the proposed rising. Unlike Collins who sought lodgings around Dublin, they camped on Count Plunkett's estate at Larkfield, Kimmage. Collins was taken under the wing of the sickly Joseph Plunkett, a relationship which led to his being appointed as Plunkett's aide-de-camp when the rising eventually took place. Plunkett regarded Collins as naive when it came to the dangers that spies and British agents posed to the separatist movement and made him a gift of a copy of Chesterton's 'The Man Who Was Thursday'. It may well have been Plunkett's warning, along with a general reading of Irish history, that convinced Collins of the importance of intelligence work. Chesterton's character argued that "if you didn't seem to be hiding nobody sought you out", and Collins seems to have adopted this dictum with regard to the way he conducted himself while on the run. Another early indication of Collins' penchant for cloak and dagger work was the series of 'poste restante' addresses he established around Dublin to ensure that London-based family and friends did not unwittingly reveal his whereabouts to the British authorities who, he was convinced, would pursue him on the conscription issue.<sup>(40)</sup>

Another important contact in the early months of 1916 was Sean MacDiarmada, the leader of the restless, younger IRB generation. It was MacDiarmada that



introduced Collins to the Keating Branch of the Gaelic League where he was reunited with his cousin Gearoid O'Sullivan, and Diarmuid O'Hegarty whom he knew from his days in London. The Keating Branch was packed with activists who would emerge as key players in the revolutionary struggle. Apart from Collins, O'Sullivan and O'Hegarty, they included Richard Mulcahy, Rory O'Connor and branch president Charles Burgess. The Irish language was important to the emerging generation which sought to replace the Irish Parliamentary Party's conception of domestic Home Rule with the notion of a fully independent Gaelic Ireland. While most of them would top and tail their correspondence with Irish, or sign with the Gaelic version of their names, Burgess abandoned his English nomenclature altogether to go down in history as Cathal Brugha.<sup>(41)</sup>

Collins, the men of the Kimmage Garrison and others had returned from mainland Britain in expectation of a rising against British authority. While the rising was widely anticipated, the details were confined to a small elite. The executive body of the Irish Republican Brotherhood was its Supreme Council, which was composed of representatives from eleven 'districts', eight covering Ireland, two from England and one from Scotland. Provision existed in the IRB constitution for the formation of a Military Council and, at some point during the spring/early summer of 1915, Plunkett successfully moved that such a Council be created. It was this group that planned the 'Easter Rising'.<sup>(42)</sup>

The Military Council consisted of Joseph Plunkett, Patrick Pearse, Tom Clarke, Sean MacDiarmada and Eamonn Ceannt, a Irish language enthusiast and talented traditional piper. The socialist leader James Connolly was added in January 1916 and Thomas MacDonagh completed the line up only a matter of days before Rising.<sup>(43)</sup> Of the seven men who would constitute themselves as the 'Provisional Government of the Irish Republic', and put their signatures to the proclamation of the Republic, only Connolly was not a member of the IRB but, as O'Hegarty puts it tongue in cheek, he was "externally associated".<sup>(44)</sup> Connolly had been threatening to launch an armed revolt of his own with his two hundred-strong

workers' militia, the Irish Citizen Army, which had been born out of the industrial strife of 1913, and the IRB Military Council acted to bring him 'on side'.

Other leading figures in the IRB, and the wider leadership of the Irish Volunteers, were unaware of the plans of the Military Council. The trigger for the Rising would be the landing of German-supplied weapons off the coast of western Ireland on Good Friday 1916, and the Volunteer training mobilisation called for Easter Sunday would be transformed into the real thing. The plan began to breakdown when a Royal Navy ship intercepted the German arms carrier 'Aud'. The 'Aud' was scuttled, the IRB's arms shipment consigned to the seabed, and Sir Roger Casement, who had arranged the shipment, was captured from an accompanying German submarine. The 'Aud' incident alerted the Volunteer leadership to what the Military Council had been planning, and Eoin MacNeill issued orders cancelling all manoeuvres over the Easter weekend.<sup>(45)</sup>

Meeting on Easter Sunday, the Military Council decided to go ahead with its plans the following day. They realised that the confusion created by conflicting orders would keep most of the 10,000 Irish Volunteers at home but they hoped for enough of a response to make a stand in Dublin. The 1,500 or so men and women who occupied seven sites around Dublin on Easter Monday were a speckled band.<sup>(46)</sup> The majority of the Irish Volunteers who paraded had no uniforms, while the gray-green uniforms of those who did blended with the plainer bottle-green uniforms of the Irish Citizen Army. Michael Collins had his own uniform, a staff captain's, and he made a dashing figure as he took up his place in the rebel HQ in the General Post Office.<sup>(47)</sup>

As aide-de-camp to Joseph Plunkett, the bulk of Collins' duties lay in the operations room. The optimistic unreality of the leaders' aspirations contrasted with Collins' grasp of practicalities. He made sure that accusations of drunkenness could not be levelled at the Rebels of 1916 and on more than one occasion smoothed over conflicts between different groups of Volunteers. It was these

actions that led Desmond FitzGerald to comment that Collins was "the most effective and efficient officer in the place".<sup>(48)</sup> As the situation grew more desperate in the GPO, Collins sought to lighten the mood. During a particularly furious spell of shelling he asked Pearse for permission for him and his cousin O'Sullivan to "pop out for a bit" as they had dates with a couple of girls that they did not want to disappoint.<sup>(49)</sup>

If organisational ability and a quick turn of humour were two aspects of Collins' character demonstrated during the Rising, courage was another. On the Friday of the Rising, Collins led a detachment of Volunteers in an attempted breakout from the GPO, along Henry Street and into Moore Lane, in an attempt to link up with the rebel garrison in the Four Courts. Desmond Ryan, the socialist, writer and Easter Week veteran, was an eye witness to the events in the GPO. He describes Collins leading the attempted breakout amid bullets flying and flames all around.<sup>(50)</sup> This action threw Collins into yet another emotion, grief, as his cousin Sean Hurley was killed. Ryan, who was also Pearse's literary executor, paints the following picture of Collins' reaction to the death of his kinsman and close friend;

" Michael Collins sat in a corner, a look of horror in his eyes, a pallor spreading over his face...Moans escaped him and he huddled into his corner at every far away sound...Collins looked up, and back, stoical and impassive, with the rest of the Volunteers, waiting for the end".<sup>(51)</sup>

The end for the Easter rebels came quickly enough. On the afternoon of Saturday 29 April Patrick Pearse surrendered to the British military authorities in order to prevent further loss of life among Dublin civilians and his own forces. The following day the rebels were brought together in Richmond Barracks but on the first night of their internment the survivors of the GPO garrison were held in the garden of the Rotunda Hospital. Collins' biographers from Piaras Beaslai through to Tim Pat Coogan are agreed that during those first hours of captivity Collins witnessed the mocking, if not maltreatment, of prisoners by a Captain Lee Wilson. Apparently Lee Wilson ordered selected prisoners to be stripped naked and paraded in front of the steps to the Rotunda Hospital, supposedly to the

amusement of watching nurses. Collins was enraged when Lee Wilson picked out Tom Clarke, and not only degraded the elderly revolutionary but roughly manhandled him to the extent that an old wound on Clarke's elbow opened up.

Further eye witness testimony to these events is provided by the man who later would become Collins' number two in the Irish Volunteers intelligence operation, Liam Tobin. Tobin recorded the Lee Wilson/Clarke incident in his submission to the Irish Bureau of Military History, and claimed that he and Collins swore to hold Lee Wilson to account at some further date.<sup>(52)</sup> It was a vow fulfilled when the intelligence network created by Collins and Tobin tracked down Lee Wilson, by that time a District Inspector of the RIC in County Wexford, and assassinated him. Whatever the precise detail of the distasteful incidents at the Rotunda, it is undisputed that another British officer, the crazed Captain Bowan-Colthurst, was responsible for the murder of a number of innocent civilians including the pacifist and well-known Dublin figure Francis Sheehy-Skeffington. The events which transformed public attitudes, however, were the executions of fourteen rebel leaders which began with Pearse on 3 May and dragged on until Connolly was executed on 12 May.<sup>(53)</sup>

On Sunday 30 April the prisoners were taken to Richmond Barracks and screened. The screening process was carried out by the detectives of 'G' Division of the Dublin Metropolitan Police. On the whole the DMP, unlike the paramilitary Royal Irish Constabulary, was not regarded as a political force. Following the establishment of the Free State, officers from the DMP's A-F divisions, the geographical-based divisions, were allowed to transfer to the Civic Guard. 'G' division, however, was a very different story. The detectives of 'G' division were the eyes and ears of British rule in the Irish capital. Their job in the aftermath of the Easter Rising was to identify the senior insurgents who should face court martial. Beaslai, who was among those selected, leaves us with a graphic account of the 'G' men descending on the prisoners "like a flock of carrion crows".<sup>(54)</sup> Those selected for court martial faced the firing squad, or lengthy periods of penal servitude in England's toughest gaols, while those who

escaped selection faced internment in a less severe regime.

There are stories that Collins was selected for harsher treatment but eluded it by simply disobeying instructions and joining the wrong queue.<sup>(55)</sup> There are also stories that Sean MacDiarmada, one of Collins' heroes, almost escaped detection but near the end of the procedure he was plucked out of the line where he had been standing next to Collins.<sup>(56)</sup> Collins' contempt for this political detective force, and his determination to destroy it, must have been influenced by his experiences of this post-Rising screening. Beaslai was clearly thinking of Collins when he wrote;

" Anybody who had seen that sight may be pardoned if he felt little compunction at the subsequent shooting of these same 'G' men."<sup>(57)</sup>

In 'Remembering Sion' Desmond Ryan describes the execution of the 1916 leaders as dropping "a mantle of leadership on Collins".<sup>(58)</sup> This assessment is somewhat premature as it would take the neutralisation of further layers of Irish leaders to bring Collins to the fore. If the outcome of the 1916 Rising was to declare any heir-presumptive to the paramount leadership of the nationalist movement then it was the man whose future and reputation would become intertwined with that of Collins - Eamon de Valera.

Commandant de Valera, commanding the 3rd Battalion of the Dublin Brigade of the Irish Volunteers, was responsible for covering the south eastern approaches to Dublin city centre from his command post in Boland's Mills. Within De Valera's command area lay Mount Street Bridge, the 'Irish Thermopylae', where a small band of twelve Irish Volunteers, under the command of Lieutenant Michael Malone, held off wave after wave of attacks resulting in more than 200 British dead, more than half of the total Crown losses during the Rising. De Valera's standing was boosted by the sacrifice of Malone and the seven other Volunteers who died with him. De Valera's command was the last to respond to Pearse's surrender order, and as a result he was held in Ballsbridge Town Hall, and not with the other leaders in Richmond Barracks or Kilmainham Gaol. Accordingly

he did not appear for court martial until 8 May, by which time the pendulum of public opinion was beginning to swing against the executions policy.<sup>(59)</sup> Although initially sentenced to death, De Valera had his sentence reduced to life imprisonment, thanks largely to his American connections and British concerns not to alienate Washington. As the senior surviving commander of the Rising, and a distinguished commander at that, De Valera was regarded by many as the man on whom the real "mantle of leadership was dropped".

One leading rebel who escaped detention was Cathal Brugha. He had been so severely wounded during the Rising that the British authorities thought he was unlikely to survive, never mind play any further meaningful role in the separatist movement. They were wrong.

#### University of the National Revolution

Michael Collins was among the prisoners shipped out of Dublin in late April 1916 and initially interned at Stafford Detention Barracks. Collins remained there for some six weeks, the first three in solitary confinement.<sup>(60)</sup> In June, Collins, along with many other Irish prisoners held on the mainland, was transferred to the Frongoch detention camp, a railway stop in Merioneth, North Wales, lying between Bola and Blaneau Festinog. Within a month of the camp opening for this purpose, the authorities began to question the wisdom of locking up so many Irish insurgents together in one place. In an attempt to deprive the prisoners of leadership, the British removed those it regarded as potential leaders and transferred them to Reading Gaol.<sup>(61)</sup> Among those removed to Reading were a number of people who would go on to demonstrate that leadership potential, e.g. Terence MacSwiney, Thomas MacCurtain and Ginger O'Connell. Once again, however, the authorities failed to identify Collins as a threat. By removing other potential leaders they simply ensured that Collins would play a prominent role in Frongoch.

The Camp records reveal that Collins was active in many aspects of life at

Frongoch. The strapping outgoing young man from West Cork, now aged twenty five, was always at the centre of the action when it came to hurling matches, laughing off the injuries that could be inflicted by a loose hurley. In August 1916 he won the Camp 100 yards sprint championship from W. O. Reilly, and supposedly taunted this future IRA Director of Organisation saying, "ah you hoor, you can't run".<sup>(62)</sup> On the 'cultural' side Collins starred in Camp concerts and organised Irish classes. What the Camp records do not record, however, was the effort that Collins was putting into political organisation.

In the aftermath of the Easter Rising, there were at least three, unconnected efforts being made to revive the IRB. On the outside, Mrs Kathleen Clarke, widow of Tom, felt the obligation to keep the flame alive. In Lewes Gaol, where a number of the more 'senior' prisoners were held, there was also an attempt to revive the Organisation. The third, and ultimately most successful, attempt was carried out by Collins in Frongoch. In the course of the seven months in which Frongoch was used to house Irish prisoners, Collins was successful in recruiting, or reviving the membership of a number of IRB men who would play important roles in the years ahead. They included Richard Mulcahy, who by the spring of 1918 would be Chief of Staff of the Irish Republican Army, Sean MacMahon who would become its Quartermaster General, and Gearoid O'Sullivan who would succeed his cousin Collins as IRA Adjutant General. Of the thirteen men who formed the IRA General Staff at the end of 1920, no less than eight had been interned in Frongoch.<sup>(63)</sup> Collins had a head start on the efforts of his rivals in the race to revive the IRB, thanks to the British authorities bringing together some 700 dedicated Irish separatists. Collins also benefited from the active support of Henry Dixon, a 70 year old Dubliner prominent in the Brotherhood, and a member of the Sinn Fein Executive from as early as 1906. Collins was determined to seize the opportunity provided by Frongoch to weld this collection of prisoners into a network capable of serving Ireland in the future. Several of the men who would later form Collins' elite units, 'the Squad' and the Dublin ASU, first came to the 'Big Fella's' attention in Frongoch.<sup>(64)</sup>

On 21 December 1916 the British Government announced it was releasing the Frongoch prisoners. This gesture of goodwill was largely aimed at American opinion and was part of the British Government's efforts to get the United States to enter World War I.<sup>(65)</sup>

The significance of Frongoch in the career of Michael Collins, and to the future of the Irish nationalist movement, was threefold. Firstly, it played the role of a University of the National Revolution, or the first All-Ireland Republican Convention. In an era of still relatively rudimentary communications the authorities presented the rebels with an unprecedented opportunity by confining together so many prisoners from all over Ireland. Secondly, as already discussed, it provided an ideal cover for Collins and Dixon to recruit to the IRB. Thirdly, it facilitated the development of political activity and military training. This included protests against conditions, including the 'bucket strike' organised by Gearoid O'Sullivan.<sup>(66)</sup>

It should come as no surprise to learn just how influential 'Frongoch graduates' were to become in the years that lay ahead. The illustration of the IRA GHQ has already been cited, and the influence of Frongoch is also reflected in some of the other episodes which are of central concern to this study. When it came to the Civil War, no less than twelve of the most senior ranking officers of the Free State Army, ie. above the rank of Colonel, and the two most senior officers in the Civic Guard, had served in Frongoch. Moving on to the 'Army Mutiny' in the spring of 1924, all of the key players on one side, i.e. the Army Council, were Frongoch graduates.<sup>(67)</sup>

Michael Collins and Gearoid O'Sullivan returned to Dublin from Frongoch on Christmas morning 1916. Frank O'Connor tells us that one of their first ports of call was the lodgings of Joe O'Reilly. They had both known their fellow Corkman since their London days, and had fought alongside him in the GPO. O'Reilly had also been interned in Frongoch but had been released earlier. According to Frank O'Connor's account Collins and O'Sullivan burst in on the



unsuspecting O'Reilly, extracted a piece of ear, poured a good part of a bottle of port down his throat and left their shaken victim to explain to a shocked roommate that this was only his chums letting off some steam. Later that same evening Collins was bundled on a train heading for Cork.<sup>(68)</sup> This postscript on Collins' first day of freedom on being released from Frongoch is interesting as it again illustrates the boisterous character traits that were important in regulating Collins relationships with his close comrades. It also suggests that O'Sullivan had now taken the place of the dead Hurley as his cousin's closest companion.

### Re-building

Collins returned to his native West Cork for the New Year of 1917, and was apparently concerned that only a few people wanted to shake his hand. Within a matter of days he decided that his future belonged in Dublin where the political movement was "more advanced". Before the end of the month he returned to the capital.<sup>(69)</sup> As already indicated, Kathleen Clarke had made her own attempt to revive the IRB out of the remnants that had not been swept up in the wake of the Rising. A new Supreme Council formed in Dublin in August 1916 stood aside following the Christmas release of the Frongoch and Reading prisoners. The release of the prisoners also led to a provisional Volunteer Convention. From that point on Collins was part of the leadership of the military-wing of the separatist/republican movement.<sup>(70)</sup>

Following the Rising, two welfare organisations, the Irish National Aid Association and the Irish Volunteers Dependents' Fund, had been formed to assist the families of those killed and imprisoned, and to help returning prisoners to re-adjust. In August 1916 the organisations came together at the insistence of financial donors in the United States.<sup>(71)</sup> This was the amalgamated organisation that Collins became Secretary of in February 1917, taking over from Joe McGrath, another Easter Week veteran that would become a close Collins associate in the years ahead.<sup>(72)</sup> As Secretary, Collins travelled the country making contact with returned prisoners and the dependents of those still behind

bars. This practical, welfare work allowed Collins to demonstrate his administrative skills, and to build a reputation as someone who could get things done.<sup>(73)</sup>

Reference has already been made to the shift in Irish public opinion which had been evident since the aftermath of the Easter Rising. With their leaders dead or imprisoned, the separatist organisations, Sinn Fein, the IRB, the Volunteers, the Citizen Army etc., were simply not equipped to take advantage of the changing situation. It was the release of the prisoners from Frongoch and Reading at Christmas 1916 that started the process which by the end of 1917 would see the separatists assume a predominant position.<sup>(74)</sup> The first step on that road came with the North Roscommon by election in February 1917.

The local Sinn Fein organisation, led by Father Michael O'Flanagan, who would later emerge as a senior figure in the re-organised party, decided to run Count George Plunkett against the Parliamentary Party candidate. Sixty-five year old Plunkett was a non-practising barrister, an expert on Botticelli and a Gaelic revivalist. Although a papal count and a nationalist, Plunkett was also a familiar figure in Ascendancy circles and had been an unsuccessful applicant for the post of Under Secretary in the Dublin Castle administration as recently as 1914!<sup>(75)</sup> He had been dismissed from his post as Director of the National Museum, and expelled from the Royal Dublin Society, because his three sons had fought in the Easter Rising. They included Joseph Mary Plunkett, a proclamation signatory and Michael Collins' mentor. Count Plunkett's age, his papal title, noble bearing, and sympathy for his executed son, combined to make him a formidable candidate. He was overwhelmingly elected.

Collins threw himself into canvassing in North Roscommon, and played a pivotal role in the next electoral contest to occur when he nominated imprisoned IRB member Joe McGuinness against the opposition of De Valera and the other senior leaders imprisoned in Lewes. The campaign was fought on the slogan "put him in to get him out", rather than Sinn Fein's, or any other organisation's,

detailed programme. McGuinness' narrow victory caused an upset as Longford was not associated with support for radical ideas. It was also a significant moment for Collins personally as during the campaign he stayed at a hotel run by the Kiernan family . Over the next few hectic years the daughters of the family would be courted by a succession of significant figures in the nationalist movement. Kitty Kiernan would be involved in a love-triangle with Collins and his friend Harry Boland before becoming engaged to the former in the summer of 1921.<sup>(76)</sup>

Although the by elections were hailed as a victory for Sinn Fein, they did not represent a mandate for the detailed programme of the party. As Collins himself wrote, the elements challenging the Parliamentary Party were "joined together only on opposition to the Redmondites." Collins went on to state;

" The North Roscommon and South Longford elections were fought on the basis of this agreement, and there was no definite united policy until the merging of all the sectional organisations with Sinn Fein just prior to the great Ard-Fheis of 1917."<sup>(77)</sup>

British Prime Minister Lloyd George's response was to pick up John Redmond's proposal of an Irish Convention which would seek to agree a self-government scheme acceptable to all parts of the island. Conventions and commissions have been the stock English response whenever the relationships between the nations of the British Isles have forced their way on to the political agenda. This Convention, however, which met from July 1917 to April 1918, made an honest attempt to grapple with questions which still bedevil a final settlement in the 1990s. The non-participation of Sinn Fein, and the intransigence of the Ulster Unionists, as distinct from their Southern brethren, condemned the initiative to failure from the outset.<sup>(78)</sup> In order to give a fair wind to the Convention, Lloyd George ordered the release of the remaining Easter Rising prisoners from Lewes.

With the return of De Valera, Harry Boland, Thomas Ashe, Frank Thornton and others the full cast of players was now assembled. The next act would be the Clare by election, and the re-organisation of Sinn Fein and the Irish Volunteers.

According to Sean O'Murthuile in his unpublished history of the IRB, the release of the Lewes prisoners coincided with Collins' elevation to the Supreme Council of the IRB.<sup>(79)</sup>

Immediately following his release from Lewes, De Valera was thrown into the Clare by election. The vacancy was created by the death of Redmond's brother, Major Willie Redmond, who lost his life fighting for "the rights of small nations" in the service of Britain. The political clout of the Redmond dynasty was pitted against De Valera's standing as the most senior surviving Dublin commandant of the Easter Rising. The result was a crushing De Valera victory and the beginning of a relationship between 'Dev' and the Clare electorate that would last for more than forty years. Victory in Clare was followed by victory in Kilkenny where another future premier of Ireland, William Cosgrave, was elected. The Kilkenny celebrations had hardly died down when the emerging movement was reminded of the darker side of the struggle in which it was involved. In August 1917 Thomas Ashe, Fionan Lynch and Austin Stack were arrested for making seditious speeches. They brought leadership to other political prisoners in Dublin's Mountjoy Gaol by going on hunger strike for political status. Following attempted force feeding, Ashe died on 25 September, providing the republican movement with a post 1916 martyr. During his brief weeks of freedom Ashe had been President of the IRB and Collins had come to know him well through Volunteer and IRB activities. Ashe was succeeded by Sean McGarry as IRB President while Michael Collins was chosen to give the graveside oration at the funeral.<sup>(80)</sup> His address, in English and Irish, was brief:

" Nothing additional remains to be said. That volley which we have just heard is the only speech which it is proper to make over the grave of a dead Fenian."<sup>(81)</sup>

Collins' oration for Ashe was very different in style, content, and duration, from that delivered by Pearse over the grave of O'Donovan Rossa just two years earlier. The executions of the 1916 leaders had led to a generation of romantic poets giving way to a generation of practical revolutionaries represented by

Collins. Collins was still not among the leading players in the republican movement but by the autumn of 1917 he was on his way.

The long awaited full Sinn Fein Convention took place on 25 October 1917. De Valera, Plunkett and Griffith had all been nominated for the position of President of the party but as a result of pre-Convention machinations, the latter two resigned to allow De Valera to be elected by acclaim. Griffith and Father Michael Flanagan, who had first nominated Plunkett for North Roscommon, were elected as vice presidents, and Harry Boland and Austin Stack were elected as joint-secretaries.<sup>(82)</sup> Collins had been involved in supporting the IRB-supported 'republican slate' for the Sinn Fein Executive. De Valera's victory aside, Collins success as a fixer, and his standing in the movement, were questioned by his own election to the Executive in which he scraped home in last place.<sup>(83)</sup> The other important business of the Convention was the clarification of the party's objectives.

The abstentionist strategy was readily agreed but the question of Ireland's constitutional status proved more difficult. The remnants of the original, or 'Griffithite', Sinn Fein supported the dual monarchy position. To them the republic was an impossible demand, one which would only serve to alienate loyalist Ulster further, thereby making an all Ireland solution all the more difficult to achieve. Posed against this was the IRB tradition, and the iconology of Easter Week. The Republic had been proclaimed in arms, blood had been shed and martyrs sacrificed. More widely, the use of the term 'Republic' had entered the popular vocabulary as a substitute for 'independence'. When many people spoke of the 'Republic' they were aspiring to a fully independent Ireland rather than a precise form of constitution or government. The end result was an inevitable compromise. Sinn Fein would be committed to;

"... securing international recognition of Ireland as an independent republic. Having achieved that status the Irish people may by referendum freely choose their own form of government."<sup>(84)</sup>

This compromise would hold the movement together in times of war, however, it would not endure the winning of the peace.

The organisation that emerged from the Sinn Fein Convention of October 1917 shared the same name as the party founded by Arthur Griffith in 1905, but it was really a different organisation. The 'new' or 'second' Sinn Fein was an alliance of the 'old' or 'first' Sinn Fein, the 1916 veterans, the Liberty Clubs which had formed around Plunkett, and other smaller organisations to the 'left' of the Parliamentary Party.

Two days later the Irish Volunteer Convention assembled. De Valera was elected as President of the Volunteers, underlining his position as the senior leader of the republican movement. Collins' greater influence among the Volunteers, as opposed to Sinn Fein, was borne out by his popular election to the post of Director of Organisation on the Volunteer Executive.<sup>(85)</sup>

The year 1918 opened with three by election defeats for Sinn Fein in February, March and early April. This has led some to argue that Sinn Fein's momentum was on the wane and was only revived by the British Government's decision in mid April to extend conscription to Ireland. This is a debatable point. Two of the by elections occurred in Ulster constituencies, and if the Unionists had fielded a candidate in Tyrone East then it is likely that Sinn Fein would have defeated the Parliamentary Party candidate.<sup>(86)</sup> The other by election occurred in the Redmondite stronghold of Waterford when John Redmond, leader of the Parliamentary Party, died and was succeeded by his eldest son.

Whatever view one takes as to whether or not Sinn Fein would have continued to advance if had not been for the conscription crisis, the party did return to winning ways when, a few days following the conscription announcement in April 1918, Patrick McCartan was elected unopposed in King's County and Arthur Griffith defeated a Parliamentary Party candidate in Cavan East in June.<sup>(87)</sup>

Michael Collins was a guest of His Majesty when the conscription crisis broke. He had been arrested on 2 April 1918 for making a speech at Lagga, near Granard, which was deemed likely "to cause disaffection", and he was thrown into Sligo Gaol. Collins decided to break with republican convention and posted bail so he could be released to take advantage of the charged political situation. He had no intention, however, of turning up for his hearing. From that point on, Michael Collins was on the run.

The British Army had no shortage of Irish recruits. Some 180,000 Irish men joined up in World War One, 49,000 of them making the ultimate sacrifice.<sup>(88)</sup> Conscription, however, was a step too far. It claimed a legitimacy which British authority did not enjoy throughout most of the island. The Irish Parliamentary Party, now led by John Dillon, boycotted Westminster in protest while Sinn Fein, the Parliamentary Party and the Labour Party, with the blessing of the Catholic hierarchy, launched a united opposition and the National Defence Fund.<sup>(89)</sup>

A few weeks prior to the conscription controversy, the inner core of the Volunteer Executive, known as the 'Resident Executive', met to put the organisation on a more military footing by creating a General Headquarters Staff. This group consisted of Collins, Richard Mulcahy, Gearoid O'Sullivan, Diarmuid O'Hegarty, Sean MacMahon, Dick McKee and Rory O'Connor.<sup>(90)</sup> The fact that Mulcahy, and not Collins, was chosen as Chief of Staff is interpreted as evidence of concern over Mick's inconsistent temperament. Whatever his comrades concerns, however, they did not prevent them from allocating Collins the post of Adjutant General, thereby giving him responsibility for training and discipline.

The response of the British authorities to the conscription crisis, and continuing Sinn Fein by election success, was to seize upon the landing of a German agent, Joseph Dowling, as proof of a German plot, and to order the arrest of the Sinn Fein leadership on the night of 17/18 May 1918.<sup>(91)</sup> Collins had received advance warning of the arrests from within the ranks of the detested G Division itself. Eamonn (Ned) Broy, who would go on to be one of Collins' most trusted

lieutenants, had told a Sinn Fein friend that the round up was planned, and a couple of days later another G man, Joseph Kavanagh, tipped off Thomas Gay, the librarian at Capel Street library and a known Sinn Feiner, that the raid would take place on 17/18 May. The information was relayed back to Collins and soon after he met with Broy and Kavanagh, and they in turn introduced him to James MacNamara who worked in the heart of British administration at Dublin Castle.<sup>(92)</sup> These were the foundation stones in Collins' counter-intelligence network.

The post of Director of Intelligence in the first IRA GHQ was held by Eamonn Duggan, who would later join Collins as a member of the Treaty delegation, but as the months passed Collins demonstrated an appreciation of, and an aptitude for, intelligence work. Collins' reading of Irish history, the experiences of the IRB and the lessons of Easter Week and its aftermath led him to the conclusion that 'G' Division in the capital, and the para-military Royal Irish Constabulary outwith Dublin, were the eyes and ears of British administration. If these were 'put out' then Britain would struggle to retain control. He also learned that previous attempts at physical force resistance had failed because the ranks of the revolutionaries were infiltrated by informers and spies. By early 1918 Collins had an impressive range of contacts which had been built up during his years in London, in Frongoch and as a result of his work throughout Ireland with the National Assistance Fund. Collins possessed both the motive and means for effective intelligence work, and he took on more and more of it, culminating in his appointment as Director of Intelligence in early 1919. For a time Collins held the posts of Director of Organisation, Director of Intelligence, and Adjutant General.<sup>(93)</sup> Collins stood at the head of the IRA Intelligence Service along with his deputy Liam Tobin and his principal lieutenants Tom Cullen and Frank Thornton. They were ably supported by their secretary and administrator Sinead Mason. Around the country each IRA Brigade and Battalion was encouraged to appoint intelligence officers that would liaise with GHQ. More impressive, however, was the informal network woven by Collins. This included disillusioned and nationalist-minded officers in G Division and the RIC that Collins persuaded



not to resign, but to stay on in post and work for the republic clandestinely. There were agents in the postal service, both in Dublin's GPO and throughout the country. There were sympathetic prison warders who assisted with gaol breakouts, railway workers who transported messages and arms around Ireland and port and dock workers who assisted in smuggling arms and people in and out of Ireland.

In an article in the 1969 edition of the Capuchin Annual, Sean Kavanagh gives a first hand account of how the intelligence web was put together. Kavanagh arrived in Naas, North Kildare, in September 1919, to take up a post teaching Irish. There he learned of an RIC sergeant, Jerry Maher, who was supposedly sympathetic to Sinn Fein. Kavanagh passed on this information to Frongoch graduate and senior Sinn Feiner Michael Staines who passed on the information to Collins. On learning that Maher acted as a clerk to the local RIC County Inspector, Collins became very interested as he was seeking the key to the latest RIC cipher. Staines contacted Maher on Collins' behalf and within two days the IRA had the necessary information to enable them to crack the code. Maher proved a valuable agent as he was able to provide the keys to subsequent changes in cipher. Collins met with Maher, and demonstrated the warm, generous side of his nature which bound so many intelligence contacts to him personally. Maher fell under the spell of Collins' charm, and told him of an RIC colleague, Patrick Casey, who also held republican views. Casey was a subordinate of Maher's, thereby ensuring a constant flow of information when Maher was ill or on leave.

In late 1920 Collins tipped off Maher that he was coming under suspicion, and encouraged him to resign. The flow of information was not broken, however, as Maher was succeeded by Casey. Casey continued undetected and worked as an agent for Collins right up until April 1922, for the final few months as an RUC officer in Downpatrick. Both Maher and Casey went on to become officers in the Irish Free State's Garda Siochana.<sup>(94)</sup> This first-hand account demonstrates just how important luck, circumstance and Collins' personality were in sustaining the intelligence operation.

Meanwhile, back in May 1918, the majority of the senior figures in Sinn Fein chose to ignore Collins' early pearls of intelligence, either because they thought the reports exaggerated or they were prepared to thole incarceration in the belief that it would only serve to make British rule even more unpopular. That night some 80 leading republicans were arrested, including De Valera, Griffith, Cosgrave, Count Plunkett and Countess Markiewicz.<sup>(95)</sup> Collins himself only narrowly avoided escape. He was on his way to warn IRB President Sean McGarry when he saw it was too late and that the house was already surrounded. Collins hid until the raiders had departed then went ahead and spent the rest of the night in the house, believing that the safest place to stay was in a house which had just been raided.

The prisoners arrested in May 1918 were in gaol until March 1919. When they emerged they found a movement largely run by Michael Collins. Subsequent biographers who lived through those events and knew Collins intimately - Batt O'Connor, Beaslai, Michael Hayes, P.S. O'Hegarty - are all agreed that the German Plot arrests, and the removal of 80 senior Sinn Fein figures, was critical in Collins' rise to prominence.

I take the view that Collins' resolve to remain at liberty, and his success in doing so, was a critical factor in his rise through the ranks of the movement. This elusiveness is eloquently witnessed by British-held documents opened to researchers in the spring of 1996, and now included in a new book jointly published by the Public Record Office and Blackstaff Press with an introduction by A.T.Q. Stewart.<sup>(96)</sup> The Royal Irish Constabulary, and selected Dublin Castle, documents date from Collins' return from Frongoch in the new year of 1917 through to March 1920. They had been inherited by the British Foreign and Commonwealth Office and were originally intended to remain closed for 100 years. Following an open government initiative in 1993, the papers were reviewed and those that were not of continuing sensitivity, were lodged with the Public Record Office in Kew.<sup>(97)</sup> The first document in the series, dated 8 January 1917, from the Dublin Metropolitan Police's 'G' Division, notes that Collins did

not return to his former Dublin lodgings following his release from Frongoch, and seeks information on whether or not he had returned to County Cork? By 4 May 1917 'G' Division was still speculating that Collins might be living in Cork, and seeking confirmation that the Collins who fought in 1916, and was interned at Frongoch, was the same Michael Collins of Woodfield, West Cork?

According to the documents in question, the police were not aware that Collins had been appointed as Secretary of the National Aid organisation until August 1917, some seven months after his appointment. One of the latest documents in the series, dated 12 January 1920, still has the 'G Men' speculating over Collins' whereabouts.

The May 1918 round up left Collins, Harry Boland and Cathal Brugha as the three most senior, active figures at liberty. They would play an important role in Sinn Fein's next big test - the General Election of November 1918.

### Dail Eireann

Sinn Fein entered the election with what appeared to be a series of disadvantages. Many of the party's key organisers were behind bars, including 35 of its candidates, and Collins had to forge the signatures of those in prison to ensure that they could stand.<sup>(98)</sup> Part of the Sinn Fein manifesto was censored and there was an attempt to smear the party with anti-German sentiment. On the positive side Sinn Fein received the endorsement of several old-style Nationalists who had previously been associated with the Parliamentary Party. These included Colonel Maurice Moore, a commander of the Redmondite National Volunteers, and the Labour leader William O'Brien. Another Sinn Fein advantage was that the Parliamentary Party only fielded 26 candidates in Nationalist Ireland.<sup>(99)</sup>

The overall result of the hastily held General Election, was the return of Lloyd George's wartime coalition. In Ireland, however, Sinn Fein returned 69 successful candidates but won 73 seats, De Valera, Griffith, Eoin MacNeill and Liam Mellows having been elected for more than one constituency. Of the 69

new MPs, 35 were in prison. Collins was elected for Cork South, one of 25 Sinn Fein candidates to be elected unopposed. It is debatable whether the result was a mandate for Sinn Fein's abstentionist strategy, and a republic, or an expression of opposition to British policy and the ultimate rejection of the Irish Parliamentary Party? Sinn Fein Vice President Father Michael O'Flanagan appeared to subscribe to the latter view when he said;

" The people have voted Sinn Fein. What we have to do is to explain to them what Sinn Fein is."<sup>(100)</sup>

The decline of the Irish Parliamentary Party had been a long time coming. The party had never really recovered from the Parnell split in 1890 which had left it prone to feuding. While the IPP could be accused of complacency, it received very few favours from either the Ulster Unionists or the British Government. Unionist intransigence undermined the credibility of the policy of old-style home rule in a united Ireland. The British executions policy in 1916, the introduction of conscription in April 1918 and the 'German Plot' arrests of May 1918 only served to fuel support for Sinn Fein.<sup>(101)</sup>

Having played an important role in the Sinn Fein election victory, Collins was part of a small Sinn Fein delegation which attempted to meet with America's President Wilson on his way through London, en route for Versailles, in the New Year of 1919. They were unsuccessful but while in London the delegation stayed at the Kensington home of Crompton and Moya Llewelyn Davis. Crompton was Solicitor General to the Post Office and his expertise on taxation and land values would be called upon by Collins in the future. His wife Moya was the daughter of the former Nationalist MP James O'Connor. The couple were uncle and aunt to the Llewelyn Davies boys for whom Barrie had written 'Peter Pan'.<sup>(102)</sup>

True to their abstentionist strategy, the elected Sinn Fein MPs assembled in Dublin on 21 January 1919 as Dail Eireann. An invitation to attend had been sent to Unionist and Irish Parliamentary Party MPs but they chose not to attend. Of the 69 elected Sinn Fein MPs only 27 were present at the first session of the

Dail. Thirty four were in prison while eight were absent on other business. The absentees included Michael Collins and his friend Harry Boland. While the gathering in Dublin was issuing a Declaration of Independence, Collins and Boland were on the mainland planning the breakout of De Valera from Lincoln Gaol.

The story of the escape reads like something from a boys' own paper. An image of the prison key had been smuggled out of Lincoln and Collins had replicas made. A replica was smuggled back into the prison, and De Valera, in the company of Sean Milroy and Sean McGarry, was able to open the confining doors until they arrived at the outer wall of the prison. Collins and Boland also had a key and in excited anticipation they attempted to open the outer wall gate only to meet with disaster when the key snapped in the lock. De Valera, Milroy and McGarry were on one side of the gate, Collins and Boland on the other. Beaslai, who heard the account from those involved at first hand, reports that Collins dolefully whispered through the last remaining door, "I've broken a key in the lock Dev", at which De Valera cursed and forced his own copy of the key into the lock, dislodging Collins' broken key and freeing the door.<sup>(103)</sup> The last obstacle cleared, the five men disappeared into the night.

The springing of De Valera was important as he was regarded as the overall leader of the republican movement. Following his escape he was hidden in safe houses in England, the intention being that he should return to Dublin and a massive morale-boosting welcome. Imagine the deflation when the IRA GHQ assembled to hear Collins report that Dev had no intention of returning to Ireland, but wanted to leave immediately for the United States where he believed he could be of most use to the cause in rallying international support. It was decided to dispatch Cathal Brugha, who had been elected as President of the Dail in De Valera's absence, to England to persuade him to at least return to Ireland before heading for America.<sup>(104)</sup> De Valera agreed and Collins found a safe residence for him in Dublin. Shortly after De Valera's return it was deemed safe to emerge into the public gaze as the British authorities released all those arrested

in the 'German Plot' round up. Influenza was raging through Europe and the British were concerned that the imprisoned Irish leaders might be particularly vulnerable, and the last thing they wanted was to create another 80 martyrs.<sup>(105)</sup> With the leadership at liberty, Dail Eireann met for a series of sessions in April 1919.

De Valera was elected as President of the Dail, which translated into Irish as *Priomh Aire* or 'Prime Minister', which accurately described the intended constitutional position. Later, when De Valera was in America, it was agreed to use the title 'President of the Irish Republic', a move which would yield considerable consequences for the Irish people. As *Priomh Aire*, De Valera appointed his first Cabinet. Collins had been allocated the Home Affairs portfolio in his absence at the first session of Dail back in January but in April he became Minister for Finance, a position he would hold through to January 1922. Collins' main task as Finance Minister was agreed at the April sessions. De Valera announced the floating of a national loan to fund the affairs of the underground Dail Government. Despite holding several other responsibilities, Collins succeeded in meeting his targets in raising a total of £350,000, an impressive sum for political fundraising even by today's standards.

De Valera left for America in June 1919, appointing Griffith as acting President in his absence. He would not return until December 1920. Throughout his absence, Michael Collins made regular visits to the De Valera household, taking money to Sinead de Valera, and taking time to play with her children. Whatever Collins' relationships with his colleagues, he seems to have got on well with their children. His friend and biographer, Batt O'Connor, wrote of the closeness of the relationship between Collins and his own children, while another contemporary, P.S. O'Hegarty, writes of Collins "passing the test of being loved by children".<sup>(106)</sup>

Developments on the political front, particularly the Declaration of Independence by the first sitting of the Dail, convinced the Volunteer GHQ that it had a

mandate, legitimacy for armed resistance. The first shots in this new phase of the struggle were fired during that first Dail sitting. Sean Treacy and Dan Breen, two Tipperary Volunteers who had vowed never to allow themselves to be arrested again without putting up a fight, ambushed and killed an RIC escort taking dynamite to Soloheadbeg Quarry. Days later on 31 January 'An t-Oglach', the Volunteer journal edited by Beaslai, declared war on England.<sup>(107)</sup>

Collins was in England organising De Valera's escape from Lincoln Gaol when the first acts of violence occurred but he very much approved of developments. It is possible to describe the IRA campaign until the end of 1920 as falling into four distinct phases. The first ran from late 1918 through to late 1919 and consisted of raiding for arms, and attacking small isolated RIC posts. The incident at Soloheadbeg falls into this phase as does Liam Lynch's raid on Fermoy in September 1919. By the end of the year some 400 hundred isolated RIC posts had been destroyed or abandoned.<sup>(108)</sup> Having picked off the smaller, isolated posts, the second phase turned to attacks on larger barracks. The large scale attack on the barracks at Carrigtwohill, County Cork in January 1920 marked the start of this second phase. In the course of the first six months of 1920 sixteen police barracks were destroyed and a further twenty-nine damaged.<sup>(109)</sup>

In tandem with the attacks on RIC barracks, another phase of the struggle was being enacted on the streets of Dublin. Reference has already been made to Collins' realisation that 'G' division had to be neutralised. His insight into the range of its activities, its informers and spies, was greatly enhanced in April of 1919 when Ned Broy arranged for Collins to enter the Division's headquarters in Brunswick Street and to spend the night going through its records.<sup>(110)</sup> Armed with this knowledge, Collins' Intelligence Officers started to apply pressure on individual detectives, encouraging them to either resign or turn a blind eye to political activities. Additional muscle was forthcoming in July 1919 with the formation of 'The Squad', a team of around 12 full-time Volunteers who would do the bidding of the Intelligence Division.<sup>(111)</sup> The Squad was one of the first

full-time IRA units. Its members had to be on call around the clock and they were paid £4 10/- a week. Their eventual longterm base was a former contractor's business premises in Upper Abbey Street, a few hundred yards from Dublin Castle. They created a cabinet makers business as a front, drawing on one of their number, Vinny Byrne's, previous experience as a carpenter and cabinet maker. Whenever potential customers called in, Byrne would put them off by quoting uncompetitive prices and distant delivery dates.<sup>(112)</sup>

Not surprisingly, the first assassination of a political detective coincided with the formation of the Squad. The first victim was 'Dog Face' Smyth who was assassinated on 31 July on Collins' orders. This was followed by the assassination of Detective Dan Hoey on 12 September and Detective Barton on 1 December. An Inspector Redmond was transferred from Belfast late in 1919 and was given the rank of Assistant Commissioner and the task of strengthening 'G' Division in the battle against the IRA. He fell to an assassin's bullet in January 1920.<sup>(113)</sup> The campaign was also accompanied by further widespread intimidation. By early 1920 'G' Division of the Dublin Metropolitan Police had been paralysed.<sup>(114)</sup> The political detectives targeted by Collins were well known. His campaign against them was not so much a masterstroke of intelligence but a demonstration of determined ruthlessness and efficiency.<sup>(115)</sup>

Collins' intelligence network received a further boost in May 1920 when another DMP detective based in Dublin Castle defected to the republican side. David Neligan had resigned his post and wanted to join the IRA, but Collins told him to reconsider. There were other recruits for the IRA but he was the only one who could use his position at the heart of British administration to the advantage of the republican cause.<sup>(116)</sup> Neligan did reconsider and became one of Collins' most important intelligence sources.

In response to the demoralisation of the RIC and DMP, which resulted in large scale resignations, the British Government in January 1920 approved the creation of a new force under the direct control of the British military commander



General Macready. The shortage of RIC uniforms led to them being issued with a mix of military khaki and police dark green. Their appearance reminded many of the famous Limerick hunting hounds, the Scarteen Black and Tans, and the name stuck.<sup>(117)</sup> The arrival of the Black and Tans did not stop the undermining of the RIC and in July 1920 another new force was added. The Cadets or Auxiliaries, popularly known as 'Auxies', were recruited from demobilised British Army officers. Although nominally under the command of the RIC, they were largely a law unto themselves. Some 1,500 strong, they were divided into mobile units of 100 and located at the most troublesome spots around the country.<sup>(118)</sup>

Both the Black and Tans and the Auxiliaries were responsible for a number of notorious atrocities, many in response to attacks by the IRA. In the popular mind the two forces became confused. The introduction of these forces led to a fourth phase in IRA activity which became apparent in the autumn of 1920. The formation of Collins' Squad as a full-time unit has already been described. In the late summer of 1920 other full-time units, the 'Flying Columns', began to appear around the country. The first Column, established in East Limerick, was a spontaneous response to the pressure applied by the Black and Tans and Auxiliaries which made it difficult for active Volunteers to live and work normally in their communities. The policy was taken up by GHQ and within months there were Flying Columns in all those areas of the country where there was sustained IRA activity.<sup>(119)</sup>

As Director of Organisation, Adjutant General and Director of Intelligence, Collins was involved in almost every aspect of IRA work, as his correspondence reveals. On 7 April Collins was writing to the Mid Limerick Brigade chastising them for not recording the transfer of one of their Volunteers to another part of the country.<sup>(120)</sup> On 10 May it was the commandant of the Cork No.1 Brigade that was the object of Collins' urgings. As Adjutant General he had received complaints from the GAA that the Volunteers who acted as stewards at matches in that Brigade area were allowing gambling to go on.<sup>(121)</sup> On 10 June he was in

correspondence with the Mid Tipperary Brigade over a disputed £2 cheque resulting from sales of 'An t-Oglach'.<sup>(122)</sup>

An interesting insight into Collins' role in arms procurement, and the republican support organisation in Scotland, is provided by the preserved file of correspondence between Collins and his main agent in Scotland, Joe Vize, dating from early 1919 to the summer of 1920. Vize's first duty was to re-organise the Scottish companies of the Volunteers. On his arrival he found two badly organised companies in Glasgow. By the end of his eighteen month tour of duty he could report to Collins that the situation in Glasgow had been improved, that new companies had been established in Govan, Motherwell, Paisley, Greenock, Clydebank and Edinburgh, with promising leads elsewhere in Lanarkshire, Fife and Dundee.<sup>(123)</sup> Their primary function was the procurement of arms for the struggle in Ireland, and the Vize/Collins correspondence deals in amazing detail with weapons, ammunition and explosives stolen from Scottish quarries, building sites and military institutions. Vize built up a long list of contacts inside the Scottish military who betrayed duty for principle, cash or the age-old 'honey-trap'. Throughout, the tenor of the Vize/Collins correspondence supports the view that the IRA was desperately short of weapons and ammunition.

Vize's Scottish Volunteers were also responsible for channeling money back to Collins' national loan, and both in fundraising and arms procurement they faced competition from revolutionary rivals. On one occasion Vize informs Collins that he is facing competition from people representing the Irish Citizen Army, and Collins replies that he has spoken to "the Countess" about the matter, the lady in question being Countess Markiewicz who succeeded Connolly as head of the small Citizen Army.<sup>(124)</sup> There were other competitors in the arms procurement business, however, and in April 1920 Vize reported to Collins that he had lost out on the purchase of a one inch anti-armour machine gun to representatives of the Industrial Workers of the World, the American syndicalist trade union established in 1905. American industrial relations could be a violent business in the early decades of this century and Scotland was a promising

source of support and weapons for the IWW.<sup>(125)</sup>

Collins and Vize shared another common bond, membership of the IRB. At some point midway through 1920, Collins was elected as President of the Organisation. Under the IRB constitution its Supreme Council was the Provisional Government of the Irish Republic, and its President was President of the Republic. In this exalted position Collins enjoyed an unparalleled influence over the IRB activists who held key positions in the Volunteers and Sinn Fein. Vize reported regularly to Collins on the fortunes of the IRB in Scotland, and recommended promising recruits for induction into the Brotherhood. Collins cautioned Vize to deal with IRB matters in separate dispatches so that their content could be concealed from those members of the IRA GHQ who were not members of the IRB.<sup>(126)</sup> On several occasions Collins sent Vize cash belonging to the IRB, stressing that this should not be confused with general IRA money. Later Cathal Brugha would make accusations about financial irregularities in arms procurement during Vize's time in Scotland as part of his battle to undermine Collins' influence.

The correspondence is not without its humorous side. Shortly after arriving in Glasgow, Vize was decorated by the British, receiving two medals for his service during World War I. Vize sent the medals on to Collins and the Big Fella replied saying that he appreciated the joke. "It had made a good story to tell the boys."<sup>(127)</sup> On a more serious note he thanked Vize for the medals which could prove invaluable to intelligence agents required to demonstrate their loyalty to King and Empire by inquisitive police or army patrols on the streets of Dublin. It is recorded that one of Collins' Squad, Frank Saurin, always wore a British service medal to conceal his identity.<sup>(128)</sup> Could it have been one of the medals supplied by Vize?

Things started to go wrong for Vize in the spring of 1920 when his Partick safehouse was raided, and he was forced to transfer his base of operations to Bothwell.<sup>(129)</sup> In July 1920 Collins ordered Vize back to Dublin to join the IRA GHQ as Director of Purchases. Within four months of returning, Joe Vize's luck

ran out. October 14 1920 was a bad day for the IRA. Its Tipperary leader Sean Treacy was shot dead in Dublin, and Joe Vize was captured. Vize escaped in late 1921 and followed Collins in supporting the Treaty in December 1921. Vize was reinstated to his post as Director of Purchases, replacing Liam Mellows who had gone Anti-Treaty. Vize fought with distinction during the Civil War and played an important role in establishing the Irish Coast Guard Service.

Cork IRA leader Tom Barry provides another insight into the power of work undertaken by Collins on a daily basis as witnessed by him when he came to Dublin for a meetings with GHQ staff. Barry describes a typical Collins' day as starting with a 9.00am meeting with his intelligence staff followed by a Dail Cabinet meeting at 11.00am. Lunch would be dispensed with in favour of a visit to the offices housing the Propaganda Department before meeting with seamen smuggling in arms en route to the offices of the Finance Department and meetings concerning the national loan. Tea was taken at Vaughan's Hotel where Collins would enter a series of separate meetings with visiting officers, like Barry, from as many as five different county Brigades.<sup>(130)</sup>

The remainder of a typical evening was described by Beaslai, writing in 1966 for a supplement issued by the 'Michael Collins Foundation'. Having dealt one by one with the concerns of his visitors from the country, Collins would be joined by Dick McKee, Diarmuid O'Hegarty, Gearoid O'Sullivan, Rory O'Connor, Liam Tobin and Tom Cullen. Drinks would be ordered all round but Collins seldom drank anything other than the occasional sherry. Collins rarely sat when discussing matters with comrades as what Beaslai describes as his "restless energy" would vent itself in sudden movements which a chair would only hamper. Frank Thornton, or some other senior intelligence operative would arrive with information which would send Collins, Tobin and Cullen into a huddle. As the night grew later Collins would announce that he was going to spend the night at Vaughan's, and insist that close colleagues like O'Sullivan or O'Murthuile join him. After a few hours sleep, Collins would often give his colleagues an early morning call with a fire extinguisher!<sup>(131)</sup>

These accounts are testimony to Collins' energy, given that he maintained that pace from April 1919 until his death in August 1922. They also provide an insight into Collins' relationships with the different groups that acted under his instructions. For example, those who served in the Squad had every right to call themselves "Mick's men", however, Collins was not that personally familiar with members of the Squad and rarely, if ever, visited their headquarters, preferring the company of fellow GHQ members in their 'Vaughan's hang-out'. This is borne out by Charlie Dalton, one of the youngest of the elite gunmen, who states in his biography that he rarely ever saw Collins, and that all instructions were conveyed via Tobin.<sup>(132)</sup>

### War of Attrition

The autumn of 1920 saw hostilities take a particularly vicious turn. The increasingly full-time units of the IRA launched an offensive against communications in the last nine months of the War of Independence, blocking roads, felling trees, breaking bridges etc.<sup>(133)</sup> But there was also another string to the republican bow. Easter Week had illustrated that it is not only those who can inflict the most that triumph but also those who can withstand the most. This must have influenced the actions of Terence MacSwiney, the Lord Mayor Cork who died in custody on 25 October 1920 after 74 days on hunger strike.<sup>(134)</sup> Within a week the republican movement was struck by another loss.

One of the most enduring 'rebel songs' of War of Independence vintage is 'Kevin Barry'. It is dedicated to the memory of eighteen year old Kevin Barry who was hung on 1 November 1920 for his part in an IRA raid on a British Army bread van in Dublin on 20 September. Barry was a medical student at UCD, and a promising Gaelic Games and Rugby player. According to republican sources, Barry was tortured prior to his execution in an attempt to make him betray the identity of his companions. Whatever the extent of the truth behind those accusations, there was a widespread, international campaign against his execution on the grounds of his youth. One of the factors overlooked in the

emotion of the times was that one of the British troops killed in the ambush was actually younger than Barry.<sup>(135)</sup>

Collins had considered attempting to rescue Barry but his plans came to nothing, due in part to the large number of civilians keeping vigil around Mountjoy.<sup>(136)</sup> Collins maintained a vigil of his own at Vaughan's Hotel during the night of 31 October, awaiting the execution at dawn on 1 November. Those who saw Collins that night commented on his expressions of grief. It was an emotion he had first experienced in the GPO when Sean Hurley died, and one which he was destined to experience again during what remained of his brief life.

By the early part of 1920 the main British intelligence network, the 'G' Division of the Dublin Metropolitan Police, had been largely neutralised. This led to the creation of a special bureau in London where, under Major C. A. Cameron, some sixty British agents were trained for work in Ireland.<sup>(137)</sup> Throughout 1920 these agents were gradually introduced to Ireland, where they were deployed by Colonel Ormonde d'Epee Winter. They included a group of agents operating in Dublin known as the Cairo Gang. There are several theories postulated as to why a group of British agents was given such an exotic title. One theory is that they were recalled from stations around the world and assembled in Cairo for special training before being deployed in Dublin. Another theory is that they tended to hang around Dublin's Cairo Cafe. The third, and to me most plausible explanation, is that several of them had seen service in the Middle East. Whatever the derivation of the name, these agents became increasingly effective as 1920 wore on. Collins top three intelligence officers, Tobin, Cullen and Thornton, all experienced very close calls. Thornton was held for ten days before being released for lack of hard evidence.<sup>(138)</sup> It was in response to this danger that Collins went to the IRA GHQ in the autumn of 1920 to seek sanction for a coordinated operation that would 'take out' the increasingly menacing threat.<sup>(139)</sup> Agreement was forthcoming and on Sunday 31 October seven IRA units attacked RIC targets throughout Ireland. That operation was probably a dress rehearsal for what was to become known as Ireland's first 'Bloody Sunday'.<sup>(140)</sup>

On the evening of Saturday 20th November 1920 Michael Collins met with his GHQ colleagues, and other senior IRA figures, in Vaughan's Hotel. They discussed the final details of the following day's operation. Among those present that night were Dick McKee, Officer Commanding the Dublin Brigade, his deputy Peadar Clancy and Conor Clune, a young Gaelic language enthusiast who had made his way to Vaughan's to meet with Beaslai regarding Irish language projects. Later that night the hotel was raided by Auxiliaries. The seasoned IRA men had either already left for safer havens or quickly made their escape. The innocent Clune, however, was taken into custody. Later still McKee and Clancy were arrested at their nearby Gloucester Street hideout, betrayed by 'Shankers' Ryan, a boyfriend of the infamous Dublin madame, Becky Cooper.<sup>(141)</sup>

'Bloody Sunday' began at 8.55am on the morning of 21 November with the first attack taking place at Morehampton Road. In total some 120 IRA men, operating in seven different groups, were involved in the operation. The Squad and the Dublin Active Service Unit formed the core of the men involved but the wider resources of the Dublin Brigade could not supply Volunteers steeled in close quarter assassination and help had to be drafted in from country units.<sup>(142)</sup> The GHQ had approved the assassination of 20 named agents. Thirteen were killed, six were wounded and one escaped unscathed.<sup>(143)</sup>

The operation sent the British intelligence network into a panic, and Neligan reported that throughout the remainder of the day British agents, informers and their dependents flocked into the safety of Dublin Castle.<sup>(144)</sup> The Auxiliaries reacted differently, however, making their way to Croke Park and the Gaelic football match between Dublin and Tipperary. Gaelic Games were by their very nature an expression of nationalism and, as earlier noted, the IRA deployed its Volunteers as stewards on big GAA occasions. The stated intention of the Auxiliaries was to search for members of the assassination squads who had used the game as cover for travelling to Dublin. The question of who fired first is still a matter of dispute but the Auxies did open fire on the crowd and twelve people were killed, including Tipperary full back Mick Hogan, and another sixty

injured.<sup>(145)</sup> To this day the main stand at Croke Park is named after the slain Gaelic athlete.

On Sunday morning Collins sat in Devlin's pub, another of his favourite haunts, awaiting the reports being collected by Joe O'Reilly as to how the various operations had gone. As the morning progressed he became increasingly concerned at the absence of McKee and Clancy as he knew they would be eager to learn how their men had fared. The loyal O'Reilly was dispatched to find out what had happened and learned of their capture. He also heard a rumour that they had been taken to the Bridewell goal.<sup>(146)</sup> Beside himself at the fate of McKee and Clancy, and the potential consequences for the IRA, Collins sent Dave Neligan to search through the prison to see if they were really there. Neligan complied in an act of outstanding bravery, telling the gaolers that he was looking for a lost cousin. It was Neligan who confirmed to Collins that they were being held with Clune in Dublin Castle.<sup>(147)</sup> If they had been in the Bridewell then Collins would have ordered the Squad to attempt a rescue and, despite the emotional battering of their morning operation, they would have succeeded or die trying. Dublin Castle was a different proposition, and there was nothing to do but speculate on the fate being handed out to the captured men. Collins cycled across a terror-filled Dublin to the home of Mrs O'Donovan where he would regularly gather on a Sunday with O'Sullivan and others of his close entourage. Dick McKee was part of that group but not on that particular Sunday. Collins had to sit and stare at the empty place that the unknowing Mrs O'Donovan had set for the Dublin commander.<sup>(148)</sup>

In the guard room of Dublin Castle, McKee, Clancy and Clune were in the hands of people who did not hesitate to use torture to gain information, and in the aftermath of the events of that day they were in a particular ferocious mood. At some point during their ordeal the three men crawled to the guardroom fireplace where they were shot through the head.<sup>(149)</sup> Michael Collins' behaviour in the days following the death of McKee and Clancy could be described as brave or foolhardy. It could also be considered as a loyalty to friends that transcended the



grave. In the charged aftermath of 'Bloody Sunday' Collins pushed his way through the crowds outside Dublin's Pro-Cathedral to personally dress McKee and Clancy's bodies in their Volunteer uniforms. At their funeral he stepped out from the crowd to pin an 'in memorium' notice on the coffins. It read "in memory of two good friends - Dick and Peadar - and two of Ireland's best soldiers. Miceal O'Coileain, 25/11/20". He helped carry the coffins from the Pro-Cathedral and attended the burial at Glasnevin.<sup>(150)</sup>

Two questions continue to hang over the events of 'Bloody Sunday'. Just how innocent was poor Connor Clune? How accurate was Collins in his targeting? The British authorities claimed that documents captured with Clune pointed to his being a member of the IRA in Clare. This was denied by the IRA but in his European Studies Review article on 'Bloody Sunday' Bowden points to the fact that Clune travelled to Dublin with Dr. Edward McLysaght, an intelligence officer with the Clare IRA.<sup>(151)</sup> In an article in the same journal, written in 1979, Charles Townshend questions the "Irish" interpretation of events and looks for evidence that the British officers assassinated on 21 November were what the British authorities claimed they always were - regular officers.<sup>(152)</sup> In his memoirs of his time in Ireland, British commander General Sir Nevil Macready claimed three of those gunned down that morning were ex-officers and another two were civilians.<sup>(153)</sup> When former Auxilliary commander Crozier interviewed Collins on the subject, in June 1922, Collins apparently conceded that "a few" that it had not been intended to kill had "walked into situations."<sup>(154)</sup>

In the course of my own research I have come across correspondence from Mrs K. MacCormack to Mulcahy dating from the Truce period and later. Mrs MacCormack was the mother of an officer shot in his room at the Gresham Hotel on 'Bloody Sunday', and she was keen to assert that her son was a regular officer who, far from being involved in intelligence work, held nationalist sympathies. She was, therefore, keen to know what proof GHQ might have to the contrary. In a very gracious reply, following consultation with Collins, Mulcahy is prepared to accept that a mistake may have been made in that particular

case.<sup>(155)</sup> Did Collins and Mulcahy genuinely accept that a mistake might have been made, or did they simply seek to ease the torment of a bereaved Irish mother?

Still shocked by the events of 21 November the British authorities were further rocked by Tom Barry's action against a mobile unit of Auxiliaries at Kilmichael on 28 November. Barry in command of the thirty five men of the Flying Column of the Cork No.3 (West) Brigade, including Collins' brother Sean, ambushed a mobile Auxiliary unit killing all sixteen men.<sup>(156)</sup> British and Irish accounts of the ambush differed greatly. The strongly pro-Unionist 'Morning Post' claimed that the IRA contingent had been in the order of eighty to one hundred men and that they had been disguised in British uniforms.<sup>(157)</sup> The same paper also claimed that the British dead had "suffered terrible mutilation as though hacked with hatchets".<sup>(158)</sup> Following the Kilmichael engagement martial law was introduced in the south western counties of Cork, Tipperary and Limerick. On 11 December, following another ambush, Auxiliaries and Black and Tans went on the rampage, looting and burning the centre of Cork city. Their destructive outrages caused between £2-£3 million worth of damage, and rendered thousands of people unemployed. The burning of Cork resulted in international condemnation and a British Labour Party Commission of Inquiry.<sup>(159)</sup>

Two consequences arising from the events of November 1920 were the arrest of Arthur Griffith, acting President of Dail Eireann, and the arrival in Ireland of Archbishop Clune of Perth, Australia, uncle of the unfortunate Conor Clune. Griffith was picked up on 24 November and he handed over the role of acting President to Collins. Although Collins had by that point handed over the posts of Adjutant General and Director of Organisation to his fellow Corkmen O'Sullivan and O'Hegarty respectively he was by November 1920 the Director of Intelligence, the dominant personality on the IRA GHQ, President of the Irish Republican Brotherhood, an effective Minister of Finance in the Dail Cabinet and now acting President of Dail Eireann. With Griffith behind bars and De Valera in America, it is understandable why an increasing number of people were coming

to regard Collins as the de facto paramount leader of the Irish republican movement.

Sickened by the fate of his nephew, and the situation in general, Archbishop Clune offered his services as a peace intermediary. With Lloyd George's approval, the Archbishop met with Griffith in Mountjoy Gaol on 4 December 1920, and Griffith referred him to Collins. Events had created a war weariness and December 1920 presented a genuine window of opportunity for peace. The attempt to get negotiations going, however, foundered on two counts.

Firstly, the British set unrealistic pre-conditions. They wanted the IRA to hand in its weapons, and Collins and Mulcahy to go into voluntary exile. With interesting lessons for 1990s attempts to achieve a lasting peace, the British conditions were regarded by GHQ as a tantamount to "surrender" and were dismissed accordingly. Collins and Mulcahy countered with alternative proposals which would eventually become the basis for a cessation of hostilities when a truce was finally agreed in July 1921.<sup>(160)</sup>

The second set of events which undermined the possibilities for peace in November 1920 were initiated on the Irish side. While Archbishop Clune was receiving Lloyd George's blessing to sound out the possibilities for peace, the Sinn Fein-controlled Galway County Council carried a resolution calling for an end to hostilities. Almost simultaneously, Father O'Flanagan, Vice President of Sinn Fein, telegraphed an appeal for negotiations to the British Prime Minister.<sup>(161)</sup> In a letter from Griffith to Collins, smuggled out of Mountjoy, the imprisoned leader described the Galway/O'Flanagan initiatives as at "first bad and at the last imprudent" as they served to "encourage the other side to a belief that the country is getting panic-stricken."<sup>(162)</sup>

It was a combination of unrealistic British pre-conditions and miscalculated Irish initiatives, which suggested that republican resolve was weakening, that led to the collapse of peace overtures in late 1920.

The British Government's response to the failure of the peace initiatives was the 'Government of Ireland Act', which was passed on 23 December 1920. This Act repealed the Home Rule Act of 1914, and formally recognised partition with the establishment of two parliaments, in Dublin and Belfast, and enshrining Northern Ireland as a distinct 'state' within the United Kingdom. Forty two Irish MPs would be returned to Westminster where imperial matters would be dealt with. Michael Collins summed up the Sinn Fein response when he described the legislation as "this plunderous and Impossible Act".<sup>(163)</sup> Sinn Fein did use the electoral machinery created by the Act, however, to elect members to the Second Dail Eireann in May 1921.

On Christmas Eve, Collins, in the company of Gearoid O'Sullivan, Tom Cullen and Rory O'Connor, narrowly escaped capture while dining at the Gresham Hotel.<sup>(164)</sup> A few hours earlier Cullen, along with Batt O'Connor, had been sent by Collins to meet the ferry that brought Eamon de Valera, the President of Dail Eireann, back to Ireland after an absence of eighteen months. In the course of the next eighteen months relations between De Valera and Collins would sadly deteriorate to the point of outright hostility. I interpret the reasons for that breakdown, and the substance of the supposed divisions between them in Chapter 7.<sup>(165)</sup> According to an account handed down through the Collins family from Batt O'Connor, Cullen answered De Valera's opening inquiry by replying that things were going great under the "Big Fella's leadership".<sup>(166)</sup> If this story is true, it was a rather undiplomatic way to greet the returning *Príomh Aire*.

One of De Valera's first initiatives on returning from America was to attempt to send Collins there in his stead. De Valera argued that Collins' reputation as the Dublin Scarlet Pimpernel, his skill at putting together communications and arms smuggling networks and his proven fundraising abilities would make him an effective worker for the republican cause in America. He also argued that on the other side of the Atlantic Collins would be safe and therefore able to succeed him should he be arrested or killed.<sup>(167)</sup> Writing in the Capuchin Annual almost fifty years later Michael Hayes, who was in prison during the first weeks of

1921, speculates as to whether or not De Valera's motives for seeking to send Collins to America were genuine or not. Whatever De Valera's motives, Collins was furious and hurt by the suggestion and stated that he would only agree to go in response to a direct order from 'the Chief'.<sup>(168)</sup> No such order was forthcoming as the suggestion found opposition in almost every quarter, with the exception of Cathal Brugha and Home Affairs Minister Austin Stack.<sup>(169)</sup>

Despite Collins' initial high regard for both Brugha and Stack, relations had steadily deteriorated in the course of 1919/20, and their support for his being sent to America gives credence to the view that some, if not De Valera himself, saw it as an opportunity to get rid of Collins. What was the basis of the breach in relations between Collins on the one hand and Brugha and Stack on the other? Following the 1916 Rising a number of leading figures who had been members of the IRB - De Valera, Brugha, Desmond FitzGerald - chose not to join the revived Organisation for different reasons. Brugha believed that post Easter Week the movement had entered a new phase of struggle and that secret societies like the IRB were no longer appropriate. De Valera was among the conventionally devout who were uneasy about defying Church teachings against involvement in oath-bound secret societies.

Brugha became increasingly concerned about the IRB's influence in the IRA, believing that it undermined his authority as Minister for Defence in the Dail Cabinet. As far as Brugha was concerned, Collins and Mulcahy ran the IRA like a private empire.<sup>(170)</sup> In his draft of his unpublished book on Collins, Michael Hayes argues that Brugha's difficulty in exercising control over his portfolio was largely due to the fact that he was a part-timer who continued to run his civilian business full-time, a fact Brugha openly conceded to the Dail Cabinet. In an attempt to undermine Collins, Brugha raised questions about Collins' accounting for arms purchases. His accusations centred on the period when Joe Vize was working in Scotland, and, as we have already discussed, there was a danger of confusion between IRB money and Dail funds. Given the circumstances under which Collins and company were operating, it is impressive that there was any

detailed accounting. The matter was dropped when Mulcahy went to De Valera and threatened to resign if Brugha continued with his accusations.<sup>(171)</sup> Two later developments further poisoned the relationship between Brugha and Collins ahead of their open hostility over the Treaty. In March 1921 the Dail, for the first time, formally accepted responsibility for the actions of the IRA. Brugha sought to use this development to strengthen his influence as Minister for Defence. In November 1921, when Collins was in London for the Treaty negotiations, Brugha tried to launch his 'New Army' initiative under which all IRA Officers would receive new commissions from the Dail. It was believed that this would further strengthen Brugha's authority, and also present the opportunity for a re-shuffle designed to undermine Collins' influence. The initiative was watered down when a united GHQ threatened to mutiny if, what Ginger O'Connell described as "this band of brothers" was interfered with.<sup>(172)</sup>

Another supposed source of tension was Brugha's insistence that a campaign of assassination against the British Cabinet would bring the war to a head. Collins took the opposite view, and it is claimed that he bluntly told Brugha on more than one occasion "you'll have none of my men for that". Unknown to Collins or Mulcahy, however, Brugha did summon one of their most valued men to Dublin to discuss such a mission. The man in question was Sean MacEoin, commandant of the Longford Brigade of the IRA. MacEoin, the 'Blacksmith of Ballinalee', was famous for a large-scale, all night battle fought to defend the village in question from Black and Tan reprisals. Almost 40 years later, MacEoin was to claim that Brugha summoned him to Dublin in early March of 1920 to discuss the Cabinet assassinations proposal. As soon as Mulcahy and Collins heard of this, the latter used his authority to order MacEoin to rejoin his Brigade. The one fact that is beyond dispute is that on a return journey from Dublin to Longford MacEoin was recognised and captured at Mullingar. Collins was furious. This is an incident I will return to in Chapter 7 when considering the battle over Collins' reputation.

If differences over the role of the IRB, and a struggle for influence in the Army,

were the roots of the divisions between Brugha and Collins, the split with Stack seems to have been more personal. Collins' temperament could be both boisterous and chastening, and it seems that Stack found it difficult to deal with. As Minister for Home Affairs in the Dail Cabinet, Stack was responsible for a republican police force. On two occasions the IRA GHQ recruited such a force, but on both occasions it subsequently failed to function effectively. Collins described it as a "bloody joke".<sup>(173)</sup> It was Collins' withering criticisms that led to the breach with Stack.

If the events following De Valera's return were disheartening for Collins, he was downcast by the arrest of his leading agent Ned Broy. A raid on the flat of one of the leading Sinn Fein women, Eileen MacGrane, led to the capture of papers which cast suspicion on Broy, and he was subsequently arrested. Collins deployed every trick in his armoury, from intimidation to misinformation, to muddy the waters and cover Broy's trail. As a result the charges against him were never processed and he was released when the Truce was signed.<sup>(174)</sup> The information provided by Broy, however, had been essential to Collins' ability to elude capture. With Broy neutralised Collins had to take greater care than ever.

De Valera's return, and the subsequent strengthening of Brugha's position, led to increased political influence/interference in the types of operation undertaken by the IRA. De Valera, with an eye on international opinion, favoured large-scale operations in which the IRA openly fought crown forces in conventional warfare. This was contrary to the guerilla warfare developed in Dublin, the south west and those other areas, like Longford, which bore the brunt of the War of Independence. His experiences in the GPO had led Collins to vow never to invite the enemy to attack his men in a fixed defensive position. At a joint military/political planning meeting held in Dublin in April 1921, De Valera insisted on a high profile, large-scale action, and the decision was taken to attack the Custom House.<sup>(175)</sup> The raid took place on 25 May 1921 and involved several hundred IRA men. They were successful in destroying the contents of this administrative centre but five IRA men were killed, and over eighty captured, in

a gun battle with Black and Tans.

A few days later the elections planned under the Government of Ireland Act were held. Sinn Fein used the elections as an opportunity to seek a mandate for a new Dail. In the twenty six counties Sinn Fein took every seat uncontested, with the exception of the four seats reserved for Trinity College. In the six northern counties the Ulster Unionists won forty seats to six each for the IPP and Sinn Fein. Collins was one of the successful northern Sinn Fein candidates topping the poll in South Armagh.<sup>(176)</sup>

Sinn Fein had no more intention of recognising the Southern parliament than the Westminster Parliament. With the failure of yet another political initiative, the British Government turned once again to peace overtures.

Advantage was taken of the presence of General Smuts, in London on Imperial business, to get the South African premier to act as an intermediary between Downing Street and Dublin.<sup>(177)</sup> The required pretext for the peace initiative were the remarks made by King George V when, in his speech at the opening of the Northern Ireland Parliament on 22 June 1922, he called for reconciliation.<sup>(178)</sup> Lloyd George followed up the King's appeal two days later when he wrote to De Valera as "the chosen leader of the great majority in Southern Ireland", seeking an end to hostilities and negotiations on Ireland's future. Smuts travelled to Dublin and confirmed that the Irish were ready to talk, but required a negotiated truce as opposed to simple surrender. De Valera met with the representatives of the Southern Unionists on 7 July, and on 8 July he responded affirmatively to Lloyd George. Firm terms governing the truce were agreed on 9 July, and it came into effect on 11 July.<sup>(179)</sup>

Although the British were very careful to say nothing that implied recognition of the republic or independence, the fact that they negotiated a ceasefire, rather than a surrender of weapons, implied a de facto recognition of belligerent status. The Truce and the negotiations that followed were concluded on a formal level that





granted the Irish side a status which had last been recognised at the time of the Treaty of Limerick.<sup>(180)</sup>

### From Preliminary Talks to Ratification

On 12 July 1921 De Valera left for London and preliminary discussions with Lloyd George. He took his deputy Griffith, Austin Stack, Count Plunkett, Robert Barton and Erskine Childers. Collins expressed his willingness to go but was left behind in Dublin on the grounds that his inclusion would have allowed the British to obtain something that their intelligence services had lacked throughout the War of Independence - recent, reliable photographs of Collins. In hindsight this seems a fairly lame excuse for omitting Collins from the delegation. If he had gone to America, as De Valera wanted, the British would have had the opportunity to photograph him at will.<sup>(181)</sup>

At an early stage in the July talks De Valera made it clear that he would appreciate the opportunity of talking with Lloyd George on their own. The British Prime Minister welcomed the suggestion and the two leaders were closeted together for a total of seven hours, spread over four meetings in the course of seven days.<sup>(182)</sup> A British offer delivered to the Irish delegation on 20 July offered the 26 counties limited dominion status with restrictions on defence and trade. The proposals were unacceptable to De Valera but Collins, from Dublin, encouraged his leader to agree to present them to the Dail. Agreeing to have the proposals debated by their parliament, increased Irish leverage in arguing for the release of all those Dail members in British custody, including MacEoin who was under sentence of death.<sup>(183)</sup> The Dail formally rejected the British proposals on 16 August 1921, and on 26 August it recognised the de facto position that De Valera had assumed during his time in America by electing him President of the Irish Republic, and thereby head of state, as opposed to simply President of the Dail and head of government.<sup>(184)</sup> This development marked a certain acquiescence on the part of the IRB. Its constitution recognised the Supreme Council as the Government of the Republic and their President,

Collins, as President of the Republic. The IRB proved flexible enough to adapt to the changed situation, and De Valera was nominated as President by one of their leading members, the recently released Sean MacEoin. Another important outcome of the August '21 session of Dail Eireann was the approval of a smaller Cabinet, which consisted of De Valera as President and Prime Minister, Griffith as Minister for Foreign Affairs, Stack as Minister for Home Affairs, Collins as Minister for Finance, Brugha as Minister for Defence, Cosgrave as Minister for Local Government and Robert Barton as Minister for Economic Affairs. It was this group of seven men who would have to grapple with some of the key decisions that lay ahead.

De Valera now entered into fourteen weeks of correspondence with Lloyd George before formal negotiations got underway. The central matter at dispute being the basis on which the talks would take place. On 30 August Lloyd George, writing from Gairloch where he was on holiday, coined the terms that would eventually provide the basis for formal negotiations when he invited the Irish to conference, in Inverness, on 22 September to;

" ascertain how the association of Ireland with the community of nations known as the British Empire can best be reconciled with Irish national aspirations."<sup>(185)</sup>

The British Cabinet meeting outside London for the first time, in Inverness Town Hall, endorsed Lloyd George's formulation and went on to agree that it was important that in any subsequent negotiations they should be prepared to cede Fermanagh and Tyrone to the twenty six counties. If the talks were to fail then they should fail on the issues of British sovereignty and Empire, not Northern Ireland.<sup>(186)</sup>

The September deadline passed and Inverness was denied its place in history as the venue for the important negotiations on the future relations of Ireland and Britain. Joe McGrath and Harry Boland, two close Collins associates, were sent from Dublin to Gairloch with a document agreeing to Irish participation as the

recognised representatives of a sovereign state. This was a precondition that the British could not accept and the Inverness arrangements were duly cancelled.<sup>(187)</sup> This ping-pong process of correspondence was only finally resolved when Lloyd George, writing from Gairloch, invited the Irish to a conference in London in early October without pre-conditions.<sup>(188)</sup> De Valera agreed given that "our respective positions have been stated and understood". It was this face saving formulation that allowed talks to get underway in Downing Street on 11 October 1921.

The basis for negotiations agreed, the question remained as to who would represent Sinn Fein? The thinking behind De Valera's decision not to go, while insisting that Michael Collins should, remains a matter of controversy. I find particularly convincing, however, the frank account given by De Valera himself when writing to Joseph McGarrity, the Irish-American leader, in December 1921. De Valera gave three principal reasons for not attending. As President of the Republic he could not be seen to compromise on the matter of a republic. By absenting himself from the bargaining he could best rally the nation. If the External Association proposal which he had so recently developed, was to be the basis of an agreement then he should be at home to combat the influence of the "isolationists" among whom he listed Brugha, Stack and Mrs. Clarke.

De Valera went on to argue that if he did not go then Griffith and Collins must. He admitted to worries that Griffith might give ground too easily on the question of the Crown, but he hoped that Collins would balance that tendency. Interestingly, however, De Valera goes on to express concerns over reports that the IRB had discussed acceptance of Dominion status. He was concerned that Collins might agree to such a settlement to ensure himself a future political role as leader of a "Republican Party" within the new state. De Valera admits to McGarrity that the fear of being outmanoeuvred by Collins is "the danger which I most apprehend." Returning to his assessment of the potential plenipotentiaries, De Valera argues that Brugha and Stack were out of the question, partly due to Brugha's stubbornness and partly due to the fact that Griffith and Collins would

have found it difficult to work with them. He mentions Mary MacSwiney as another possible contender, arguing that spirit of her dead brother, Terence, would have been an unsettling presence for the British side. She, however, was also ruled out on the grounds of Griffith's and Collins' hostility towards her and to "women in general I suppose".

De Valera told McGarrity that Robert Barton was included to balance Collins and Griffith. Supported by delegation secretary Erskine Childers, Barton would prevent too much from being conceded. According to De Valera both Eamonn Duggan and Gavan Duffy were mere "legal padding". Duggan was likely to back Griffith and Collins, while Duffy was thought likely to side with Barton and Childers.

In concluding his account of why he acted as he did, De Valera writes, "I am sorry there is so much ego in this."<sup>(189)</sup>

From his discussions with Lloyd George in July, De Valera more than anyone else in the Irish camp had an accurate idea of what the British were prepared to concede in the negotiating process. Armed with that knowledge he decided not to re-enter the lion's den but to leave it to what he readily conceded was a deliberately divided team. His comments to McGarrity make it clear that De Valera had an eye on the future power play that would follow any settlement, and his desire to ensure that Collins was not in a position to outmanoeuvre him.

If De Valera can be criticised for changing his position between July and October, then Collins must also be found guilty of a degree of inconsistency. Having argued that he should be included in the delegation for the July talks, Collins now resisted joining the delegation for the October negotiations. Collins turned for guidance to his comrades on the Supreme Council of the IRB. Sean O'Murthuile, who by this time was Secretary of the Organisation, provides an insight into IRB deliberations on the issue in his unpublished history of the IRB. According to O'Murthuile the Supreme Council believed that De Valera was

indeed attempting to make a scapegoat out of Collins. The IRB, however, due to its influence within the IRA, had a more accurate assessment than most into the military readiness of the Volunteers should the Truce break down and war resume. It was this realism that led them to agree that Collins should go to London. Ironically it was Harry Boland, who was to turn against Collins and the Treaty, that summed up the view of the Supreme Council when he argued that a "gun man will screw better terms out of them (the British) than an ordinary politician."<sup>(190)</sup>

The IRB agreed that Collins should go. They also agreed on a series of arrangements that would keep him in close contact with the Organisation at home, and lessen the chances of his being outmanoeuvred by either De Valera or the British in Dublin or London. One of the more flamboyant arrangements was an aircraft at Croydon aerodrome ready to fly Collins out of Britain should the negotiations collapse. This arrangement was taken care of by another of Collins' IRB contacts, Charlie Russell, who would later become the head of the Saorstát Airforce.<sup>(191)</sup>

As I have already indicated, the IRB's enthusiasm for negotiations was based on a realistic assessment of the state of the IRA, and its capability to cope with a renewed outbreak of war. During the negotiations on the Treaty, in November 1921, GHQ listed the nominal strength of the IRA at 72,363.<sup>(192)</sup> Of these, perhaps as few as 3,000 had actually seen action prior to the Truce in July 1921, and perhaps as few as half of that number were active at any one time.<sup>(193)</sup> This huge mushrooming in numbers was due to an influx of those who wanted their share of the laudation heaped upon those who had served, and of young boys hardly old enough to join up and who didn't want to lose the opportunity to emulate their older friends and relatives. These would-be heroes were known as 'Trucileers', an obvious play on the term Volunteers, or as Collins christened them, 'Sunshine Soldiers'. The summer of 1921 was full of long sunny days, and Frank O'Connor writes of Volunteers, veterans and post-Truce recruits, attending dances and concerts, commandeering cars, and "tearing up and down little

country roads with girls all the hot bright days of summer."<sup>(194)</sup> Collins and the IRB were not only concerned about the quality of their glory-seeking recruits, they were also concerned about the visibility of their hardened veterans. The Truce had brought the rabbits out of their holes. If hostilities resumed, there could be no more secret army.

Even Collins and his GHQ coterie were not immune from the atmosphere created by sunny days and the lifting of the constant pressures and dangers which they had faced for the past two and a half years. Collins took the opportunity of the transformed situation to visit Kitty Kiernan in Granard on several occasions, and acted as her escort during the Dublin Horse Show week. They became engaged on 8 October 1921, the eve of Collins' departure for London.<sup>(195)</sup>

Collins played a pivotal role in the negotiations, and in ensuring that they concluded with Articles of Agreement for submission to the Dail for approval. Collins was involved in every aspect of the discussions, but took particular interest in the North and national unity, and in membership of an evolving Commonwealth. Collins hopes and ideas as to how these two issues would develop are dealt with in Chapters 4 and 5.

The five plenipotentiaries - Griffith, Collins, Gavan Duffy, Barton and Duggan - were joined in London by an impressive support staff. Desmond FitzGerald, the Minister for Propaganda in the Dail Government was in London for most of the negotiating process. The secretaries to the Irish delegation were Erskine Childers, Diarmuid O'Hegarty, Fionan Lynch and John Chartres. As already noted, Childers was an ideological republican and close to the De Valera/Brugha/Stack faction, while O'Hegarty and Lynch had been closely associated with Collins since the days of 1916/17. Chartres had been working for Collins for about as long, but his role had been a covert one inside the British establishment, a factor which was to lead to persistent rumours that he was a double agent. The secretarial and clerical support was provided by the Lyons sisters, Alice and Ellie, Lilly O'Brennan, sister-in-law of the executed 1916 leader Eamonn Ceannt,

and Kathleen Napoli McKenna, whose memoirs give us an important insight into the affairs of the Irish delegation during the negotiations. They were later supplemented by the services of Sinead Mason, Collins intelligence directorate secretary. The young unmarried ladies were chaperoned by Mrs. Eamonn Duggan and Mrs. Fionan Lynch. The kitchen was staffed by personnel from Dublin's Gresham Hotel, while the remainder of the domestic staff were recruited from Irish organisations in London.<sup>(196)</sup>

Collins insisted on having his own headquarters in London. While the main delegation was housed in Hans Place, Joe McGrath and Dan McCarthy had been sent to London to scout out a separate base for Collins, which they established in Cadogan Gardens. Collins wanted his own house to ensure his safety, apparently believing that at the first sign of the talks collapsing the British would order his assassination. Collins also sought privacy in maintaining his IRB contacts. Collins was joined at Cadogan Gardens from time to time by FitzGerald, O'Hegarty, Sean Milroy, Dan McCarthy, Joe McGrath, Liam Tobin, Emmet Dalton, Tom Cullen, Joe Guilfoyle and Joe Dolan.<sup>(197)</sup> They were later joined by the now released Ned Broy, who emerged during the talks as Collins' "general factotum".<sup>(198)</sup>

The Irish delegation faced a British team led by Lloyd George and including such experienced figures as Winston Churchill, Lord Birkenhead and Austen Chamberlain. On the first day of the talks, the British went to some lengths to avoid having to shake hands with Michael Collins but within a matter of weeks the British delegation, and Lord Birkenhead in particular, had come to respect Collins' abilities and had warmed to his humour and personality. The central role played by Collins in the Treaty negotiations is revealed in the official report of the Irish delegation to the Dail. There were forty eight official contacts between the two delegations, including plenaries, sub committees, sub conferences and meetings with the British delegation secretary Thomas Jones. Collins participated in thirty seven of them.<sup>(199)</sup> Collins also had informal contacts with the British side around the dinner tables of London society. Often such occasions were

organised by Hazel, Lady Lavery, the American wife of the painter Sir John Lavery. Collins, as De Valera had done before him in July, accepted an invitation from Sir John to sit for him. Lady Lavery and Collins became firm friends although rumours persist of a deeper relationship.

Ever since Collins' death there have been persistent rumours about his relationships with women leading to one Irish journalist describing Collins in the late 1980s as "cruel, devious, two-timed a lot of women, and probably hypocritical in the sense that he went to Communion a lot while carrying on affairs with two women at the same time."<sup>(200)</sup> Throughout the decades the names of Susan Killeen, Moya Llewelyn Davies, Sinead Mason, Lady Lavery and, of course, Kitty Kiernan have been linked with Collins. Fresh speculation broke out in June 1995 when the collection of correspondence between Kitty and Collins was put up for auction. The IR£43,000 that former Fine Gael minister Peter Barry paid for the 300 letters was consigned to the margins of the news coverage by one solitary letter further down the bill of sale, which sold for a relatively modest IR£300.<sup>(201)</sup>

The letter was from Collins to one Dilly (Madeline) Dicker, a young Dublin beauty and concert pianist, and suggested the existence of an affair. The surviving Dicker relatives claimed that there definitely was an affair, that it lasted for five years and that Dilly was the last woman to sleep with Collins prior to his death in August 1922. It appears that Dilly and Collins met when she lived in an apartment overlooking one of his safehouses, and Mick used to drop by to check that the coast was clear. This story led Dublin columnists to comment in the summer of 1995 that there was no such thing as a safehouse for Dublin's young ladies when Michael Collins was on the run!

Collins' reputation as a philanderer has been consistently contested by his own family, Kitty Kiernan's family, and his old comrades. Leon O'Broin, who edited the published collection of the Collins/Kiernan letters, 'In Great Haste', was typical in arguing that Lady Lavery developed an attraction to Collins which was



unrequited. O'Broin went as far as accusing the American-born London hostess of inserting passages of her own composition into Collins' letters to her in order to provide evidence of an affair.<sup>(202)</sup> This echoed an earlier accusation by Terence De Vere White, in his biography of Kevin O'Higgins, as he sought to defend the reputation of that austere Catholic patriarch from suggestions of an adulterous affair with the same Hazel, Lady Lavery. A recent book on Lady Lavery by Sinead McCoole has drawn on previously unpublished correspondence held by Lady Lavery's family, and casts new light on her relationships with the leaders of the infant Irish state. While McCoole concludes that the true nature of Lady Lavery's relationship with Collins cannot be established with certainty, her revelations leave no doubt about her passionate involvement with O'Higgins.<sup>(203)</sup> The publication of the book led to a very gracious public statement by O'Higgins' daughter Una O'Higgins O'Malley to atone for the wrong done to Lady Lavery and her family.

"Just over one year ago I discovered the full nature of the relationship between my father and Lady Lavery... I regret that in his biography of my father, Terence de Vere White mistakenly conveyed that Lady Lavery herself had inserted romantic passages into letters which she received from admirers. People whom he consulted at the time believed this to be so but clearly in the case of those from my father this is not true."<sup>(204)</sup>

Given Collins' role as Minister of Finance, IRA spymaster, chief negotiator with the British Government, and later 'prime minister' of the Provisional Government and Commander-in-Chief of the Irish Army, it is difficult to believe that he could find the time and space for one serious relationship, never mind a series of affairs. The pressure of the intense negotiating schedule in London was compounded by the regular journeys back to Dublin, which at that time involved a train journey from Euston to Holyhead and then an overnight journey by mailboat from the Welsh port to Dun Laoghaire. Collins insisted on finding the time to keep the IRB informed of progress. Throughout the negotiating process Collins received regular reports on the state of readiness of IRA units around the country, particularly in Northern Ireland, while he sent them reports on the progress of the negotiations. An example of this contact, and of the wider

problems facing Collins, are the events surrounding the critical Dail Cabinet meeting of 3 December 1921. The British had presented what they maintained to be their final offer, so the entire delegation returned to Dublin to discuss matters with Cabinet.

The Irish delegation left for Dublin at the end of a long day of negotiations, and their tiring journey was compounded by the fact that the mailboat collided with a fishing smack at 3.30am and had to return to Holyhead. As a result the mailboat did not dock at Dun Laoghaire until 10.00am. The Cabinet meeting was scheduled to start at 11.00am at the Mansion House, and Collins had intended to meet with O'Murthuile beforehand to brief him on the British position. Because of the delay, Collins could do little more than hand over a copy of the British proposals to O'Murthuile and arrange to meet him later in the day. By the time Collins and O'Murthuile met over a snatched lunch at the Wicklow Hotel, the IRB Supreme Council had considered the British offer and identified three problem areas - the Oath, the clauses governing Northern Ireland and coastal defence. The Supreme Council had gone as far as drawing up an alternative wording for the Oath. It was this wording that provided the basis for the eventually agreed formulation.<sup>(205)</sup> Collins agreed to meet O'Murthuile later in the day and returned to the Cabinet meeting. The outcome of the Cabinet deliberations were not as clear, nor as helpful, as the advice offered by the IRB.

The record of the the meeting of the Cabinet and delegation on 3 December is lacking in detail, probably due to the absence of Diarmuid O'Hegarty, the Secretary to the Cabinet, who had remained in London where he was serving as one of the secretaries to the delegation.<sup>(206)</sup> Our understanding of what occurred is drawn from the statements made by those who attended in the subsequent ratification debate in the Dail. The morning session of the Cabinet concerned itself with those sections of the British position which seemed to deny Ireland dominion status, namely the restrictions on the proposed Irish Free State's right to take responsibility for its own defence. The atmosphere was soured when Cathal Brugha effectively accused Griffith and Collins of using the sub

conference procedure to exclude the other plenipotentiaries and sell out the Irish position. Brugha received no support from the other, supposedly excluded, delegates. They had collectively agreed to the sub conference procedure as a way of moving the negotiations forward, and Brugha was forced to apologise and withdraw his remark. The meeting continued with discussion of amended variations to the Oath, which would avoid recognising the Crown as King of Ireland and the source of all sovereignty.

Barton proposed that De Valera should return to London with the delegation given that Griffith was personally unhappy about breaking the talks over the issue of King and Empire and it was unfair to put him in that position. De Valera appeared to agree to that suggestion but when Griffith undertook not to sign any final document, but to refer it to the Dail and the people if need be, De Valera declared that it was no longer necessary for him to go to London.<sup>(207)</sup> The Cabinet meeting ended in confusion. Both Collins and Griffith regarded the suggested amendments to the Oath as consistent with the acceptance of dominion status. Barton and Childers, however, spoke to De Valera as the meeting was breaking up and claim to have clarified with him that amending the Oath meant dropping the first four clauses of the draft Treaty which dealt with dominion status.<sup>(208)</sup> The delegation was to return to London to argue once again for External Association, De Valera's formula of association with, but not membership of, the Empire, a proposal that had already been rejected by the British.

Back in London, the delegation differed over their interpretation of what the Cabinet had intended, and Collins and Duggan refused to go back to Downing Street to argue for a proposal, external association, which had already been rejected. As Collins expected, the meeting with the British on 4 December broke down, and the entire negotiating procedure seemed in real difficulty. In the early hours of the morning of 5 December Griffith and the British secretary Jones agreed that Collins and Lloyd George should meet later that morning in an attempt to get the negotiations back on track. I discuss the detail and significance

of that meeting in Chapter 4 dealing with the North and the Boundary Commission. Suffice to say at this point that Collins obtained further concessions on finance, trade and defence and an understanding of the likely outcome of the Boundary Commission. Collins had done enough to put the talks back on the rails and he Griffith and Barton returned to Downing Street at 2pm for further discussion.

The Irish negotiating ace throughout had been the threat of breaking the talks on the question of the exclusion of Northern Ireland, an issue on which the Irish carried considerable international support. The British also realised this to be the case, and throughout the Irish sought to probe for further concessions in return for agreeing to Northern Ireland's right to vote itself out of the proposed Irish Free State. At this final negotiating session, however, the ground was drawn from underneath the Irish when Lloyd George confronted them with an earlier undertaking given by Griffith to the effect that he would not to break on Northern Ireland, given that provision for a Boundary Commission was part of the agreement. There was nowhere left to run, it was crunch time. Would the Irish agree to recommend the latest British proposals, including the further concessions gained by Collins on the morning of 5 December, or would they break the talks and run the risk of plunging Ireland back into terror? Lloyd George underlined these options with an oratorical flourish in which the Welsh Wizard conjured up the image of an express train waiting at Euston "with steam up" to carry news of the success or failure of the talks to the Northern Ireland premier Sir James Craig.<sup>(209)</sup>

The troubled delegation met at Hans Place to decide on their course of action. Collins made it clear that he was in favour of signing and impressed upon his fellow plenipotentiaries that the number of tested, and equipped, Volunteers stood at not much more than 2,000 and that, with the advantage of anonymity now largely lost, they risked being slaughtered in any renewed conflict.<sup>(210)</sup> Collins then returned to his own base at Cadogan Gardens, leaving the other four to continue with their discussions.

Kathleen Napoli McKenna offers us a compelling eye witness account of the pressure on Collins at this stage, and the torment that must have been felt by this President of the Irish Republican Brotherhood who had assumed the responsibility of steering his delegation in the direction of accepting dominion status in order to save his men, and his country, from the consequences of a renewed war which he firmly believed they could not win. She takes up the account of events as Collins returned to Hans Place later that evening to wait for the other members of the delegation who were still debating whether or not to sign the Articles of Agreement;

" He plumped down on an ordinary dining room chair that happened to be in the centre of the room in exact line with the part of the stairs down which those who were to join him would have to come. With his attache case, and thrown over it his old grey-brown dust-coat, hanging down in one hand almost touching the carpet, and his other hand holding on his knee his felt hat, he fell into a profound sleep. Poor 'Big Fella' as I gazed at him my heart ached with the anguish at the thought of what this man's mental torture must be. I realised fully the weight of responsibility placed by events upon his young generous shoulders. With the tenderness with which a mother watches her fever-stricken child I gazed on his pale face, now relaxed and calm, and wanted to push gently away the rebellious lock hanging on his forehead. In the depths of my soul - in one of those places "never sounded or known" - I preserve an image of that scene which none save myself witnessed on that night of 5 December 1921. Time cannot dim it, nor can time or events change the memory and the tragic aspect of that memorable night on which this plain Irish soldier bravely accepted his awesome share in the moulding, for good or for ill, of Ireland's destiny."<sup>(211)</sup>

Michael Collins was not the only one in torment. Upstairs in Hans Place, Griffith and Duggan were for signing, Gavan Duffy and Barton were not convinced. Gavan Duffy seems to have been won over by an emotional appeal from Duggan in which he recounted his experience of being in Mountjoy on the day that young Volunteers Paddy Moran, Frank Flood, Bernard Ryan and Tommy Whelan had been wrongly executed for their supposed role in the 'Bloody Sunday' killings. Little did these four young men realise when they met their fate that their story might have a decisive effect on determining the course of their country's future.<sup>(212)</sup> De Valera confessed in his correspondence with McGarrity that he had

chosen Childers as one of the secretaries to the delegation in order to hold Barton to the republican line. It was a calculation that backfired badly. With his head swimming with thoughts of the lack of readiness on the part of the IRA, and the sacrifice of Flood and the others, Barton took exception at being told to hold out because that is what Childers' wife, Molly, would want him to do. Fond as Barnton was of Childers American-born wife, he was not going to hold her opinion as paramount. Barton believed it was possible to sign with honour as the document they were adding their signatures to contained Articles of Agreement for a Treaty, not the Treaty itself, and that they would be subject to ratification by the Dail.<sup>(213)</sup>

Collins, Griffith and Barton returned to Downing Street in the early hours of 6 December, arrangements having been made for Duggan and Duffy to sign at Hans Place. Following a final flurry of typing last minutes changes, the deed was done. Immediately after the signing Birkenhead, the arch-Unionist in the British Coalition Government, turned to Collins and said,

"I may have signed my political death - warrant tonight"

"I may have signed my actual death-warrant,"

is reputed to have been Collins' prophetic reply.<sup>(214)</sup>

Eamonn Duggan and Desmond FitzGerald hurried back to Dublin to present De Valera with a copy of the Articles of Agreement, and he was furious that the plenipotentiaries had agreed to sign and recommend anything short of External Association. He summoned a meeting of the Cabinet for the following day, 8 December 1921. On his return from London, where he had delayed to talk up his conception of an evolving Commonwealth, Collins was met by his trusty lieutenants Gearoid O'Sullivan and Tom Cullen and he anxiously asked them how news of the Treaty was being received. O'Sullivan told him of the opposition of De Valera, Brugha and Stack while Cullen was able to reassure him that the IRB and the bulk of IRA veterans were taking that attitude that if

the proposed treaty was good enough for Collins, it was good enough for them.<sup>(215)</sup>

Given that the positions of Collins, Griffith and Barton on one hand, and De Valera, Brugha and Stack on the other, were well known, the crunch vote in the seven person Cabinet belonged to Cosgrave. The 1916 veteran cast it for acceptance, and thereby ensured that the matter of ratification or rejection was placed before the Dail as a whole.<sup>(216)</sup> The next landmark on the road to ratification was a meeting of the Supreme Council of the IRB, presided over by Collins, on 12 December. With only Liam Lynch dissenting, the Supreme Council approved the following statement;

" The Supreme Council having due regard to the Constitution of the Organisation, has decided that the present Peace Treaty between Ireland and Great Britain should be ratified. Members of the Organisation, however, who are to take action, as representatives, are given freedom of action in the matter."<sup>(217)</sup>

Although the statement extended freedom of conscience to members of the Dail, the IRB like most secret societies operated a form of democratic centralism and members were used to taking orders circulated by the Supreme Council. It was widely believed that the position taken by the Supreme Council was important in carrying the ratification of the Treaty.<sup>(218)</sup>

The Dail debate opened on 14 December 1921 in the Council Chamber of University College Dublin, with Eoin MacNeill acting as Speaker. The choice facing the members of the Dail was ratification of the Treaty agreed in London, or rejecting it in favour of what became known as Document No.2, an elaboration of De Valera's External Association concept. As I argue at greater length in the chapter dealing with the Boundary Commission and the North, De Valera's document mirrored the Treaty in its provisions dealing with Northern Ireland, and the North did not feature to any great extent in the ratification debate. De Valera soon realised that presenting his own document was a mistake. As it fell short of a republic, it was not attractive to the die-hard republicans, and

as it was so similar to the proposed Treaty it seemed to justify Collins' argument that the difference was not worth risking war over. It was on 19 December that Griffith, seconded by Sean MacEoin, moved acceptance of the Treaty. Collins spoke that afternoon and delivered a speech which was passionate, forceful and not without humour. He portrayed his opponents as not being fully Irish, contrasting his own West Cork roots with the family backgrounds of De Valera, Brugha and Childers.<sup>(219)</sup>

When the Dail resumed, following a Christmas recess, on 3 January 1922, De Valera introduced an amended Document No.2 as an amendment to the Treaty proposal. As the mammoth debate reached its conclusion the personality of Collins continued to dominate. In summing up against the Treaty, Cathal Brugha plunged into an ill-judged attack against Collins in which he suggested that Collins had never fired a shot for Ireland. Brugha's speech backfired and set up a concluding speech by Griffith that was regarded by many as the highlight of the entire debate. Addressing Brugha's attack on Collins, Griffith said;

" He (Collins) was the man that made the situation; he was the man, and nobody knows better than I do, who during a year and a half worked from six in the morning until two next morning. He was the man whose matchless energy, whose indomitable will, carried Ireland through a terrible crisis, and though I have not now, and never have had, an ambition about either political affairs or history, if my name is to go down in history I want it to be associated with the name of Michael Collins"<sup>(220)</sup>

When the deputies were called to vote, alphabetically by constituency, Collins, representing Armagh, was the first to be called and the first to vote in favour of the Treaty. By the time the roll call was completed, the Treaty had been carried by 64 votes to 57.

### Conclusion

I concur with those of Collins' biographers who portray him as driven from an early age to follow the political path he did. I also argue that while his rise to



such a senior leadership position was due to his abilities and boundless energy, it was also due in part to his luck, or talent, for avoiding arrest. As a result he remained at the centre of the developments, almost continuously, from his return from internment following the Easter Rising.

By the time that the Treaty was ratified Michael Collins stood at the centre of a series of inter-twining networks through which he exercised his influence. There were those he had met in London, and other parts of mainland Britain, through the varied activities of the Irish-Ireland movement. There were those from throughout Ireland and beyond that he had served alongside during Easter Week and had been interned with at Frongoch. There was the wider circle of relatives and dependents who had come to know him as "the man who could get things done" due to his practical work with the National Aid organisation. There were the active Volunteers who knew him as the person who waged a continuing war against the shortages of weapons and ammunition. There were his own active service units engaged in the intelligence war who admired his abilities to turn the tables on the British authorities. There were his Dail and Cabinet colleagues who knew him as an effective minister. Binding them together were the ties of the secret Irish Republican Brotherhood with Collins at its head.

In the following chapters I examine how these different groups reacted to the death of Collins, and their claims to his legacy.

Chapter 1. Notes and References

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- 3) Piaras Beaslai. *Michael Collins: Soldier and Statesman*, Talbot Press, Dublin, 1937, p.2.
- 4) Taylor, *Michael Collins*, p.25
- 5) *ibid* p.26
- 6) Kenneth Griffiths, *Hang Out Your Brightest Colours. The Life and Death of Michael Collins*, ATV Television Documentary, 1973.
- 7) Haydon Talbot, *Michael Collins Own Story*, Hutchinson, London, 1923, p.23
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- 9) Taylor, *Michael Collins*, p.27.
- 10) Margery Forester, *Michael Collins: The Lost Leader*, Sidgwick and Jackson, 1971, p.11.
- 11) Beaslai, *Michael Collins: Soldier and Statesman*, p.20.
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- 16) Taylor, *Michael Collins*, p.31.

- 17) Forester, *Michael Collins the Lost Leader*, p.27.
- 18) *ibid*, pp.30/31.
- 19) Beaslai, *Michael Collins, Soldier and Statesman*, p.37.
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- 21) P.S. O'Hegarty, *The Victory of Sinn Fein*, Talbot Press, Dublin, 1924, p.7.
- 22) Dan Breen, *My Fight for Irish Freedom*, Anvil, Tralee, 1973 edition, pp.14-20.
- 23) O'Hegarty, *The Victory of Sinn Fein*, pp.2/3.
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- 25) Estimates of the numbers of guns brought in through the Howth gun running incident vary from 900-1,500.
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- 29) D.J. Hickey and J.E. Doherty (editors), *A Dictionary of Irish History 1800-1980*, Gill & Macmillan, 1987, p.266.
- 30) O'Hegarty, *The Victory of Sinn Fein*, pp.2/3.
- 31) *ibid*, p.16.
- 32) Forester, *Michael Collins: The Lost Leader*, p.32.
- 33) In his letter on Collins' career to the Irish Independent on 3 November 1926, Paddy Belton states that Collins was directly ordered to return to Dublin in February 1916 by McDonagh. If this is accurate it means that Collins had already come to the attention of senior IRB figures by that point. This seems to be consistent with his finding a job with the Plunketts on his return.
- 34) *In the Shadow of the Gun*, Fintan O'Toole
- 35) O'Hegarty, *The Victory of Sinn Fein*, p.23.

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- 37) Tim Pat Coogan, *Ireland Since the Rising*, Pall Mall, London, 1966, pp.19/20.
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- 45) Richard Killeen, *Revolution! The Easter Rising*, Gill & Macmillan, Dublin, 1995, p.12.
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- 55) Taylor, *Michael Collins*, p.50.
  
- 56) Coogan, *Ireland Since the Rising*, p.19.
- 57) Beaslai, *Michael Collins and the Making of a New Ireland, Vol.1*, p.106.
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- 59) Tim Pat Coogan, *De Valera: Long Fellow, Long Shadow*, Hutchinson, London, 1993, pp.67-75.
- 60) Forester, *Michael Collins: The Lost Leader*, p.50.
- 61) O'Mahony, *Frongoch*, p.62.
- 62) *ibid*, p.101.
- 63) O'Mahony, *Frongoch*, p.218.
- 64) Collins appears to have been given the nickname 'The Big Fella' in Frongoch. O'Mahony suggests that it may have derived from a gentle mocking of Collins' own perception of his role within the camp, rather than having anything to do with his physical build.
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- 67) *ibid*, pp.218/219.
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**Chapter 2**

**"Till Ferdia Came"**

**The impact of Collins' death on the conduct and outcome of the Civil War**

"Now to a strife, that was no game, against his friend Ferdia came."<sup>(1)</sup>

### Introduction

In this Chapter I examine Collins' political efforts to halt the slide into Civil War, and his actions to bring an end to hostilities once the Pro-Treaty forces had won the principal battles that settled the outcome of the conflict.

I evaluate the immediate impact of his death on events. I illustrate how one element of his entourage, his fellow Provisional Government ministers, acted quickly in the days following Collins' death to reverse their policy towards Northern Ireland. I also illustrate how Mulcahy and others in the senior echelons of the Army felt compelled to use the shock of Collins' death to further the peace overtures which they believed their Commander-in-Chief had pursued the days before his death.

Entering into the realms of contra-factual history, I examine the different opinions as to whether or not Collins would have endorsed the execution and reprisals policy introduced by his Provisional/Free State government colleagues in the weeks and months following his death? In presenting the available evidence I point to the motivations that different witnesses might harbour in interpreting how Collins might have acted on this sensitive question.

### The Development of Dual Authority

The vote to ratify the Treaty on Saturday 7 January 1922 did not mark the end of the marathon debate, which had begun on 14 December 1921. The weary deputies reconvened on Monday 9 January to hear De Valera press his resignation, ignoring Collins' call for a Dail committee, representing both those who had voted for and against ratification, to oversee the transition of power to to an Irish provisional government.<sup>(2)</sup> De Valera's action, supported by his

followers, was a clear indication that they would not participate in the road to national government mapped out in the Treaty. The move to re-elect De Valera as President, nominated by Mrs. Kathleen Clarke, was a re-run of the Treaty debate and many more words were spoken before De Valera's nomination failed by the narrow margin of 60 votes to 58, with both himself and Liam De Roiste abstaining.<sup>(3)</sup>

Collins, seconded by Mulcahy and O'Duffy, moved that Griffith be asked to form a government, a proposal that was bitterly contested by the Anti-Treatyites. Their concern was that a Griffith-led, Pro-Treaty, Dail Cabinet would assume the role of the Provisional Government outlined in the Treaty. Over two days De Valera, Cathal Brugha, Harry Boland and Sean MacEntee peppered Griffith with questions as to what his role as President of the Republic would be in setting up the Irish Free State, and what dealings he would have with the British-created institutions that would be used to give birth to the Free State, i.e. the Parliament of Southern Ireland and the Provisional Government elected by it?<sup>(4)</sup>

As the debate drew to a conclusion, and the vote on Griffith's nomination was imminent, De Valera led a walk-out of his supporters declaring;

" As a protest against the election as President of the Irish Republic of the Chairman of the Delegation, who is bound by the Treaty conditions to set up a state which is to subvert the Republic, and who, in the intervening period, instead of using the office as it should be used - to support the Republic - will of necessity, have to be taking action which will tend to its destruction, I, while this vote is being taken, as one, am going to leave the House."<sup>(5)</sup>

Collins was infuriated at the walk-out and hurled the insult of "deserters" at those leaving with De Valera. Countess Markiewicz responded with "oath breakers and cowards". This barb drew the response of "Foreigners - Americans - English" from Collins, bringing to the surface an undertone which had bubbled throughout the long Treaty debate.

Michael Collins, the Dail Minister of Finance, and the Volunteer GHQ officer



with the greatest grasp of public relations, knew all too well the essential support that came from America, Australia and other countries. Michael Collins, the boy clerk who had spent ten years in London, claimed to understand, and have a sneaking admiration for, the English. It was that very understanding, which led to Michael Collins the negotiator emerging as the most effective of the plenipotentiaries, and it was the affable Collins who, befriended in Lord Birkenhead that most 'English' of Englishmen. A month of Treaty debates, however, in which Collins had heard his patriotism repeatedly questioned by people whose own antecedents were not wholly Irish, following on two months of Treaty negotiations, during which he was at logger heads with the 'English' Childers, had festered into a nativist wrath which erupted at the sight of what he regarded as self-proclaimed super-patriots walking out on Ireland at her moment of greatest need. Collins was not alone in holding such emotions.

With the Anti-Treatyites absent, Griffith was elected as President by 61 votes to nil. Griffith immediately appointed the following Cabinet Ministers:

Michael Collins	(Finance)
Gavan Duffy	(Foreign Affairs)
Eamonn Duggan	(Home Affairs)
William Cosgrave	(Local Government)
Kevin O'Higgins	(Economic Affairs)
Richard Mulcahy	(Defence) <sup>(6)</sup>

De Valera and his followers returned that afternoon to hear a delegation from the Irish Labour Party and Trade Union Congress. The delegation's spokesman, Party Secretary Tom Johnson, reminded the divided Sinn Feiners of Labour's support for the national struggle, and its decision to give Sinn Fein a clear run in the elections of 1918 and 1921. Johnson went on to highlight the pressing social conditions that needed addressing, but were neglected by the current Dail's pre-occupation with the national question and the Treaty divisions.<sup>(7)</sup>

The Labour delegation was received politely by both sides. On its departure Erskine Childers attempted to resume the quizzing of Griffith on his supposed "dual role", sparking a memorable exchange. Taking his cue from Collins' earlier outburst, Griffith declared he would "not reply to any Englishman in this Dail". Childers' attempts to prove his 'Irish credentials', only drew a more determined rebuttal from Griffith;

"I will not reply to any damned Englishman in this Assembly"<sup>(8)</sup>

Amid this rancour, the long Treaty debate drew to an end on the afternoon of 10 January 1922. The final angry words in the rancorous debate set the tone for the tragedy that lay ahead.

Two days later, on 12 January, Griffith, in his capacity as Chairman of of the Irish Delegation of Plenipotentiaries circulated a letter to 'Members of the Parliament of Southern Ireland' calling on them to convene at the Mansion House on 14 January.<sup>(9)</sup> The Parliament of Southern Ireland was the body created by the British 'Government of Ireland Act', the elections to which, in May 1921, Sinn Fein had used, along with the ballot for the corresponding Northern Ireland Parliament, to elect the Second Dail.

Griffith's letter requested members attendance at;

" a meeting convened in accordance with the terms of these clauses for the formal approval of the instrument in question (the Treaty) and for constituting a provisional government"<sup>(10)</sup>

The one and only quorate meeting of the Parliament of Southern Ireland took place on 14 January. It was attended by the Pro-Treaty members of Dail Eireann, and the four members elected to represent Trinity College Dublin. The Chair was taken by Liam De Roiste, and Michael Collins was elected as Chairman of the Provisional Government. The election of Collins as Chairman, rather than Griffith, avoided one convener presiding over two bodies, one of which was

destined to replace the other.

While the election of Chairman Collins distinguished the Provisional Government from the Dail Cabinet led by President Griffith, these two centres of authority worked closely together. Collins and five of his ministers - Cosgrave, Duggan, O'Higgins, McGrath and Hogan - were also Dail ministers.<sup>(11)</sup> Meetings of the full Dail tended to be re-runs of the Treaty debates, and several Dail ministries soon ceased to function. The Dail Cabinet met as a separate body for the last time on 28 April while its members continued to attend meetings of the Provisional Government.<sup>(12)</sup> For formal purposes, the minutes of meetings record the non-Provisional Government ministers as being 'in attendance'.<sup>(13)</sup> A closer reading of the minutes, however, and the recollections of those present, suggests that the group of ministers, Dail and Provisional Government, operated as one ministry.<sup>(14)</sup> One contemporary observer who was close to events, Florrie O'Donoghue, was later to conclude that the period of 'dual authority' worked to the advantage of the Pro-Treaty party. The Provisional Government busied itself in creating the new state behind the camouflage of the Republican Dail which reassured some of their more sceptical supporters, and undermined the claims of the Anti-Treatyites that the Republic had been abolished.<sup>(15)</sup>

Much of the practical business of state-building was to fall on the relatively young shoulders of Michael Collins. Aged only 31, he was Chairman and Finance Minister of the Provisional Government, and also held the Finance portfolio in the Dail Cabinet. He was involved in setting up government departments to take over from the British. He was the driving force behind the establishment of a national army and a new police force. He was the main channel of contact with the British, chairing the committee working on the Free State Constitution and negotiating with both the British and the Northern Premier Craig on the situation in the North. All this Collins did while operating as the Provisional Government's head of public relations. For the next six months he walked a tightrope between satisfying the British that the Treaty conditions were complied with while avoiding alienating further support to the Anti-Treatyites.

Throughout it all Collins retained his legendary humour. Writing to his fiancée Kitty Kiernan on 17 February 1922, the day on which the first batch of British stamps over-printed 'Provisional Government of Ireland' was released, Collins wrote;

"The stamp of this (letter) was the first Free State stamp ever licked by a member of the Free State Provisional Government...it was of course licked by me for you."<sup>(16)</sup>

### "This Band of Brothers"

Speaking immediately following his failure to be re-elected President on Monday 9 January, De Valera said;

" I hope that nobody will talk of fratricidal strife, That is all nonsense."<sup>(17)</sup>

In saying this he echoed Brugha's claim, following the ratification vote, that the Army would remain disciplined. This was something of a bogus hope. The IRA was a volunteer, politically motivated, force, and any notion that it could remain united, immune from the strong emotions that had been expressed by the political leadership in the Dail, was naive. Six members of the twelve-man IRA General Headquarters staff - Mulcahy, Collins, O'Sullivan, O'Duffy, Beaslai and Mellows - were members of the Dail. Three of them - Collins, O'Sullivan and O'Duffy - were members of the Supreme Council of the Irish Republican Brotherhood.<sup>(18)</sup>

The Irish Volunteers had been formed back in 1913, under the control of their own elected Executive. Following the Dail's Declaration of Independence in 1919, the Volunteers recognised the authority of the Dail, but it was not until the spring of 1921 that the Dail took official responsibility for the actions of the IRA. The Army of the Republic had placed itself under the control of the Dail, but now, according to the Anti-Treaty interpretation of events, the Dail had repudiated the Republic. As De Valera was to put it later, the IRA had accepted Dail authority on the understanding that deputies and volunteers would swear the

same oath - to the Republic. This according to De Valera represented a "definite and explicit contract".<sup>(19)</sup> By accepting the Treaty, and thereby breaking their oath, the Dail Pro-Treaty majority had "violated the contract", and the Army was entitled to revert to "the position of autonomy from which it started."<sup>(20)</sup> How would the Army react?

As Dail deputies divided over the Treaty, so to did the personnel of the IRA General Headquarters Staff:

#### Pro-Treaty

Richard Mulcahy	(Chief of Staff)
Eoin O'Duffy	(Deputy Chief of Staff)
J.J. 'Ginger' O'Connell	(Assistant Chief of Staff)
Gearoid O'Sullivan	(Adjutant General)
Sean MacMahon	(Quarter Master General)
Emmet Dalton	(Director of Training)
Diarmuid O'Hegarty	(Director of Organisation)
Piarsas Beaslai	(Director of Publicity)
Michael Collins	(Director of Intelligence)

#### Anti-Treaty

Liam Mellows	(Director of Purchases)
Rory O'Connor	(Director of Engineering)
Sean Russell	(Director of Munitions)
Seumas O'Donovan	(Director of Chemicals) <sup>(21)</sup>

Tom Garvin, Professor of Politics at University College of Dublin, has suggested that memories of the disastrous Parnell split may have tempered the impetus towards division.<sup>(22)</sup> Whether it was the events of the 1890s, or more recent ties, that bound "this band of brothers", the emerging split in the Army was slow and reluctant.<sup>(23)</sup> Only a tiny minority of the IRA did not flinch at the idea of taking up arms against former comrades, and for the next six months it was senior

Army officers, as opposed to exclusively political figures, that would strive to avoid the coming conflict.

Part of the cohesion defying the pull of Treaty differences was the Irish Republican Brotherhood. Most senior Army officers were also members of the IRB, and Collins used his influence as President to delay divisions. The fifteen-person Supreme Council had backed the Treaty by a margin of 11-4, largely on the basis of "if it's good enough for Mick, it's good enough for me", and their support had been important in ensuring that the Treaty was ratified. A meeting of the Supreme Council, along with the Divisional Centres from around Ireland, and from Scotland and England, held on 10 January 1922, revealed that there was a majority against the Treaty. The 'Organisation', however, was prepared to give its President the space and time to pursue the central plank of his unity strategy, his attempts to frame a Free State Constitution which would be acceptable to the British, yet republican enough in nature to provide a basis of unity for all but a tiny minority.<sup>(24)</sup>

On the same day as the IRB leadership met, the four Anti-Treaty members of the IRA GHQ met with local commanders who also opposed the Treaty, including Oscar Traynor O/C of the Dublin Brigade and Liam Lynch O/C of the Cork No.2 Brigade. They agreed that the Dail's ratification of the Treaty had subverted the Republic, and thereby relieved the Army of its allegiance to the Dail. They also agreed to petition Chief of Staff Mulcahy to convene an Army Convention, the supreme governing body of the IRA, by 5 February, and formed a 'Military Action Committee', a forerunner of the Irregular Army Council.<sup>(25)</sup> Mulcahy met with the leading Anti-Treaty officers on 18 January and noted degrees of difference among the dissidents. Lynch and Frank Aiken, Commandant of the 4th Northern Division, took a relatively conciliatory line. It was probably the desire to encourage these more positive elements that led Mulcahy to compromise and to agree to a Convention, albeit delayed for further two months.<sup>(26)</sup> Mulcahy made this concession without consulting with either the Dail Cabinet nor the Provisional Government.<sup>(27)</sup> The meeting concluded by agreeing to set a

'watchdog committee' of four, two from each side, which would ensure that the Republican aim was not abandoned in the Army. The Anti-Treatyites were represented by Oscar Traynor and Ernie O'Malley. When O'Malley's Second Southern Division became the first unit to repudiate the authority of GHQ, his place on the committee was taken by Andrew MacDonnell of the South Dublin Brigade.<sup>(28)</sup>

Around Ireland, the military barracks vacated by the British were occupied by the local units of the IRA, regardless of whether or not they supported the Treaty. Local units would tend to follow the lead given by their commanders, and Mulcahy simply did not have the resources at his disposal to enable him to insist that local fortifications should only be handed over to Pro-Treaty forces. It was this localised scrambling for barracks that would lead to the first hostilities of the Civil War.

In his attempts to stave off hostilities, Collins was dealing with a range of motivations - ideological, psychological and sociological - that had been unleashed by the pending withdrawal of the British. Sinn Fein, and the wider Republican movement, embraced a number of different views, and it was the struggle with Britain that forced discipline on this disparate band. The fact that the struggle was now less immediate released the contending strands:

'Men of Honour' - As discussed in the previous chapter, Dail differences over the Treaty concentrated around the question of the Oath, as opposed to partition or any other single defect in the agreement. This was due in no small part to the fact that the Oath raised questions of personal honour.<sup>(29)</sup> This group included many who did not even believe that a continuation of the war with Britain could produce a better settlement than that offered by the Treaty, but regarded that as secondary to betraying their Oath to the Republic and accepting an Oath to the British King as head of the Commonwealth. Charles Townshend has included Liam Mellows and Austin Stack in this group.<sup>(30)</sup>

‘Fenian Insurrectionists’ - Term coined by Townshend to distinguish those who actually believed that ‘more of the same’ could win a better deal from Britain. He includes Cathal Brugha, Erskine Childers and Mary MacSwiney in this group.<sup>(31)</sup>

‘Traditional Resisters’ - For generations sections of the Irish people had been encouraged to be anti-government and anti-law, viewing the national struggle as justification for social banditry.<sup>(32)</sup>

Women - Most of the women involved in the senior ranks of the movement owed their position to their relationship to men who had died for the cause, e.g. the Pearse brothers’ mother, Tom Clarke’s wife, Terence MacSwiney’s sister, Kevin Barry’s sister etc.. Understandably, these women were hostile to any notion of ‘selling out’ the principles for which their loved ones had paid the ultimate price. Moss, in ‘Political Parties in the Free State’ argues that the women at the grass roots of the movement defined the struggle in terms of war, rather than politics, and they were unsure of any settlement that did not grow out of military victory.<sup>(33)</sup> Professor Tom Garvin has argued that, as political involvement on the part of women was abnormal behaviour, then those women who were involved would tend to be more extreme than their male counterparts.<sup>(34)</sup>

Given these factors, it is not surprising that the Congress of Cumann na mBan, meeting in Dublin’s Mansion House on Sunday 5 February 1922, voted to oppose the Treaty by a massive margin of 419-63. The Congress was presided over by Countess Markiewicz, and the Anti-Treaty resolution was moved by Mary MacSwiney, seconded by a Miss Breen. The Pro-Treaty amendment was moved by Mrs. Wyse Power, who went on to become one of the leading women in Cumann na nGaedheal, and seconded by Mrs. Richard Mulcahy. The Anti-Treaty majority might have been even greater if 200 delegates from Southern counties had not been unable to travel due to disruption on the railway system. The other resolution carried, moved by Mrs. Pearse, committed the organisation



to support the Anti-Treaty faction in the forthcoming election.<sup>(35)</sup> Cumann na mBan went on to play a far more prominent role in the Civil War than it had played in the War of Independence.<sup>(36)</sup> Women supporters of the Treaty responded by forming their own organisation - Cumann na Saoirse.<sup>(37)</sup>

‘Trucileers’ or ‘Sunshine Soldiers’ - In Chapter 1 we noted the massive growth in the ranks of the IRA following the Truce of 11 July 1922. At the time of the Truce the number of active Volunteers stood at around 4,000, although Collins estimated the number of armed, full-time Volunteers at less than half that figure. By November 1921 the notional strength of the IRA stood at 72,000. These new recruits, or ‘Trucileers’, included many people who had taken no previous part in the national struggle, and other people possessed by grievances of one kind or another.<sup>(38)</sup> These included teenagers desperate to emulate the exploits of an older brother, or to enhance their status in their locality, and therefore wanted the struggle with Britain to continue. Apparently the summer of 1921 was one of the finest, and longest, on record, which enhanced the attraction of the drilling and parading during the Truce.<sup>(39)</sup> It may well have been the weather conditions that led Collins to coin the term ‘Sunshine Soldiers’ to describe the post-Truce recruits.

Younger Volunteers - It has already been noted that the leadership of the revolutionary generation were by and large relatively young men. Moss writes that many of the young commanders, who were not involved in the senior ranks of the political wing of the movement, like the women, viewed the struggle in purely military terms and did not trust any settlement which was not based on military victory.<sup>(40)</sup> Collins himself wrote that the struggle had induced "a state of excitement" in many of the younger Volunteers, who found it difficult to accept that it was entering a new phase.<sup>(41)</sup> The War of Independence had imposed responsibilities on some very young shoulders, and there is no doubt that many of the young commanders wondered if they would be able to find an equally challenging role in civilian life.

There were other theories postulated by other observers as to the forces behind the impetus to civil war. Collins' British adversary, General Nevil Macready, claimed that many Volunteers opposed the Treaty as an ending of hostilities would mean they would have "to work for a living for a change!"<sup>(42)</sup> In his recent work on the birth of Irish democracy Professor Tom Garvin has borrowed the label 'Public Band' to describe an agrarian volunteer tradition based on the mindset that the historic mandate of the would-be militant defenders of the Republic was morally superior to that of a parliament of "doubtful provenance", and bolstered by a sense of youthful male solidarity and the search for popular glamour.<sup>(43)</sup>

While the vast majority of those associated with the IRA in January 1922 went Anti-Treaty, controversy has raged over the extent to which tested pre-Truce veterans stayed loyal to the Pro-Treaty GHQ or went Anti-Treaty. Certainly a number of leading pre-Truce commanders - Liam Lynch, Tom Barry etc. - went Anti-Treaty, but the claim that all the leading figures "of the Black and Tan days" had gone Anti-Treaty, led Collins' sister, Margaret Collins O'Driscoll, to put the record straight. Writing to the 'Daily Mail' in November 1922 she cited "Mulcahy, O'Duffy, O'Sullivan, Paddy Daly, MacEoin, Emmet Dalton, Tobin, Joe O'Reilly, Tom Ennis, General O'Connell and Thornton" as just some of "the chiefs of the old IRA now with the National Army". She also added that of the 220 men serving with the Dublin Active Service Unit at the time of the Truce, 175 had joined the National Army, while less than a dozen had thrown their lot in with the Anti-Treaty, or Irregular, IRA.<sup>(44)</sup> The available evidence indicates that a significant percentage of pre-Truce veterans who went on to fight in the Civil War, particularly of those who had been 'out' in Easter Week 1916, did so on the Pro-Treaty side.<sup>(45)</sup>

Where leaders led, their men tended to follow. The 1st and 5th Northern Divisions under commandants Joe Sweeney and Dan Hogan followed their Pro-Treaty leaders, while 'the Blacksmith of Ballinalee' continued to command the loyalty of his Midland Division. Even in the south and west, supposedly the

stronghold of Anti-Treaty sentiment, the outstanding leadership qualities of Pro-Treaty commandants Michael Brennan and Michael MacCormick ensured that a majority of men in their respective 1st Western and 3rd Southern divisions stayed loyal.<sup>(46)</sup>

So much for the political leadership in the Dail, the Army high command and its rank and file, its women's auxiliary and the secret IRB. But what about the open, mass political organisation Sinn Fein? Over 3,000 delegates assembled at the extraordinary Sinn Fein Ard Fheis, which met on 21/22 February 1922. Both sides struggled for supremacy in the Ard Fheis. Under the banner of 'Poblacht na Eireann/Republic of Ireland, and working from an office at 58 Dame Street, Dublin, Sean T. O'Kelly and Harry Boland took on the organisation of lobbying throughout the country to ensure that delegates committed to upholding the Republic were elected by the Sinn Fein Cumann (branches) in each Comhairle Ceanntair (constituency) area.<sup>(47)</sup>

The traditional view is that both sides accepted that there was a clear Anti-Treaty majority at the Ard Fheis, but Michael Hopkinson has challenged this. In his 'Green Against Green', Hopkinson points to the fact that in January 1922, following the Treaty vote in the Dail, a ballot was held for the Party's Standing Committee. Of the fifteen candidates elected, eleven were known to be Pro-Treaty, three were known to be Anti-Treaty, while the views of the remaining one were unknown. According to Hopkinson, 455 branches had voted for the 11 Pro-Treatyites, while 155 voted for the other four.<sup>(48)</sup> On the basis of this information Hopkinson questions the supposed Anti-Treaty majority.

Majorities aside, both De Valera and Collins approached the Ard Fheis looking for a deal. De Valera had two objectives. Firstly he wanted to delay the election for the new parliament envisaged in the Treaty. Whatever the balance of opinion within the Ard Fheis, it was generally accepted that the war-weary electorate at large supported the Treaty, and De Valera wished to postpone his rejection. In the meantime he hoped to bring enough pressure to bear on the Provisional

Government to force them into revising the Treaty along the lines of his original 'external association' proposal. He also wanted to avoid splitting the existing political organisations, Sinn Fein and the Dail, which were the basis of his authority.

Collins also wanted to postpone the election. Collins was confident of the support of the electorate, but he feared that it would spark of the internecine military conflict that he was anxious to avoid. In the intervening period he hoped that progress on the framing of the Constitution, and his Northern policy, would produce a basis for Army unity. With the dominating personalities of De Valera and Collins agreeing not to disagree, the Ard Feis held back from splitting on the Treaty. Towards the end of the first afternoon, Mulcahy proposed a motion to adjourn and allow the leading figures on both sides of the argument to meet and come to an agreement.<sup>(49)</sup> Collins and Griffith met with De Valera and Stack on the morning of the 22nd, and did not report back to the Ard Fheis until 1pm. In the meantime the long-suffering delegates sang 'The Soldiers Song' and 'Wrap the Green Flag Round Me' to pass the time.<sup>(50)</sup> When the leaders reappeared they produced a three-point agreement:

- \* The election to be postponed until the Free State Constitution had been produced.
- \* The Ard Fheis to stand adjourned for three months.
- \* Dail Eireann to continue to function.<sup>(51)</sup>

It was cheered to the echo.

One group that was certainly not cheering was Lloyd George and his British Cabinet colleagues. They greeted the Ard Fheis agreement with dismay. In response they delayed the passage of the Free State Bill at Westminster, and demanded to meet Collins.<sup>(52)</sup>

The extraordinary Ard Fheis marked the end of the second Sinn Fein, i.e. the organisation that emerged out of the 1917 Ard Fheis. In the course of the next few months the Anti-Treaty elements of the IRA moved into Sinn Fein en masse, while supporters of the Treaty gradually ceased to participate in the structures of the party. By the time the Sinn Fein Ard Fheis reconvened in May, it was the gathering of an overwhelmingly Anti-Treaty/Republican organisation.<sup>(53)</sup>

### Reconciling the Irreconcilable

Notwithstanding the Ard Fheis agreement, the situation continued to unravel around the country as IRA units with conflicting sympathies confronted each other over the possession of barracks being evacuated by the British. The most serious early incident occurred in Limerick just as the Sinn Fein Ard Fheis was meeting in Dublin. Limerick was strategically important as it commanded the Shannon, and was the key to south and west. The local Mid Limerick Brigade under Liam Forde, was Anti-Treaty so Michael Brennan's loyal 1st Western Division was ordered to take-over the evacuated British positions.<sup>(54)</sup> The stand-off came close to erupting in full-scale fighting on 10 March and was only avoided by the brokering of a deal in Dublin which was probably facilitated by IRB channels of communication between Liam Lynch and senior members of the Volunteer GHQ, now based at Beggars' Bush Barracks.<sup>(55)</sup>

Under the agreement both the Pro-Treaty troops and the local Anti-Treaty forces evacuated Limerick. The military positions in the city were manned by maintenance parties from the local Brigade, composed of men who had taken a neutral position during the previous confrontation.<sup>(56)</sup>

Conflict and disruption were not confined to Limerick. Around the country Anti-Treaty or, as their Pro-Treaty opponents came to brand them, 'Irregular', units of the IRA disrupted attempts by the Pro-Treaty leadership to rally public support. A typical example of such incidents is highlighted in a letter sent to Collins from a Mr. Diarmuid MacGearailt, dated 12 March 1922. The sender describes how a

train, scheduled to take people from Midleton to hear Collins speak in Cork, never arrived, denying 300 disappointed people the opportunity to hear 'the Big Fella' speak.<sup>(57)</sup>

Collins appears to have played down the incidents of March 1922, an attitude reflected in a letter he wrote to McGarrity on 25 March. Collins clearly hoped that the Ard Fheis and Limerick agreements had bought him the space to press ahead with his strategy based around the Free State constitution. As Collins said to McGarrity in his letter, "while hope remains there is really nothing to be feared."<sup>(58)</sup> Collins' optimistic attitude was not shared by Griffith. Incidents like the Limerick stand-off had convinced him that civil war was inevitable, and if it was unavoidable then better sooner than later. It was a difference of view that was to lead to a breach between two men who had been driven together by their roles in the Treaty negotiations and subsequent events.

The events at Limerick and elsewhere were pivotal in the decision of the Dail Cabinet to cancel the Army Convention scheduled for 26 March. Michael Hopkinson suggests that the results of Brigade elections, which indicated a large Anti-Treaty majority at the Convention, influenced the Cabinet's decision.<sup>(59)</sup> Calton Younger, however, speculates whether a Convention attended by all shades of Army opinion in late March 1922 would have been as overwhelmingly Anti-Treaty as is generally accepted.<sup>(60)</sup> Younger's speculation suggests that Mulcahy, in originally agreeing to the Convention and obtaining Dail Cabinet endorsement on 27 February, may well have been correct in his assessment.<sup>(61)</sup> Mulcahy believed that the Convention could be persuaded to await the outcome of the forthcoming election to determine whether or not to put itself under the control of the government emerging from that political test. This was clearly part of the wider Collins' strategy. If a 'republican' Free State constitution could unite the vast majority of Sinn Fein, then that united grouping would be likely to be elected overwhelmingly, producing a government whose authority would be accepted by the vast majority of the Army.

Operating without the benefit of hindsight, the Dail Cabinet met on 15 March, and decided that there was a real danger that if the Convention went ahead it would vote to revoke the authority of the Dail, as the Cabinet minutes put it;

" ... while the Dail continues to exist it is the sole body in complete control of the Army, and that any effort to set up another body in control would be tantamount to an attempt to establish a Military Dictatorship."<sup>(62)</sup>

The theme was elaborated upon in the order issued the following day, in the name of President Griffith, banning the Convention. It described the purpose of the Convention as being to;

"remove the Army from under the control of the Government elected by the people, which is Dail Eireann."<sup>(63)</sup>

Collins was desperate to prevent the Army from splitting irrevocably, and with his blessing Mulcahy met with Liam Lynch at Mallow on 20 March.<sup>(64)</sup> Lynch was a pivotal figure in Collins' calculations. Unlike other Irregular leaders, like Ernie O'Malley who had been the first to repudiate GHQ control of his Brigade, Lynch was a reluctant dissident who was torn between his IRB loyalty to Collins, and his Volunteer Oath to the Republic. Lynch was also a considerable military figure. His 1st Southern Division had borne a tremendous burden during the War of Independence, and its seasoned troops would be a formidable force in any civil war. Despite their differences over the Treaty, Lynch had been co-operating in Collins' Northern policy.<sup>(65)</sup> Lynch was prepared to accept a postponement of the Convention until 16 April 1922, and the appointment of a council of Pro and Anti-Treaty officers with a remit to draw up proposals to associate the Army with whatever government was elected in the forthcoming election. In return the Irregulars wanted recruiting for the recently formed Civil Guard to end, and the role of policing to be undertaken by the IRA. The proposed deal was unacceptable to the Dail Cabinet.<sup>(66)</sup> On 23 March Mulcahy issued an order prohibiting serving Volunteers from attending the Convention.

On the day the Dail Cabinet banned the Army Convention, another force began a

few days of significant activity that some would claim was instrumental in bringing about civil war. Until this point De Valera had not involved himself in the debate taking place within the Army, and was on record as calling on the Volunteers to remain loyal to the Dail and GHQ. On 15 March he issued a press statement announcing that he and his supporters in the Dail were formalising themselves as 'Cumann na Poblachta' (the Republican Party). On the same day he left Dublin for a speechmaking tour of the strongly republican south.<sup>(67)</sup> In Dungarvan on 16 March he said;

"... if you don't fight today, you will have to fight tomorrow; and I say, when you are in a good fighting position, then fight on."<sup>(68)</sup>

He followed this up with two St. Patrick's Day speeches. At Carrick-on-Suir he raised the prospect of the IRA having to fight "the Irish soldiers of an Irish Government, set up by Irishmen."<sup>(69)</sup> Later that same day, at Thurles, he introduced the notion of wading through blood, including that of "some members of the Government" in order to win Irish freedom.<sup>(70)</sup> By the time he rose to speak in Killarney on 18 March he had found his rebuttal to the awkward fact that a majority of the people supported the Treaty telling his audience, in the best 'public band' tradition, that; "the people had never a right to do wrong".<sup>(71)</sup>

Although De Valera would reject the accusation of incitement, claiming he was merely warning of the dangers ahead, his speechmaking in the run up to the prohibited Army Convention was bitterly resented by Mulcahy who through his long life was to hold De Valera responsible for the Civil War.<sup>(72)</sup> Mulcahy believed that De Valera's intervention provided the Irregulars with credible, national political leadership, and a spurious moral basis for their revolt.

Those in the Army who were most bent on opposing the Treaty did not need De Valera to provide them with moral justification. In what the pro-Treaty Irish Independent described as an "astounding press conference" Rory O'Connor, who incidentally shared an office with De Valera in Suffolk Street, previewed the forthcoming Army Convention to assembled press representatives on 22 March.



Predicting that the Convention would repudiate the authority of the Dail in favour of an independent Executive, O'Connor was asked if that meant that the country was going to have a military dictatorship? " You can take it that way if you like", was O'Connor's reported reply.<sup>(73)</sup>

The Army Convention, referred to as the 'Irregular', or 'Sectional' Convention by Pro-Treatyites, went ahead as planned on Sunday 26 March in Dublin's Mansion House. Unlike the earlier deliberations of Cumann na mBan and Sinn Fein, the Convention was closed to the press, so we have to look to other sources for details of what transpired. Accounts of the precise numbers present vary from 211 to 223, but the Irregular leadership claimed that 80% of the Army was represented.<sup>(74)</sup> It is also impossible to tell how many of those in attendance were observing as opposed to participating. At least two of those present were on a spying mission for Frank Thornton, who had been charged by Collins and Mulcahy to provide a report of the day's events.

The main business of the Convention was the discussion and adoption of a resolution proposed by Liam Mellows and seconded by Rory O'Connor. The three central points of the resolution were a reaffirmation of allegiance to the Republic, the creation of an independent Executive, which would have supreme control of the Army under the terms of a constitution to be agreed by a reconvened meeting of the Convention.<sup>(75)</sup> According to Thornton's report the Convention elected an interim Executive, including O'Connor, Mellows, Liam Lynch and Tom Barry. Among other things, it agreed to renew the Belfast Boycott, impose a curfew in Dublin, to replace MacEoin as commandant of the Midland Division, to treat the new Civic Guard as the RIC and to prevent the election from taking place.<sup>(76)</sup>

The anticipated military split was now a reality, and there was a rival centre of allegiance for the Anti-Treaty elements in the Army. Prior to the Convention small scale raiding had been carried out by Irregular units anxious to get their hands on arms. In the week following the Convention, on 29 March, they pulled

off a major coup by making off with a large arsenal from the British vessel 'Upnor', which had been harboured at Cork. The scale and nature of the incident made Collins suspicious of British collusion. The Irregulars had made off with 400 rifles, 700 revolvers and 2,500 rounds of ammunition.<sup>(77)</sup> On 6 April Collins wrote in those terms to Churchill stating that it was beyond belief;

" that a vessel containing such quantities of arms and ammunition be left open to seizure in an area where it is notorious that our opponents are well armed."<sup>(78)</sup>

The day before he wrote to Churchill, Collins wrote again to McGarrity. The optimistic tone struck in his early letter of 25 March had been replaced by a grim pessimism. He told the Irish- American leader;

" I greatly fear that the civil war they have been threatening is now close at hand."<sup>(79)</sup>

The reconvened 'Sectional' Army Convention met in the Mansion House on Sunday 9 March. It was apparently attended by a greater number of delegates than those which had attended the earlier meeting. In another twelve hour marathon session those present adopted a constitution and elected a full 16 person Executive, the interim Executive having stood down.<sup>(80)</sup> The new Executive included Lynch, Mellows and O'Connor. Also elected were Tom Hales, who would lead the ambush which resulted in Collins' death, and Florrie O'Donoghue who would pull back from internecine strife and lead the 'Neutral IRA'. It also included Liam Deasy, who would be one of the first Irregular notables to call for an end to hostilities, and the irreconcilable Ernie O'Malley.<sup>(81)</sup>

Those who defied the Dail Cabinet and the Army GHQ were not a completely homogeneous group. One area of difference was Rory O'Connor's seizure of public buildings around Dublin, most notably the Four Courts, the centre of Irish legal administration. At around 1.00am on the morning of Good Friday, 14 April 1922, O'Connor and some 400 men moved out of their existing billet, the Orange Hall in Parnell Square.<sup>(82)</sup> They occupied the Four Courts, Fowler Hall,

the Ballast Office, Kilmainham Jail, the 'ancien regime' Kildare Street Club and the Masonic Hall in Molesworth Street.<sup>(83)</sup> The seizure of the latter two indicated a suggestion of sectarianism. O'Connor did not inform Lynch of his intention to seize the Four Courts and the other landmarks, and this became a source of irritation between them.<sup>(84)</sup> Lynch was also apparently unhappy at what he perceived to be an under-representation of Cork on the IRA Executive.<sup>(85)</sup>

O'Connor denied press suggestions that the occupation of the Four Courts represented a coup d'etat, and he disingenuously told the Unionist Irish Times that he had only undertaken the action as his force had outgrown their previous accommodation. He also denied being associated with any particular political faction, but he did call for the scrapping of the Treaty, and threatened that civil war was the alternative.<sup>(86)</sup> By mid-April 1922 things were looking increasingly bleak. An attempt to broker peace at a meeting at the Mansion House on 12 April, involving Stephen O'Mara, the Lord Mayor of Limerick who had been involved in defusing the crisis there in early March, was inconclusive.<sup>(87)</sup> The only bright spot for Collins and his beleaguered colleagues was the statement issued by the Irish Catholic Hierarchy at Maynooth on 26 April. The statement from the clerics called on the faithful to make the most of the Treaty, supported an early election and civilian control of the Army.<sup>(88)</sup>

Attempts to use the good offices of the IRB to prevent a military split also came to nothing. The Brotherhood had held inconclusive meetings on 10 January and 18 March. The final meeting of members of the Supreme Council and Divisional Centres, prior to the outbreak of Civil War was held on 19 April.<sup>(89)</sup> Although there was a slight Anti-Treaty majority among the 27 people present, there seemed to be some hope of a settlement based around progress towards a republican-leaning Free State constitution, an agreement that positions evacuated by the British should be occupied by the local IRA unit, disregardless of its position on the Treaty, and an end to "commandeering" and raiding for arms. It was agreed to set up yet another committee drawn from both sides of the debate to review matters further. Sean O'Murthuile, Diarmuid O'Hegarty and Martin

Conlon represented the Pro-Treaty side, while Florrie O'Donoghue, Liam Lynch and Joe McKelvey represented the 'Antis'.<sup>(90)</sup> Like so many initiatives before, and others yet to happen, it came to nothing. O'Murthuile laid the blame at the door of the intransigent Rory O'Connor and his Four Courts garrison.<sup>(91)</sup>

In a pessimistic letter to McGarrity on 5 April, Collins expressed his concern over Irregular disruption of Pro-Treaty public meetings. As April progressed these incidents grew more serious. Griffith was scheduled to address a meeting in Sligo on 16 April, but it was prohibited by the local Anti-Treaty commander Commandant General Pilkington.<sup>(92)</sup> Griffith did speak, but only through the courage and skill of Sean MacEoin, who over the course of the next few weeks would play a leading role in ensuring that the Pro-Treaty leaders received a hearing. Collins had to overcome problems of his own to address a meeting in Dungarvan. The 'Big Fella' was irritated by the fact that neither Sligo nor Dungarvan had distinguished themselves during the War of Independence. Collins retained a degree of respect and affection for IRA veterans who opposed him on the Treaty, but he had no time for the 'Johnny come latelies', the 'Trucileers' or "Sunshine Soldiers" who had been nowhere to be seen during the Black and Tans' reign of terror but were now prepared to take up weapons against the Dail majority and those elements of the Army that remained loyal to it.

There were attempts to disrupt meetings in both Killarney and Tralee. In Tralee, Collins had to restrain MacEoin from giving the local Anti-Treaty commander, Humphrey Murphy, a sound hiding. Chastened by the 'Blacksmith's' intentions, Murphy listened intently while Collins suggested to him that he had misunderstood the full potential of the Treaty settlement.<sup>(93)</sup> Murphy agreed to approach other Anti-Treaty officers with a view to providing a basis for unity in the Army. This contact, along with the goodwill that still existed in the IRB network, and a dash of 'Cork clannishness', was the beginnings of a series of initiatives which would begin with Army officers, would move into the Dail and would finally end up with the two men who dominated the political situation,

Collins and De Valera.

On 2 May 1922 a press notice appeared, issued by the Dail Publicity Department, stating that on the previous evening prominent IRA officers had issued an appeal. Their statement warned that "if the present drift is maintained a conflict of comrades is inevitable", it went on to warn that it would be "the greatest calamity in Irish history, and would leave Ireland broken for generations."<sup>(94)</sup> The statement called for a negotiated peace based around the following four points:

- \* Acceptance that a majority of the people support the Treaty.
- \* The holding of an election on an agreed basis, with a view to;
- \* Forming a Government which will enjoy the confidence of the entire country.
- \* Army unification on the basis of the above points.<sup>(95)</sup>

The statement was signed by Collins, Mulcahy, O'Duffy and O'Sullivan. It was also signed by Commandant-General Sean Boylan, officer commanding the 1st Eastern Division, Commandant-General Sean O'Hegarty, officer commanding the 1st Southern Division, Colonel-Commandant Florrie O'Donoghue, Adjutant 1st Southern Division, Brigadier Tom Hales, officer commanding the 3rd Cork Brigade, Brigadier Humphrey Murphy, officer commanding the Kerry No.1 Brigade, and last but not least the man credited with having fired the opening shots of the War of Independence - Commandant Dan Breen. All ten signatories were known IRB men.<sup>(96)</sup>

While the initiative was widely welcomed in the Dail and the country it was not without its critics. It was condemned by the Executive Forces holding the Four Courts, most notably Liam Mellows.<sup>(97)</sup> Mary MacSwiney, sister of the martyred Terence, and one of the most outspoken rejectionists in the Dail, went as far as

suggesting that the Officers initiative actually contributed to the outbreak of Civil War.<sup>(98)</sup> According to her thinking, the South was known to be the stronghold of republicanism but five senior Southern Anti-Treaty Officers signing the statement sent out a message that resistance was weakening. This signal was picked up by the Pro-Treaty side who pushed matters further than they might otherwise have done, thereby contributing to the outbreak of hostilities.<sup>(99)</sup>

Those signatories who were not also TDs, were invited to attend the Dail on 3 May, and O'Hegarty was invited to address the Assembly. This was followed by a decision, on a motion from Michael Hayes, to establish a committee of five from either side of the Dail, the so-called 'Committee of Ten', to determine whether or not the Officers' initiative could provide the basis for a political settlement.<sup>(100)</sup> The Pro-Treaty members were Sean Hales, Padraic O'Maille, James Dwyer, Joe McGuinness and Sean MacEoin. The 'Antis' were Mrs Kathleen Clarke (in the Chair), Paddy Rutledge, Liam Mellows, Sean Moylan and Collins' old friend, and rival in love, Harry Boland.<sup>(101)</sup> The political initiative was followed by military developments on 4 May when O'Duffy, O'Sullivan and MacEoin met with Lynch, Moylan and Mellows in an attempt to put an end to raiding and skirmishing while the 'Committee of Ten' process was ongoing.<sup>(102)</sup>

Following no less than eleven negotiating sessions, the Committee of Ten reported to the Dail on 11 May that its deliberations had ended in stalemate.<sup>(103)</sup> The central difference remained the Treaty. The Pro-Treatyites were determined that any settlement must be based on acceptance of the Treaty, the Anti-Treatyites took the opposite view. The Dail was informed that the five Officers, those signatories who were not TDs, had put their own 'form of words' to the Committee on 9 May, only to have it rejected by the Anti-Treaty side.<sup>(104)</sup> It was at this point that Harry Boland, claiming that the status of the Officers' submission had not been fully appreciated, successfully asked for the Committee to be given more time to work on the compromise.<sup>(105)</sup> What was Boland's motivation? As a republican propagandist he may well have wanted to avoid a

situation where the Dail Anti-Treatyites were seen to reject a compromise position suggested by senior and respected Anti-Treaty Officers. It is also possible that Boland was genuinely desperate to find a solution, and wanted more time. Future events suggest that his motivation might have been the latter. If it was, it was a sentiment he shared with his friend Michael Collins. As the Committee of Ten continued its work over those extra few days in mid-May 1922, Collins gave an interview to the 'Chicago Tribune', which was widely syndicated, in which he described the Committee of Ten process as the "last possible chance to avoid conflict."<sup>(106)</sup> If there was still a degree of common cause between Collins and Boland, that could not be said for some of the other participants in the Committee of Ten deliberations. While the Pro-Treatyites on the Committee reported that they found Boland to be conciliatory, they found Mellows to be the exact opposite.<sup>(107)</sup>

Extra time failed to produce a result. On 17 May the Committee reported to the Dail that it had failed to reach agreement. Both sides had agreed that they should face the coming election under a united Sinn Fein banner, which included Pro and Anti Treaty candidates on the same panel. The sticking point was the proportions of Pro and Anti candidates on the panel. The Pro-Treaty side demanded a ration of 60% to 40% in their favour. The Anti-Treaty side wanted the proportion to be based on the vote on the Treaty, i.e. a ratio of 53% to 47%. The Irish Times attacked the reason for failure as "trivial", and went on to criticise both sides for agreeing to an election in which the outcome would be largely "agreed in advance", and which would deny the Irish people a free choice.<sup>(108)</sup>

As early as 25 March Boland had visited Mulcahy to put his own ideas on the basis of a political settlement, and this is consistent with his conciliatory role in the Committee of Ten process.<sup>(109)</sup> On the collapse of that initiative on 17 May it would appear that it was Boland who took the initiative to liaise between his friend Collins, and his 'Chief' De Valera, to bring about what became known as the Collins/De Valera Pact.<sup>(110)</sup>

As the Dail assembled on Friday 18 May it was soon noticed that both De Valera and Collins were missing. Before long the rumours of yet another peace initiative were up and running.<sup>(111)</sup> The two leaders were meeting in another part of the University College Dublin building in Earlsfort Terrace. Their starting point was where the Committee of Ten process had broken down. De Valera wanted greater clarification as to how a coalition government would work in practice, while Collins had to achieve safeguards for the Treaty.<sup>(112)</sup> That evening Collins met with the leading members of his Pro-Treaty party, and was told by some of them that he had already gone too far in making concessions.<sup>(113)</sup> The two leaders met again on the afternoon of 19 May in the Mansion House in Dawson Street. As they discussed approaching the election on an agreed basis, across St Stephen's Green Griffith was impressing on the Dail that the election should be held quickly and that it should be an open election in which the Irish people had the opportunity to clearly state where they stood on the Treaty.<sup>(114)</sup>

De Valera and Collins met again on Saturday 20 May. The Dail had been called to convene at 3pm to discuss the outcome of their discussions, but it was 4.45pm before the two leaders returned with their seven point proposal that would become known as the Collins/De Valera Pact.<sup>(115)</sup> The substance of the Pact was:

- 1) That the Pro and Anti factions in Sinn Fein should fight the coming election as unified force.
- 2) That the balance of Pro and Anti candidates on the Sinn Fein Panel would be based on their strength in the Second Dail.
- 3) That the Sinn Fein candidates should be nominated to the Panel through existing Sinn Fein structures.
- 4) Recognition of the right of all other parties and interests to stand against Sinn Fein in the election.



- 5) Constituencies in which there is no contest, shall be represented by their present deputy.
- 6) The Government after the election to consist of a President, elected by the new Dail as a whole, a Minister of Defence, nominated by the Army, five ministers elected by the majority party and four elected by the minority, the allocation of portfolios to be in the hands of the President.
- 7) In the event of such a coalition government failing to work, it would dissolve the Dail and hold a completely open election.<sup>(116)</sup>

Lurking in the background was the draft Irish Free State Constitution. Since January Collins had been arguing that it would be largely 'republican' in character and would provide an important basis for agreement. Given what was known of public opinion, it was reasonable to assume that the Pact would produce a government with six Pro-Treaty ministers, the President and five others, and five Anti-Treaty ministers, the Minister of Defence and four other ministers. The Pro-Treatyites would be in charge of the allocation of ministerial jobs.

While the Pact had its critics on both sides of the Treaty divide, its terms met the main concerns of its authors. Collins feared that it would have been impossible to hold any kind of election without agreement as it would be disrupted by intimidation. Indeed he feared that such an election could be the event that would lead to full-scale civil war breaking out. He hoped that the Pact would give him space to complete the Free State constitution. He probably also gambled that, with the intervention of non-Sinn Fein candidates, the electorate could and would take out its weariness on the Anti-Treatyites. De Valera on the other hand wanted to avoid an election where the people could give an unequivocal verdict on the Treaty.<sup>(117)</sup> News of the Pact was greeted by cheering in the Dail. Many Sinn Fein TDs had never faced an election, having been elected unopposed in 1918 and 1921, and were keen to keep it that way. There was also a view that Sinn

Fein was not an ordinary political party but a national movement. To divide Sinn Fein was to divide the nation.<sup>(118)</sup> While the Pact may have been popular with Dail backbenchers, Collins signed without reference to his senior Dail/Provisional Government colleagues such as Griffith, O'Higgins and Blythe. Griffith's concern over what Collins may have been agreeing to has been noted above, and Sean O'Murthuile tells us that Collins and Griffith "almost parted political company" over the Pact.<sup>(119)</sup> Sadly, it appears that Griffith never again referred to Collins by his christian name following the Pact. For the remainder of his short life, Griffith would only refer to him as "Mr. Collins".<sup>(120)</sup> On 20 May Hugh Kennedy wrote to Collins giving his assessment, as the Government's chief legal officer, on the legal standing of the Pact. Kennedy argued that until the parliament to be elected on 16 June had adopted the Free State Constitution then the only legal government was the Provisional Government. Under the Treaty members of the Provisional Government had to accept the Treaty and that it would be a Treaty violation to hand over to any opponent of the Treaty any authority exercised by the Provisional Government.<sup>(121)</sup> The Pact was formally discussed by the Provisional Government on 25 May, with Griffith and the other Dail ministers present. The minutes of the meeting stress that the Pact was only agreed to with the aim of restoring order, and concluded that;

" It should be made quite clear that the Provisional Government are determined to stand by the Treaty."<sup>(122)</sup>

There were other reactions to the Pact. The British, in the form of Winston Churchill, argued that it breached Article 17 of the Treaty and prevented the Irish people from casting a clear electoral verdict. Collins and Griffith retorted that there could be no election of any kind without some form of agreement.<sup>(123)</sup> The Belfast Government responded by saying that they would not co-operate with Dublin over the Boundary Commission.<sup>(124)</sup>

### The North

The question of Collins' Northern strategy, and the development of Free State

policy following his death, are dealt with in detail in Chapter 4. It is important to establish at this point, however, that one of the main propositions of this thesis is that Michael Collins, more than any other southern leader of his generation, cared about Northern Ireland and the plight of its nationalist population. As I will demonstrate in Chapter 4, concern does not necessarily equate with understanding, and Collins' search for concessions was probably driven by an optimism based on a miscalculation of the Ulster Unionist mind-set.<sup>(125)</sup> From the moment the Treaty was signed, through to the outbreak of Civil War, Collins followed a carrot and stick approach to the Belfast Government.

To take the 'stick' first, more than 800 nationalist teachers refused to recognise the authority of the Northern authorities, and continued to be paid by the Dublin Government until November 1922. Nationalist cattle-dealers refused to deal with Northern veterinary inspectors who were also denied the co-operation of the Provisional Government's fledgling Department of Agriculture.<sup>(126)</sup> More serious than non-co-operation or boycotts was Collins policy of continuing to support Northern units of the IRA, both 'Pro' and 'Anti', in military operations against the Northern authorities. In an arrangement with Liam Lynch, Collins and Mulcahy carried out an arms swap between the forces loyal to the Provisional Government and the Irregulars, so that weapons captured in the North did not implicate Dublin, and transferred experienced IRA men from the South to the Six Counties.<sup>(127)</sup> Michael Hopkinson in 'Green Against Green' describes the evidence of this united front towards the North as "sketchy" and "heavily oral", but there are several personal testimonies to the process. Interviewed in the 1940s by Ernie O'Malley, Joe Sweeney of Donegal, who in 1922 was both a TD and Volunteer Officer, cited a number of Southern veterans who were ordered North by Collins that spring.<sup>(128)</sup> Irregular leader Rory O'Connor was to argue, after the outbreak of the Civil War, that earlier co-operation over military operations in the North had been directed by a "Coalition Army Council" involving Mellows and himself on one side and Mulcahy and O'Duffy on the other.<sup>(129)</sup> A surprising amount of detail was publicly provided by Liam Lynch who gave the Irish Times an inventory of an arsenal he had been asked to supply by O'Duffy and

O'Sullivan.<sup>(130)</sup> The Northern military strategy led to a series of border skirmishes during the spring of 1922, culminating in a confused conflict involving British troops, the Northern authorities, Irregulars, and forces loyal to the Provisional Government, which led to the British occupation of pockets of Irish territory around Belleek and Pettigo.<sup>(131)</sup>

The Belleek/Pettigo incident offers an insight into differences between British Prime Minister David Lloyd George and Winston Churchill, Chair of the British cabinet committee dealing with the Irish situation, over how to assist Collins' efforts to establish the authority of the Provisional Government. Churchill authorised moving 7,000 British troops into the contested pocket. He was cautioned by Lloyd George, who believed MacEoin was in command of the Pro-Treaty IRA in the area, against;

" Marching against a rotten barracks at Belleek garrisoned by a friendly blacksmith and a handful of associates."<sup>(132)</sup>

Lloyd George believed that British action on the border would serve to undermine Collins, and would be viewed as such internationally. If relationships with Collins were to breakdown then the British premier believed it should come over the "high ground of...the Crown and the Empire." A collapse in relations over Northern Ireland "would not command united British opinion still less world-wide support."<sup>(133)</sup> Earlier British determination to hang the "friendly Blacksmith", Truce or no Truce, demonstrates just how much relations had changed in the course of a few months. Churchill claimed that this "transition of sympathies" was due to Collins commitment to deal fairly with those with whom he had negotiated the Treaty.<sup>(134)</sup>

The carrot in Collins' Northern strategy was the prospect of agreement with the Northern Ireland Government over matters of mutual interest. The Collins/Craig pacts are discussed at length in Chapter 4; suffice to say that the first attempt at agreement collapsed in early February 1922 when it became clear that the two men had such vastly different interpretations of the scale of the border revision

intended by Article 12 of the Treaty. A second attempt at agreement collapsed in early April as relations between the two men soured over persecution of Catholics in the Six Counties.

The collapse of the second Collins/Craig Pact led to an intensification of military actions against Northern Ireland, but this lasted only a matter of weeks before Collins effectively signalled a halt to the military component of his Northern strategy by arranging to deploy Northern IRA men, who could not safely return to civilian life, at the Curragh.<sup>(135)</sup> The decision to move to a new phase was taken for a number of reasons. It was acknowledged that the Northern nationalist population, like their Southern counterparts, were war-weary, and found it difficult to differentiate between 'Pro' and 'Anti' Treaty IRA units. Against this background, there was growing readiness to accept the reality of partition, and an unprecedented level of 'informing'.<sup>(136)</sup> Add to this the fact that the nationalist population were effectively hostages, vulnerable to reprisals against IRA actions, and it becomes very clear why there was little support on the ground for a continuing Northern offensive.<sup>(137)</sup> The main reason for calling off the strategy, however, was the outbreak of Civil War in late June 1922. With a Civil War to wage, Collins could not continue with a clandestine military campaign in the North.

What were the motivations behind Collins' approach to the North in first six months of 1922? As already stated, Collins was concerned about the North, and appears to have been genuinely tormented by the sufferings of Catholics in the Six Counties. This largely explains his readiness to reach a settlement with the Northern Government. The military element of the strategy was probably intended to fuel the incentive for agreement, but differences between Belfast and Dublin were just too deep to allow any deal to stick. It is also clear that the military operations in the North were seen as one way of maintaining a degree of Army unity in the face of Treaty divisions. Collins' readiness to sanction a clandestine military strategy in the North demonstrated his credentials as a 'stepping stone' Republican.

If he had lived, would Collins have returned for 'round 2' in the North once the Civil War had been won? That is a question for a later chapter.

### From Cold War to Civil War

For a fleeting moment in early June 1922, it appeared that agreement on the political front, represented by the Collins/De Valera Pact, would be mirrored in the Army. Agreement on the future shape of a united Army Council, its role in the appointment of the Minister for Defence and the Chief of Staff, and on a procedure for Army appointments seemed to have been reached at a meeting involving the Anti-Treaty Liam Lynch and Sean Moylan and the Pro-Treaty Mulcahy and Eoin O'Duffy on 4 June.<sup>(138)</sup> In return, Lynch indicated that he was prepared to place the Army under the authority of the new Dail, which was to be elected under the terms of the Pact.<sup>(139)</sup> Within days, however, Lynch wrote to inform Mulcahy that the Irregular Executive wished further concessions in addition to those agreed on the 4th. The Irregulars wanted the nominee for the post of Minister of Defence to be ratified by an Army Convention, and demanded that an Anti-Treatyite should hold the position of Chief of Staff.<sup>(140)</sup> Mulcahy responded on 12 June stating firmly that the Pro-Treaty party's position of 4 June represented their maximum concession.<sup>(141)</sup> He was not exaggerating the position. His report to the Cabinet meeting of 5 June, on the concessions he had offered the previous day, caused near consternation, and an insistence that Diarmuid O'Hegarty should be added to the agreed Army Council to produce a better balance.<sup>(142)</sup>

On 14 June the IRA Executive met and instructed those officers who had been negotiating with the Pro-Treaty GHQ to break-off contact and to prepare to defend the Republic.<sup>(143)</sup> The Executive had become more hard-line due to the departure of comparative moderates Sean O'Hegarty, Tom Hales, and Florrie O'Donoghue who resigned over instances of Irregular disruption of the agreed 'Pact Election'. Their replacement by Tom Derrig, Tom Barry and Pax Whelan represented a toughening of attitudes. Only Lynch, Moylan and Liam Deasy

voted to continue with the negotiations.<sup>(144)</sup> Of these six moderates, the three who had resigned and the three who voted for continuing dialogue, O'Donoghue would declare himself neutral and Liam Deasy would lead a future peace initiative. Liam Lynch was to emerge as a resolute commander of the Irregular forces while an appointment with destiny awaited Tom Hales in the valley of Beal na mBlath.

The unrest in Irregular ranks was soon subsumed in the controversy surrounding the long-awaited publication of the Irish Free State Constitution on 16 June. Since January, the Constitution had been central to Collins' strategy of maintaining the unity of the political and military wings of the movement. He hoped that it would be sufficiently republican-sounding enough to provide a basis for the power-sharing scenario envisaged in the Collins/De Valera Pact.

Hugh Kennedy, one of the Irish drafters of the Constitution, recalls the first gathering of the drafting committee held in the Mansion House in Dublin on 24 January 1922 with Collins in the Chair. Collins told those assembled to "bear not in mind the legalities of the past, but the practicalities of the future."<sup>(145)</sup> In particular Collins told them to omit Treaty Articles 3, the role of the Crown's representative in Ireland, 4, the Oath to the Crown, and 6, the clause giving the British the right to 'defend' Irish waters.<sup>(146)</sup> As the work of the Irish drafters continued, urged on by Collins, they made a number of other departures from the Treaty forms. In particular they removed the right of appeal against Irish Supreme Court decisions to the Judicial Committee of the Privy Council, diluted the Crown's executive authority and even created a class of 'external ministers' who would not be required to take an oath to uphold the Treaty.<sup>(147)</sup> Collins regarded this final point as essential if De Valera and other Anti-Treatyites were to be brought into a power-sharing ministry as outlined in the Pact.

There was no way that the British were going to agree to a Constitution which departed in key points of detail from the Treaty settlement. Collins postponed the inevitable for as long as possible but time had run out. It had been agreed that

the Constitution would be published prior to the electorate going to the polls on 16 June. On 11 June Kennedy, who was involved in last-minute negotiations in London, sent a secret memorandum to Collins outlining the changes to the latest Irish draft demanded by the British:

- \* The role of the Crown should be given genuine authority, i.e. by being recognised as part of the Oireachtas and Executive; by having the right to appoint judges; by parliament being summoned and dissolved in his name; by his consent being required for the assent and reservation of legislation; by his assent being required to the concluding of any treaties.
- \* Restoration of the right of appeal to the Judicial Committee of the Privy Council.
- \* The requirement for the Oath to be taken by all members of the Dail.
- \* The explicit recognition of Northern Ireland.<sup>(148)</sup>

While advising Collins that they had little room from manoeuvre in avoiding the British demands, the balance of Kennedy's various drafts put more emphasis on internal Irish authority than on the role of the Crown. It was this emphasis that led the constitutional historian Leo Kohn to observe;

" The monarchical forms paled into insignificance in the light of the formal enunciation of the principle of the sovereignty of the people as the fundamental and exclusive source of all political authority."<sup>(149)</sup>

While this academic commentator described the Irish Free State Constitution as "essentially republican" it would not be viewed as such by the Anti-Treaty candidates on the Sinn Fein panel. The Constitution was published on 16 June, polling day. The Pact was clearly in jeopardy. It was now up to the Irish people to intervene.



The Irish Free State Constitution was published on the day on which the electorate of the twenty-six counties went to the the polls in the first 'legal' election in an independent Irish state. The election was held by proportional representation, namely the Single Transferable Vote in multi-member constituencies variant, and it was the election which set the model for modern political competition - the two wings of the Sinn Fein movement competing with a series of other interests.

The final election results were not known until 24 June, but as the declarations began to come in it was clear that the electorate had given decisive backing to the Treaty, and to the Pro-Treaty Sinn Fein candidates in particular. The Sinn Fein joint panel contested 124 of the available 128 seats, winning 34 without a fight. It won 60 out of the 90 contested seats. Overall Sinn Fein won 60.2% of the national poll, ranging from 34.1% in Wexford to 86.8% in Galway.<sup>(150)</sup> A closer examination of the results revealed very different fortunes among Sinn Fein's Pro and Anti Treaty candidates. Of the 60 contested seats won by Sinn Fein, 41 went to Pro-Treatyites, as compared with 19 Anti- Treatyites. Only in Sligo-Mayo East did Anti-Treaty candidates win an overall majority of votes securing 56.4%.<sup>(151)</sup>

## The National Result

Party	Candidates	Seats won	Votes	% Share
Sinn Fein Panel	124	94	371,357	60.2
(Pro-Treaty)	65	58	239,195	38.48)
(Anti-Treaty)	58	36	132,162	21.26)
Labour	18	17	132,567	21.33
Farmers	13	7	48,718	7.84
Independents	21	10	65,797	10.59

Collins received a massive personal mandate in his constituency of Cork North, South, West, Mid and South West where he received a total of 17,108 first preference votes, smashing the quota of 6,090 and outpolling his nearest rival by almost 10,000 votes. The transfer of his surplus led to the election of the Pro-Treaty Sean Hales, who had finished fourth on the first count. The third distribution led to the election of the Pro-Treaty Sean Hayes who had finished in only 9th place on first preferences.<sup>(152)</sup> Collins' popular support had been vital in pulling through his Pro-Treaty Sinn Fein running mates.

The election results were also very good for Labour with 17 of its 18 candidates being returned, with the apparent support of many of those who had formerly supported the Irish Parliamentary Party.<sup>(153)</sup> Seventy years would pass before Labour would better that performance, and one ponders what might have been achieved if the Party had fielded more candidates? Overall it was a massive endorsement of the Treaty. With Labour, the Farmers and all of the independents backing the Treaty, the election produced a Pro-Treaty majority of 92 to 36. Almost 80% of those who had voted had cast their first preference for a Pro-Treatyite of one kind or another.

It has been argued in many accounts of the period, particularly by those writing from a pro-republican/pro-De Valera perspective that the result can be explained

by the late publication of the Free State Constitution and by Collins' repudiation of the Pact. Does this really bear scrutiny? Given the background to the election it is amazing that Sinn Fein was able to demonstrate the degree of unity that it did. It agreed a united panel of candidates, the only breakdown being in Monaghan, De Valera and Collins launched a joint attack on the non-Sinn Fein parties, and the leaders of both wings of Sinn Fein appealed jointly for funds.<sup>(154)</sup> Pro and Anti Sinn Fein luminaries toured and campaigned together. It is true that some of the Pro-Treaty national leaders did not campaign as hard as others, but it must be remembered that they were carrying the responsibilities of government, and that there was a lot of travelling to and from London as negotiations on the Constitution neared their end-game in the weeks and days prior to polling.

The repudiation claim is based on the speeches made by Collins in Cork on 14 June, and the following day in Clonakilty. At the time they were not regarded nor reported as a repudiation of the Pact. The Irish Independent reported them as simply a defence of the right of parties other than Sinn Fein to contest the election, while the Irish Times devoted a single paragraph to them.<sup>(155)</sup> The electorate did not need Collins to differentiate between Pro and Anti candidates in the Sinn Fein ranks, the national newspapers were already doing that job. On 15 June the Irish Times printed the names of all the candidates on the Sinn Fein Panel labelling each of them as either "C.T." (Coalition Treaty) or "C.R." (Coalition Republican). The Times went on to point out how electors could use their preferences to the maximum benefit of the Pro-Treaty cause, using the constituencies of the County of Dublin and City of Dublin (Mid Division) as worked-through examples.<sup>(156)</sup> The Irish Times editorial called on its readers to first preference the non-Sinn Fein candidates, and then transfer later to the Pro-Treaty Sinn Fein candidates. The more Nationalist-inclined Irish Independent sought to reassure its readers that transfers to non-Sinn Fein candidates would not damage the national cause.<sup>(157)</sup> Neither newspaper cited Collins in support of their editorial positions.

A close examination of the constituency results, and the tracking of transfers, fails to bear out the theory that the poor Anti-Treaty Sinn Fein performance was due to those first preferencing Pro-Treaty Sinn Feiners breaking the Pact in the polling booth. Of those casting a first preference for Pro-Treaty Sinn Fein, 82.2% transferred to the other Sinn Fein Panel candidates. This compares almost exactly with the 80.6% of those casting a first preference for Anti-Treaty Sinn Fein who went on to transfer within the Panel.<sup>(158)</sup> Monaghan and the National University were the two constituencies where the Pact seems to have broken down in practice. It is interesting to note that Pro-Treaty wing of the Panel was represented in Monaghan by Eoin O'Duffy and Ernest Blythe. They had objected to the Antis substituting the incumbent Sean MacEntee, who was known to be locally unpopular, and took this as grounds for breaking with the Pact.<sup>(159)</sup> The result is not explained by Pro-Treaty supporters refusing to carry through the terms of the Pact, but by the fact that so few of the electorate, barely 20%, decided to give their first preference to known Anti-Treaty Sinn Fein candidates. As the virulently Pro-Treaty periodical 'The Separatist' declared the war-weary Irish electorate had decided that;

"The cause of Irish Independence does not depend upon them (the Anti-Treatyites), nor is it endangered by their defeat at the polls."<sup>(160)</sup>

Another indication that Collins' remarks were not widely interpreted as a repudiation of the Pact is the fact that De Valera apparently waited daily for an invitation from Collins to nominate his 'minority' ministers for the coalition government. It was not Collins' speeches that rendered the Pact obsolete but the changes that the British had demanded to the Irish drafts of the Free State Constitution. There was no chance of the Anti-Treaty wing of Sinn Fein participating in government on the basis of the final form of the Constitution. Before the final elections results were declared, however, they were overtaken by other events which propelled the Irish people towards Civil War.

### The Wilson Assassination

While the votes were still being counted, the IRA Executive Forces (yet another term used to describe those under arms in the Anti-Treaty cause) met again in Army Convention, at the Mansion House on Sunday 18 June. The 'Irish Independent' reported that delegates from all over the country had attended but the press were shut out from the discussions taking place behind closed doors. For our account of what took place we can surely do no better than that of Joe O'Connor, who chaired the meeting, and Sean MacBride, who had returned from an arms procurement mission in Germany just in time to participate.<sup>(161)</sup> The Convention was split down the middle. Liam Lynch argued that they should continue to explore the kind of settlement that he and others had been discussing with Mulcahy since early June. Tom Barry submitted a resolution to the effect that they should provoke a fresh outbreak of the war against Britain by giving the British Government an ultimatum to evacuate all of its forces within 72 hours, and then attacking those forces when the unrealistic time-limit elapsed.

Following a long debate, which MacBride described as depressed and solemn, the vote on Barry's proposal was so close that O'Connor required each delegate to report to the platform, and provide details of his name, rank, and unit before recording his vote.<sup>(162)</sup> The vote was indeed close with Barry's resolution being defeated by a majority of 118 to 103.<sup>(163)</sup> Joe O'Connor was to recall that the votes of delegates from Lynch's 1st. Southern Division decided the result. At this point the Irregular IRA split again. Rory O'Connor, Mellows, Tom Barry and their supporters retired to the Four Courts where they elected Joe McKelvey as Chief of Staff, meanwhile Chief of Staff Liam Lynch retired with his men to the Clarence Hotel.<sup>(164)</sup>

The focus of attention switched to London on Thursday 22 June when Sir Henry Wilson was gunned down outside his Eaton Place home as he returned from unveiling a memorial at Liverpool Station to railway workers who had fallen in World War I. This Longford-born career soldier was a staunch Unionist having

supported the Curragh mutineers in 1914, and advocated the summary execution of Sinn Fein leaders during the War of Independence. He had been elected from a Northern Irish constituency to the Westminster parliament, and appointed as security adviser to the Belfast government.<sup>(165)</sup> In that latter role he was responsible for the formation of the B Specials, and other militia-style units, which were held responsible for outrages perpetrated on the nationalist population of the Six Counties. Wilson's assassins were two London IRA men, Commandant Reginald Dunne and Volunteer Joseph O'Sullivan. Both men were arrested at the scene, largely due to the fact that O'Sullivan had lost a leg fighting for the British Army in World War I, and was fitted with a wooden leg. The loyal Dunne refused to leave his comrade behind and both were apprehended. The identity of the assassins was not in doubt, but who had ordered the action?

The British accused the IRA Executive in the Four Courts despite Rory O'Connor's statement denying any connection.<sup>(166)</sup> Lloyd George wrote to Collins on the day of the assassination claiming that documentation had been found on Dunne and O'Sullivan connecting them with the forces in the Four Courts, although the details of the documents were not revealed. The British premier went on to claim that he had information that O'Connor intended to send out "enterprises of murder, not only in the area of your Government (the 26 counties) but also in the Six Northern Counties and in Great Britain."<sup>(167)</sup> He concluded by formally requesting Collins to remove O'Connor from the Four Courts. The letter arrived when Collins was in Cork attending his election count. The reliable Diarmuid O'Hegarty shot back an appropriately non-committal reply.

So who ordered the assassination of Sir Henry Wilson? It suited the British to pin the blame on the Irregulars, and Pro-Treaty leaders vehemently denied that Collins could have in any way have been involved. Ernest Blythe later dismissed suggestions by Calton Younger, and other writers, that Collins was involved. Blythe met Collins and Griffith shortly after news of the assassination broke, and he claims that Collins was as shocked as anybody else and adamant that the deed had been ordered to obstruct progress towards the building of the Free State.<sup>(168)</sup>

The activities of Dunne and O'Sullivan's families and friends to establish that they were acting on Collins' orders, statements from leading figures and Collins' own reaction to the execution, suggest that the orders did indeed come from him.

An organisation of old IRA and Cumann na mBan, 'The London Memorial Committee', was formed in 1947 to 'clear' Dunne and O'Sullivan. In a pamphlet issued in 1949, they argued that the execution order had been given prior to the Treaty negotiations and Collins had personally confirmed it to Dunne when he was in London for the negotiations.<sup>(169)</sup> A brief reference to the affair in the 'Sunday Press' serialisation of O'Donoghue's 'No Other Law', in the autumn of 1953, led to considerable correspondence on the issue. On no less than three occasions Commandant Joe Dolan wrote to the 'Sunday Press' stating that he knew that Collins had given the order, and he explains the fact that other senior figures in the Pro-Treaty camp were unaware of this by citing Collins capacity for secrecy, viz much of his activities during the War of Independence.<sup>(170)</sup> Later, in 1961, Dolan was to claim that in 1921 he and Vinny Byrne were sent to Manchester to kill two British hangmen. On arriving in Manchester they discovered that the targets had already left for Northern Ireland and the mission was aborted. Dolan claimed that he and Byrne had received their orders directly from Collins after the declaration of the truce in July 1921.<sup>(171)</sup> In his 1990 biography of Collins, Tim Pat Coogan repeats the story of a woman courier who carried dispatches from Collins to Liam Tobin in London just prior to the assassination.<sup>(172)</sup> Tobin himself told Ernie O'Malley some 20 years later that "our lads shot Wilson". Tobin went on to claim that he had told Mulcahy who had refused to believe him, and threatened to resign if it was true. Tobin met Collins on his return from Cork and told him of Mulcahy's reaction. "I'll make that alright." was Collins' reply. Tobin claims he never heard Mulcahy refer to the incident again.<sup>(173)</sup>

Given the predictable reaction of the British, and the danger of splitting his own Provisional Government, why would Collins order Wilson's execution? It has been suggested that Collins might have ordered the execution in the summer of

1921, and then forgot to cancel it later. I agree with those who dismiss this on the basis of Collins' proven aptitude for detail. The motive might have been revenge. When he selected his targets for 'Bloody Sunday' Collins talked about the "particular ones" that had to be eliminated. Perhaps Wilson was a "particular one". We have suggested in this chapter, and will illustrate in greater detail in Chapter 4, that Collins was personally tormented by the persecution of nationalists in the North. Given that Wilson was credited with setting up the forces conducting the pogroms, might explain his being targeted. More cynically, Collins may have ordered the hit to prove his 'Pro-Treaty Republican' bona fides in the search for Army unity, or to prove that he still intended an active attitude towards the North and to build Army unity on that basis. His reasoning may well have been influenced by an amalgam of the aforementioned considerations.

Whatever his motivation, the Wilson assassination left Collins with a problem. If there was to be Civil War then the worst position for Collins would be to be seen to act against his former comrades at the behest of the British, and over a character like Wilson. Just then his opponents intervened to get him off the hook.

While Lloyd George was telling the House of Commons that British troops would clear out the Four Courts if the Irish Provisional Government refused to act, a group of Irregulars from the garrison tried to commandeer transport at Ferguson's Garage in Lower Baggot Street. They were confronted by troops loyal to GHQ and their leader Leo Henderson was arrested. The following evening the Irregulars retaliated by kidnapping Lieutenant-General J.J. 'Ginger' O'Connell, Assistant Chief of Staff, as he was making his way to Beggars Bush Barracks from a friend's house in Leeson Street.<sup>(174)</sup> Collins now had sound reasons of his own for acting against the Four Courts.

### The Decision to Attack

Mulcahy reported the circumstances of the O'Connell kidnapping to the Provisional Government meeting on 27 June. The official minutes show that, as



was normally the case, the Dail Cabinet ministers who were not also members of the Provisional Government were also present, plus legal advisers Hugh Kennedy and Kevin O'Shiel, and military men General Eoin O'Duffy and Major General Gearoid O'Sullivan.<sup>(175)</sup> Speaking to O'Malley some twenty years later, Liam Tobin also claimed to be present at that decisive meeting, along with Eamonn Dalton, Tom Ennis and Sean MacMahon.<sup>(176)</sup> Whichever account is accurate, it represents a gathering of the leadership of the Pro -Treaty party - political and military. It was agreed that an ultimatum to surrender would be served on the Irregular garrisons in the Four Courts and Fowler Hall, and it was Griffith who was given the job of drafting a press release which stressed that decisive action was necessary to stamp out criminal acts committed under the cover of the illegal imposition of a Belfast boycott.<sup>(177)</sup>

The ultimatum, signed by General Tom Ennis, called for the surrender of the Irregular garrisons by 4.00am on the morning of Wednesday 28 June. It was delivered around midnight and presented to a sentry who happened to be former Collins aide Tom 'Skinner' O'Reilly.<sup>(178)</sup> The deadline came and went, and at 4.29am on the morning of 28 June 1922 the Civil War, which Collins had struggled to avoid for six months, broke out. The National Army troops ( as the Pro-Treaty elements of the IRA were increasingly known) bombarded the Irregular positions for 48 hours, using artillery pieces supplied by the British. The Four Courts garrison surrendered at 3.30pm on the afternoon of Friday 30 June. Their final act of defiance was to explode a powerful bomb which destroyed important national archives.

Among the Irregular prisoners taken at the fall of the Four Courts, were three Scots, all from Glasow. Their presence among the detainees provides some credence to the claims of Republican supporters in Scotland that they had raised a 'Scottish Column' to fight in the Four Courts.<sup>(179)</sup>

The 'Irish Independent' of 29 June followed the line of Griffith's press release, arguing that the action had been necessary to prevent extortion under the cover

of a Belfast boycott. The Independent reported that the O'Connell kidnap had been the last straw, and was at pains to highlight that "statements that British troops are co-operating with the IRA (National Army) are false and malicious".<sup>(180)</sup> The Independent also carried Mulcahy's message to the Army in which he stressed that it was only their sense of duty that could "surmount the ties of comradeship and affection that bind us to those against whom we now find ourselves arranged."<sup>(181)</sup> The final leader to be quoted was Collins himself. Collins reminded readers of the efforts he and his colleagues had undertaken to find a basis for unity, and of the electoral endorsement of the Treaty, "by a majority of four to one," declared just a few days beforehand. Collins ended his statement by recording his unhappiness that all elements had not respected that mandate.<sup>(182)</sup>

So much for public statements on the attack on the Four Courts, but what was Collins' own position. Was he rail-roaded by the British and the more conservative elements within the Pro-Treaty leadership? Michael Hopkinson in 'Green Against Green' suggests that Collins was extremely reluctant to act but did so because he feared that actions, such as that proposed by Tom Barry, and so narrowly defeated at the Army Convention on 18 June, could result in the British halting their evacuation.<sup>(183)</sup> This finds an echo in the Collins interviews with Hayden Talbot in which he claimed to have intelligence reports of the Irregulars intention to open a general offensive against withdrawing British forces.<sup>(184)</sup> In his own notes on 'the Situation Leading Up to Civil War', Collins is extremely critical of De Valera and other Anti-Treaty politicians for "hair-splitting" over "foreign words" under the advice from "minds dominated by English ideas of nationality". He argues that it was their intervention that prevented a settlement being found among old military colleagues. In listing his reasons for the decision to attack the Four Courts he does not even mention the Wilson assassination, nor the resulting British pressure. The kidnapping of O'Connell was the only reason for an action he describes as "distasteful" and requiring a sense of duty in "the spirit of Cuchulainn at the Ford."<sup>(185)</sup>

Hopkinson argues that Collins, in agreeing to the attack on the Four Courts, probably hoped that Liam Lynch and his 1st Southern Division would stay neutral.<sup>(186)</sup> This probably explains why O'Duffy allowed Lynch to leave Dublin, having detained him at Wellington (Griffith) Barracks. It was a miscalculation. One of the results of the attack on the Four Courts was to unite the hitherto divided Irregular forces in action. In his 1958 biography of Collins, Rex Taylor offered another potential motivation that might have played a role in persuading Collins to attack. I have already pointed to the fact that Lloyd George regarded Churchill as not sufficiently supportive towards Collins. Taylor claims that Sean McGarry told him Churchill had failed to deliver all the weapons that Collins had requested, and that this led Collins to speculate that Churchill regarded him as indecisive and not in control of the situation, and that elements in London were beginning to wonder whether or not they should be dealing with De Valera.<sup>(187)</sup>

#### The Road to Beal na mBlath

In deciding whether or not to unleash the attack on the Four Courts, Collins must have been concerned that the forces loyal to the Provisional Government, from now on known as the National Army, consisted of no more than 4,000 men. Earlier we noted that the proven veterans of the IRA tended to support the Treaty, and in those first days of fighting in Dublin Collins could rely on 'The Squad', nearly all of the 'Dublin Guard', the full-time Active Service Unit of the Dublin Brigade, and a big proportion of the more experienced soldiers of the Dublin Brigade.<sup>(188)</sup> With these resources behind him, Collins went on to mop up Irregular garrisons around the city centre, and the Irregular forces in Dublin surrendered on 5 July, but not before massive damage had been done to O'Connell Street. It is estimated that the opening conflict in Dublin caused £5 million of damage, and cost more than 60 lives with a further 300 injured.<sup>(189)</sup> Cathal Brugha did not surrender, however, he was shot as he tried to fight his way out of the blazing Hamman Hotel. He died from his wounds in Mater Misericordiae Hospital on the morning of 7 July.<sup>(190)</sup> The relationship between

Collins and Brugha had been uneasy for years. Brugha was one of those who thought that the IRB was unnecessary in the period following 1916, and he resented the influence that Collins exercised over the Army. Collins' IRB connections, and the power of his charisma, challenged Brugha's authority as Minister of Defence in the Dail government. Despite the enmity between them, Collins always admired the way that Brugha continued to serve despite being so badly wounded in 1916.

Driven from Dublin the Irregular forces re-grouped at Blessington, on the main southern approach to the capital. As the rapidly expanding National Army began an encircling action, the Republican force dispersed and headed south-west to avoid being drawn into a pitched battle.<sup>(191)</sup> By the time of the Irregular retreat from Blessington in the second week of July 1922, it is estimated that the National Army had increased to about 15,000 men. By late August it had increased to 35,000.<sup>(192)</sup> The National Army was growing apace and reached a total out of all proportion with the defence forces required by a country the size of Ireland. As I discuss at length in Chapter 3, the subsequent 'down-sizing' of the Army would present fresh challenges to the Government.

Mulcahy was insistent that Collins should assume overall control of military operations because of his popularity within the Army and the general population. On 12 July 1922 Collins became Commander-in -Chief of the National Army, with Mulcahy as his Chief of Staff and Minister for Defence. Together with Eoin O'Duffy, they formed a War Council of three.<sup>(193)</sup> In order to concentrate on the priority of winning the Civil War, it was agreed that Collins should temporarily step down as Chairman of the Provisional Government and that Cosgrave should take over as Acting Chairman. Sixty years later in October 1982 Sean MacBride, in an interview with Tim Pat Coogan in the 'Irish Press', argued that this represented a 'sidelining' of Collins, which was part of a more complex conspiracy which would ultimately lead to his death.<sup>(194)</sup> MacBride's claims were challenged by academic authorities at the time, and Coogan's subsequent research has proved important parts of MacBride's theory to be false. An important link

in MacBride's conspiracy theory was that veteran Nationalist Tim Healy, who in the autumn of 1922 was Governor General-designate of the Irish Free State, was in fact the legendary British agent 'Thorpe'. Research by Coogan has uncovered documents in the National Archives, which reveal that 'Thorpe' was really two people, a father and son whose surname was really Thorpe. The father had acted as an informer in his native village, and his son inherited his role. Later, things proved too hot for Thorpe junior locally, and he applied to be transferred. The British valued his services so much that they appointed him to a position in Dublin Castle. It is Thorpe's request to move, and the authorities' response, that Coogan has uncovered.<sup>(195)</sup>

We do not have to rely on Coogan's recent discoveries alone to dispute the notion that the appointment as Commander-in-Chief diminished Collins' authority. The Civil War was the most important issue facing the Provisional Government, and ministers were absolutely dependent on Collins' reports to know what was going on. Letters from Cosgrave to Collins during July and August of 1922 grow increasingly desperate in their plea for information on how things were progressing.<sup>(196)</sup> It was the members of the Government, other than Collins and Mulcahy, who felt they were being sidelined. When Mulcahy succeeded Collins as Commander-in-Chief he continued the Big Fella's sense of priorities, waging war first, and writing reports for his government colleagues a poor second. His fellow ministers were not prepared to take from Mulcahy what they had accepted from Collins. Indeed one of the results of Collins' death was that Mulcahy became increasingly isolated from his fellow ministers.<sup>(197)</sup>

The process that led to the outbreak of the Civil War had dragged on for six months. The decisive phase of the war lasted barely six weeks. Guerrilla actions would last for another nine months, but the course of the War had been decided by mid-August 1922. With Collins at the helm the National Army recovered key towns which had been occupied by Irregular forces. On 16 July they captured Dundalk, followed by Waterford a few days later and, on 21 July, the key stronghold of Limerick, which guarded the way to the more strongly republican

south west. Tralee and Cork were recovered on the 1st and 9th August respectively, captured by successful sea-borne landing tactics developed by the National Army.<sup>(198)</sup>

In the six years that had passed since his cousin Sean Hurley had died attempting to break out of the GPO, Collins had lost many friends in the struggle. On the last day of July 1922 his close friend Harry Boland died from injuries suffered in a skirmish at Skerries. On this occasion, however, the wounds had been inflicted by troops under Collins' command. The rivals for the affections of Kitty Kiernan had chosen opposing sides of the Treaty divide, and it had cost Boland his life. When Collins conjured up "the spirit of Cuchulainn at the Ford", in his first public response to the attack on the Four Courts, one wonders whether he thought on the legend of Ferdia, the friend of Cuchulainn who, as a mercenary in the service of the Queen of Connaught, came to challenge the great hero at the ford? The nationalist poet Alice Milligan recalled that confrontation in her tribute to the dead of the Civil War, 'Till Ferdia Came'. Although written after the event, her words could have captured the thoughts of Collins as Harry Boland lingered in hospital;

" Death was a jest, the fight a game  
Till to the ford Ferdia came."<sup>(199)</sup>

With the capture of Cork, Collins decided it was time to make a tour of inspection of the south west. His destination, the counties of Cork and Kerry were among the most republican in Ireland, and although the Irregular IRA had been driven from the major towns they were still involved in guerrilla actions in the countryside. Why did Collins choose to head into this hostile territory? Collins realised the effect that his presence could have on the morale of National Army troops and he was keen to make a tour of inspection of the area. Collins was also aware that the Irregulars had used their time in control of Cork to raise considerable funds, and he wanted to trace and impound them. It may also be the case that Collins wanted to visit his native West Cork to re-charge his batteries, and to meet with friends and family. There is also considerable evidence to

suggest that Collins hoped to meet with representatives from the republican camp with a view to ending the war.

Collins travelled initially to Kerry but he had to cut his journey short and return from Tralee when he heard the news of Arthur Griffith's death on 12 August. The official cause of death was a cerebral hemorrhage but it was widely believed that the President had died from overwork and anxiety.<sup>(200)</sup> Griffith's death posed a protocol problem for the British. Technically, Griffith was President of Dail Eireann and the Republic, positions which they did not recognise, and he held no position in the Provisional Government which they did recognise. In the end the King sent a message of condolence to Mrs. Griffith, while the British Government sent a similar message to Collins as Chairman of the Provisional Government.<sup>(201)</sup> In his own official tribute Collins wrote;

" I have no shadow of a doubt that his end has been hastened by the mental anguish he has endured...."<sup>(202)</sup>

Collins must have wondered how his own actions had contributed to that anguish. Griffith would have been appalled to learn the true nature of Collins' approach to Northern Ireland in the first five months of 1922, or by the suggestion that Collins ordered the Wilson assassination. As it was Griffith was unhappy with Collins' search to find an agreement with those opposed to the Treaty, and we have already noted the fact that Griffith never again referred to Collins by his forename following the signing of the Collins/De Valera pact. How things had changed since the two men became the closest of friends during the Treaty negotiations and the subsequent Dail debates on ratification. As Collins marched at the head of the massive procession following Griffith's coffin through the crowded streets of Dublin, his emotions must have been further heightened by the fact that Dunne and O'Sullivan were executed on the same day, 16 August.<sup>(203)</sup> Collins had unofficially advised the two men's relatives in appealing for their lives, and he also made an official appeal for clemency from the Provisional Government.<sup>(204)</sup>

As Collins lingered, lost in thought by Griffith's graveside, Bishop Fogarty told him that he should be prepared to meet his God as no one could predict who would be the next to be killed. Collins dispelled the gloom by replying that he was ordering everyone not to die for at least a year.<sup>(205)</sup> It was typical Collins.

But what was the physical and mental state of the Michael Collins who resumed his tour of inspection of the South West following Griffith's funeral? There is eye witness testimony from those who saw him in and around his quarters in Portobello (Cathal Brugha) Barracks that he was in physical discomfort, and that this seemed to have affected his state of mind. This is certainly the picture of Michael Collins' last night portrayed in a monologue 'God Save Ireland Said the Hero', which was premiered on the Fringe of the Edinburgh Festival in 1996.<sup>(206)</sup> Its author Eamonn O'Neil depicts Collins on the final night of his life as wracked with pain, haunted by nightmares and seeking relief in the whisky bottle. Based on the symptoms recorded by Joe O'Reilly and others, Tim Pat Coogan has suggested that Collins was suffering from an incipient appendix, or an ulcer, during his last days.<sup>(207)</sup>

The depiction of Collins as despondent in late August 1922 is by no means universally accepted. Michael Hayes recalls that Collins did not appear particularly depressed to his Provisional Government colleagues, and claims that Fionan Lynch, who shared the journey to Cork with Collins, found him "clear, determined and incisive."<sup>(208)</sup> In discussing these conflicting accounts of Collins' state of mind with Tim Pat Coogan he suggested that both could be correct. If Collins was physically ill then the nights and early mornings may have been something of a purgatory. But once he was out in the August sun, and among old friends and comrades, his demeanour could have brightened considerably.<sup>(209)</sup>

There is considerable hearsay and circumstantial evidence to suggest Collins did intend some sort of parley with Anti-Treaty elements during his tour of inspection. Before examining the evidence it is probably prudent to remember the tense and stressful atmosphere of the times, and the fact that many of the



participants did not record their evidence until many years after the event.

An Irregular GHQ document dated 25 July 1922, but only captured by National forces months later, anticipated peace overtures from Collins in the near future.<sup>(210)</sup> It is around that date that Seumas Robinson claims he was approached by an intermediary and asked to arrange a meeting between Collins and Liam Deasy.<sup>(211)</sup> Robinson agreed but failed to make the necessary connections. Sean MacEoin claims that Collins told him, prior to his departure for Cork, that he intended to seek out IRB people who he believed had gone Anti-Treaty because they had failed to grasp the full potential of the Treaty settlement.<sup>(212)</sup> Later the 'Blacksmith' made several claims about secret codicils to the Treaty etc.. On this occasion, however, his evidence is supported by Pat Moylett who claimed that Collins told him that he intended to "bring some of the boys around" while in Cork.<sup>(213)</sup>

There appears to be no doubt that Collins sent the trusted Frank Thornton ahead of him to arrange a meeting with Republicans in Clonmel. Thornton was to ensure that National troops in the town were comprised entirely of Pre-Truce veterans who would know and respect the Irregulars to whom he was to grant safe passage. Thornton was ambushed at Redmondstown. His three companions were killed and Thornton himself took 18 bullets. Whatever plans Collins had for a conference at Clonmel, they were now stillborn. It took months for Thornton to recover, and for three months the news of Collins' death was withheld from him. Two days after Collins' death, the wounded but loyal Thornton attempted to leave the hospital to complete his mission.<sup>(214)</sup> The suggestion of a peace initiative at Clonmel is borne out by Dan Breen who claims he was approached by Father Dick McCarthy in Limerick about travelling to meet Collins.<sup>(215)</sup> There are other interpretations, however, about the true nature of Thornton's mission. De Valera claimed in a letter to McGarrity that Thornton had been sent to assassinate him.<sup>(216)</sup>

It is also reputed that Collins called at Maryborough Gaol on his way to Cork to meet with Irregular prisoner Tom Malone with a view to organising a meeting with Tom Barry and Tom Hales. Apparently Collins believed that "the three Toms" could assist in bringing hostilities to an end. It was not until 1980 that Malone told his story to Uinseann MacEoin, and the chronology in that published account would suggest that Collins' visit took place on the first part of his tour, prior to Griffith's death.<sup>(217)</sup>

Once in Cork, Collins did meet with Sean O'Hegarty and Florrie O'Donoghue, although accounts differ as to whether this meeting took place on the evening of 21 August or in the early hours of the morning of 22 August.<sup>(218)</sup> On the evening of the 21st Collins told Frank O'Friel that he expected to be involved in peace discussions the following evening.<sup>(219)</sup> He apparently had an appointment to see Liam Deasy on the 23rd.<sup>(220)</sup> These last two meetings definitely did not take place.

Michael Collins' movements on 22 August 1922, and the circumstances of the skirmish in which he lost his life, have spawned a library of speculation and conspiracy theories. It was an interest in those events that first led this student to take a closer look at Collins. The disputed details of the ambush at Beal na mBlath do not impact directly on this study but I am appending my own account of events, and the role played by Glaswegian John McPeak, serialised by 'The Herald' in September 1996.

The 'Irish Times' report which broke the news of Collins' death also reported a spate of other ambushes which had taken place in the South West. O'Duffy, who was making his own tour of inspection in that same 48 hours, was ambushed on no less than three occasions. In one of the actions, at Clonmel, a commandant accompanying O'Duffy was killed. Another ambush occurred at Liscarroll during the same period.<sup>(221)</sup> While the ambush that took Collins' life may therefore not have been unique or extraordinary, the outpouring of grief at his passing most certainly was. The funeral procession of Michael Collins, the silent images of

which are captured on newsreel, was the largest public event in Dublin until the visit of President John F. Kennedy some 40 years later. As the American President, like Collins an icon of youthful energy, basked in the adoration of the Dublin throng no one could have predicted that he, like Collins, would prove so vulnerable to the bullet of an apparently insignificant assassin.

Liam Tobin, who within months would demand the mantle of Collins, was the chief pall bearer at the funeral. The arrangements for the entire event, however, were in the hands of Sean MacMahon and Sean O'Murthuile, two of the men with whom Tobin would contest the Collins' legacy. Among the GHQ contingent following their Commander-in-Chief's coffin was Commandant-General Joe Vize.<sup>(222)</sup> The same Vize who had given such loyal service as Collins' chief agent in Scotland and Director of Arms Procurement, had endured imprisonment, remained loyal over the Treaty and had been in the thick of the fighting during the Civil War. The former British merchant mariner would go on to establish the Irish coast guard service.

#### The Immediate Implications of Collins' death

Collins' death necessitated immediate re-organisation in the ranks of the Provisional Government and the Army. As news of Collins' death was received in Dublin, Mulcahy made arrangements for armoured vehicles to collect members of the Provisional Government and the Dail Cabinet, the distinction was becoming increasingly obsolete, and convey them to Government Buildings in Merrion Square. The confidence of the individual ministers had been shaken by the loss of the Big Fella, and Michael Hayes was later to describe himself and his ministerial colleagues as "a really disturbed group of young men on that particular morning".<sup>(223)</sup> Cosgrave, however, proceeded calmly with the business of government. He was unanimously elected as Chairman although, ironically given later events, O'Higgins seems to have preferred Mulcahy. The Minister for Defence did, however, replace Collins as Commander-in Chief.

One of the first policy consequences of Collins' death was the official amending of his Northern strategy, something I discuss in detail in Chapter 4. Another consequence was a deteriorating effect on the morale of the former IRA men who had joined the ranks of the National Army. As we shall discuss in Chapter 3, they believed an Army led by Collins would continue to be the real 'Army of the Republic'; with Collins gone, however, that was a different matter. The discipline demanded by the Civil War, however, would ensure that situation did not boil over until the spring of 1924. The immediate consequences of Collins' death on the conduct of the Civil War itself was the loss of a charismatic leader who literally disarmed many of his opponents, and a short-lived search for peace.

Peace initiatives appear to have run throughout the Civil War. In the days following Collins' death, during the first week of September 1922, there seems to have been two or three serious efforts to bring hostilities to an end as those who claimed their dead leader's legacy sought to take up where he had left off. In Cork the Pro-Treaty generals Ennis, Dalton and Russell were in contact with the Anti-Treaty Liam Deasy and Tom Barry. The existence of these contacts is verified from the Republican side by a memorandum from Liam Lynch dated 6 September 1922, noting and regretting the contacts.<sup>(224)</sup> Florrie O'Donoghue, who though 'neutral' had close links with the Irregulars, claims that the Cork contacts continued until 13 October.<sup>(225)</sup> Certainly the minutes of the IRA Executive meeting held on 16 October gave a warmer welcome to the discussions than Lynch's earlier statement.<sup>(226)</sup> This was probably due to some of the concerns expressed by the Pro-Treaty figures involved regarding developments within their own ranks, concerns that would surface in the months ahead during the Mutiny crisis.

Evidence of another senior channel operating during that first week of September is to be found in Irregular papers, in a memorandum from Seosamh O'Conchubhar and Michael de Burca to Lynch, dated 5 September, in which they report on a positive meeting with Mulcahy.<sup>(227)</sup> Verification for this contact is found in the minutes of the Provisional Government meeting of 6 September.

Under the heading of "Collective Cabinet Responsibility" the minute notes that "certain ministers" had been associated with peace overtures without the sanction of the Government.<sup>(228)</sup> On that evening the most 'high-powered' peace overture of the immediate period following Collins' death took place when Mulcahy met with De Valera.

The two men met in the home of a Dr. Farnan, in Merrion Square, under a safe conduct agreement brokered by Monsignor Ryan of the San Francisco diocese. Mulcahy claimed that he put two points to De Valera. Firstly, someone should be allowed to try and make the Treaty work. Secondly, there should only be one Army in Ireland and it should be responsible to the people through their parliament. As long as these two points were accepted Mulcahy was prepared to accept whoever the Irish people elected to serve them. Mulcahy claims that De Valera replied that he was a man of reason and that reason dictated that carrying on the Civil War was futile. However De Valera added;

" ... as long as there are men of faith like Rory O'Connor taking the stand that he is taking. I am a humble soldier following after them".<sup>(229)</sup>

Speaking years later to a biographer, De Valera said that he had proposed at the meeting that the British be approached with the view to revising the Treaty along the lines of the external association formula.<sup>(230)</sup> Following the failure of the meeting, De Valera wrote to Dr. Conn O Murchadh on 7 September outlining the case for abstaining from the Third Dail on the basis of respecting the legitimacy of the Second Dail.<sup>(231)</sup> Writing to Irish American leader Joe McGarrity a few days later on 10 September De Valera outlined what had happened and described the encounter as "rather amusing".<sup>(232)</sup>

Only a fortnight after Collins' death, it is likely that Mulcahy found the meeting anything but amusing. Like Collins, Mulcahy believed that it was Anti-Treaty politicians and propagandists, e.g. De Valera and Childers, that had been key to the split in the Army. Mulcahy apparently believed that De Valera could end the Civil War by a letter to the newspapers.<sup>(233)</sup> Having watched the weight of

responsibility crush Griffith and Collins in the course of the past month, one can appreciate how Mulcahy must have regarded De Valera's claim to be a mere "humble soldier".

I would argue that, not for the last time, Mulcahy attempted to carry forward the Collins legacy in attempting to bring hostilities to an end. Given the attitude of De Valera and Lynch there was little more he could do on that front. Hopkinson argues that Mulcahy came away from his encounter with De Valera convinced that a tougher policy had to be applied towards the Irregulars if the Civil War was to be brought to an end.<sup>(234)</sup>

"Where will this Corsican Vendetta end?"

The Third Dail, the parliament elected in the Pact election on 16 June, eventually met on 9 September. It was boycotted by De Valera and his supporters, the 'Long Fella' having developed the theory of abstentionism based on recognising the legitimacy of the Second Dail, elected in May 1921. Cosgrave was elected President, on the nomination of Mulcahy, and appointed his ministry. Kevin O'Higgins was given the Home Affairs portfolio while Desmond FitzGerald was given Foreign Affairs. Ernest Blythe was put in charge of Local Government, Patrick Hogan Agriculture, Joe McGrath Industry and Commerce and Eoin MacNeill Education. Cosgrave appointed J.J. Walsh as Postmaster General while he kept the Finance brief for himself. Eamonn Duggan and Fionan Lynch were made Ministers without Portfolio. Mulcahy remained at Defence.<sup>(235)</sup> Of the five members of the Treaty delegation Duggan alone remained in government. Griffith and Collins were dead, Barton had gone Anti-Treaty and Duffy had resigned government office in protest against the decision to base the judicial system of the Free State on the British system as opposed to the Republican Courts established during the War of Independence.<sup>(236)</sup>

This convening of the Third Dail effectively ended the formal system of 'dual' Dail/Provisional Government power which had existed since January. One of the

first and most controversial matters dealt with by the new legislature was the creation of Military Courts on 27 September 1922. The legislation created four categories of offence for which the culprits could be tried by military courts, and ultimately sentenced to death.<sup>(237)</sup> The powers were requested by the military, and speaking in the Dail debate Mulcahy argued that the best way to bring the Civil War to an end was to make it clear to those committing terrorist acts that they ran the risk of "forfeiting" their lives if they continued with their activities. He addressed Labour's opposition by arguing that the legislation was not concerned with revenge but with the prevention of further outrages.<sup>(238)</sup>

Speaking in support, Ernest Blythe suggested that perhaps the Government had waited too long before introducing the legislation, just the suggestion of a hint of criticism that Collins may have been too soft on his former comrades.<sup>(239)</sup> Also speaking in favour, Kevin O'Higgins contended that as few as 20% of those in arms against the government were motivated by political ideal, rather than criminal intent. He also carried on the demonisation of Childers, arguing that "the Englishman who is leading those opposed to this Government" was bent on creating anarchy.<sup>(240)</sup> In summation, Cosgrave sought to summon the authority of Griffith and Collins in support of the legislation by suggesting that they had both agreed that once the Government was clearly winning the Civil War then such measures should be introduced. To have resorted to them earlier could have suggested panic on the part of the Government.<sup>(241)</sup>

Speaking earlier in the debate, however, Sean Milroy expressed sympathy for the reservations put forward by the Labour opposition. Milroy had been in the thick of the national movement from the formation of the Volunteers in 1913. He had been particularly close to Griffith, and would later break, albeit temporarily, with Cosgrave, Blythe and co, arguing that Collins' stepping stone strategy was not being followed through. Milroy voted for the legislation, which was carried by 48 votes to 18. Despite his reservations he stood by the Army leadership, which had called for the special powers.<sup>(242)</sup>

The powers granted to the military took effect from 10 October, but on 3 October the Army Council called an amnesty that would last until the 15th. After that time the Military Courts would commence their work. During the amnesty, the moral authority of the Government's position was enhanced by the Bishops' Pastoral letter agreed by the Roman Catholic Hierarchy meeting at Maynooth on 10 October. It described the killing of National Army troops as murder, a crime that could not be absolved in confession, and the culprits would be denied Holy Communion if they persisted with their activities. The Bishops appealed to the Irregular leaders to abandon their "immoral methods", called on the Irregular rank and file to return to their homes, and appealed to the country to support the Government.<sup>(243)</sup>

The first executions took place on 17 November. Four young, rank and file Irregulars - Peter Cassidy, John Gaffney and Richard Twohig, all 21, and James Fraser aged 18 - had been arrested in Dublin in possession of revolvers. They were tried under the new legislation, and shot at Kilmainham Gaol at 7.00am on the morning 17 November. Mulcahy issued a press statement stating that the four men concerned had been captured "lurking in the streets late at night bent on murder".<sup>(244)</sup> Mulcahy is known to have particularly detested the ambushing of his troops in urban settings, and this may explain why these unfortunate prisoners were the first to be executed. This is of course ironic given that as Chief of Staff of the IRA GHQ from 1918-1921 he had condoned this type of action.

Speaking later on the 17th, in the Dail, Kevin O'Higgins suggested why the four young men had been executed first. The detested Childers was by this time in Government custody, and O'Higgins suggested that the Government and the Army Council might have been seen as "vindictive" if the first to be executed had been "a leader or an Englishman".<sup>(245)</sup> The message was obvious and the writing was on the wall for Childers. The Labour leader Johnson had demanded the Dail debate having read in the evening newspaper that the executions had taken place.<sup>(246)</sup> Labour was not opposed to executions per se, but they demanded that the Government should issue an explanatory statement as to why any given



execution had taken place, and that the families of the executed should be informed, and not left to read about it in the newspapers.<sup>(247)</sup> Born in London in 1870, Robert Erskine Childers spent part of his childhood, following his parents death, in the County Wicklow home of his mother's family the Bartons of Glendalough. He graduated from Unionism to Republicanism via support for Irish Home Rule. In 1915 he sailed his yacht, 'The Asgard', into Howth with arms for the Irish Volunteers. In March 1919 he walked into the Sinn Fein headquarters in Harcourt Street with a testimonial from his cousin Robert Barton. Childers, the British war hero was turning his back on much of his former life and social circle. Initially he was sent to assist Gavan Duffy at the Sinn Fein mission in Paris, before becoming assistant to Desmond FitzGerald at the propaganda ministry. He was elected to the Dail in May 1921, and appointed Minister of Propaganda by De Valera with whom he became very close following the latter's return from America in December 1920. He accompanied De Valera to the exploratory talks in London in July 1921, and was appointed Secretary to the delegation of plenipotentiaries in October 1921.<sup>(248)</sup>

Fiercely Anti-Treaty, Childers joined the Southern Brigade on the outbreak of Civil War. In late October 1922 he decided to head for Dublin to meet up with De Valera. En route he was captured by a "Flying Column" of National Army troops at the Barton family home at Annamoe on 10 November. He apparently drew his .32 Colt, a pistol given to him by Collins in different times.<sup>(249)</sup> The demonisation of Childers by the Pro-Treaty party has been referred to already. Griffith hated him, a trait that O'Higgins appeared to have inherited. Collins' attitude towards Childers was more complex. As Finance Minister he trusted Childers, and his wife Molly, with large sums of Republican funds, and it was at Collins' insistence that Childers was appointed as a director of the Republican Land Bank.<sup>(250)</sup> Relations between the two men deteriorated during the Treaty negotiations, and it has been noted that Collins, when under pressure, would deploy the term "English" as a slur. According to Hayden Talbot, Collins' first biographer, Collins believed that Childers was an agent provocateur.<sup>(251)</sup> Childers' character had been assassinated long before he was executed.

Childers faced a firing squad at 7.00am on 24 November, having been found guilty of possessing a revolver when arrested a fortnight earlier. Gavan Duffy took advantage of a Dail Debate on Army estimates on 28 November to raise the issue of Childers' execution. He countered the slurs against Childers, and paid tribute to his service to the national cause.<sup>(252)</sup> Cosgrave responded by attacking Duffy for not having protested against the earlier executions but waiting for an "intellectual" to be executed before expressing his concern. Less than a handful of TDs expressed regret or concern over the fate that befell Childers. British press opinion was firmly behind the Childers' execution. The London 'Times' described it as an act of "profound importance", the Yorkshire Post "a courageous thing" while the 'Sunday Times' called it "not merely an act of justice but humanity". The Pall Mall Gazette depicted Childers as a traitor who had betrayed England then the "Free State" and would have betrayed De Valera in the course of time.<sup>(253)</sup>

Perhaps the most profound comment was to be found in the pages of the 'Irish Times', from the pen of its sketch writer 'Nichevo';

" That last night at Earlsfort Terrace ten months ago will never be forgotten by those who witnessed the scenes following the passing of the Anglo-Irish Treaty. Arthur Griffith, flushed to brows, was nearly bursting with suppressed excitement. Michael Collins was dashing his nervous hand through his shock of jet-black hair while on the other side of the room Harry Boland was crying like a child and Cathal Brugha was biting his lips in bitter disappointment. A few seats away from Brugha, Erskine Childers was sitting. His face was drawn and haggard. Bloodless lips were parched and twitched in painful grief. But this strange man never moved in his place. Like Arthur Griffith he knew how to master his emotions.

And now they are dead. Griffith died of worry. Collins and Brugha fell in the heat of the fight, Boland was killed in a scuffle at Skerries and Childers faced the firing party yesterday at dawn."<sup>(254)</sup>

"And in these days of blood and tears  
The words re-echo in my ears,  
As many a comrade yields his life  
to former friends in desperate strife,"<sup>(255)</sup>

The Republican response came from Liam Lynch in a letter to the Speaker of the Dail on 27 November, and was followed up by an Operational Order on 30 November. The Irregulars deemed all those members of the Dail who had supported 'the Murder Bill' as legitimate targets, along with various other categories of people, including members of the newly created Senate.<sup>(256)</sup> The Irregulars carried out their threat on Thursday 7 December when two TDs, Brigadier-General Sean Hales and Padraic O Maille were attacked by six men while leaving the Ormond Hotel en route for the Dail. Hales died on arrival at Jarvis Street Hospital while O Maille recovered from his serious wounds.<sup>(257)</sup> In a statement to the press, Mulcahy parodied Labour Party concerns over the conduct military executions;

" There was no press present. They (Hales and O Maille) were not asked would they like to see their relatives, or would they like to see a clergyman, or had they any private business of their own that they would like to transact."<sup>(258)</sup>

Both men were War of Independence veterans. Sean Hales' brother Tom had commanded the ambush party at Beal na mBlath, and Sean had been at the forefront in demanding an inquiry into the circumstances of Collins' death. O Maille had been active in the movement from the early days of the Gaelic League, had been imprisoned many times by the British, and his home in County Galway burnt to the ground by Auxiliaries.<sup>(259)</sup> Ironically O'Maille, like Milroy, would later break with Cosgrave in favour of a more nationalist "stepping stone" approach. Sean Hales, had he lived, may well have followed that same course of action.

O'Murthuile states in his memoir that the Government believed that the campaign to assassinate members of the Dail had been endorsed by those members of the Irregular leadership already in prison, and it was this intelligence that led to a momentous decision.<sup>(260)</sup> After a long grim session the Cabinet, which could now be accurately called the Executive Council of the Irish Free State, voted to execute Rory O'Connor, Liam Mellows, Joseph McKelvey and Richard Barrett, all of whom had been in prison since the fall of the Four Courts. In an act

designed to show that the government would ruthlessly react against the Irregular death threat to TDs, the four men were summarily shot in Mountjoy Gaol on the morning of 8 December. Ernest Blythe states in his account of the Cabinet meeting that it was the heads of the Army who called for the executions, and that FitzGerald and he had been the first to agree to it. According to Blythe the last to agree were O'Higgins and Joe McGrath.<sup>(261)</sup> The latter's reluctance may be explained by the fact that he had been part of Collins' Intelligence department during the War of Independence, and knew the condemned men as former comrades. For O'Higgins matters may have been altogether more personal. O'Connor had been his best man at his wedding only a few months before. It had been an eventful couple of days. On 7 December, the same day as Hales was killed, the 26 counties had officially become the Irish Free State on the British passing of the Constitution Bill, and on that very same day the Northern parliament exercised its right in the Treaty provisions to vote its territory out of the Free State.

The Labour leader Johnson commented to the press that the actions of the Executive Council had killed the new state at its birth, and that the execution of O'Connor and co. could not be regarded as anything other than an act of vengeance.<sup>(262)</sup> Quoted in the 'Irish Times', Gavan Duffy asked;

" Where will this Corsican vendetta end?" <sup>(263)</sup>

While the leadership of the Army requested emergency powers for military courts, and called for reprisals following the shooting of Hales and O Maille, there was considerable opposition to the executions policy among the National Army rank and file and its officer corps. Sean MacMahon, who succeeded Mulcahy as Chief of Staff, claimed that he had considered carrying out the first executions with a firing squad of hand-picked officers as he was unsure how ordinary troops would react. He eventually decided to go ahead with a squad selected from the old Dublin Brigade who carried out their duties as ordered.<sup>(264)</sup> As we will discuss in Chapter 3, there was a view that reluctance in the Cork

command to carry out executions, particularly on the part of Collins' associates Dalton, Tobin and Ennis, was one of the origins of the Army mutiny.<sup>(265)</sup>

Unpopular among certain sections of the Army or not, the executions carried out on the morning of 8 December seem to have served their purpose as there were no further direct attempts to assassinate members of the Dail. Throughout January/February 1923 the main targets seem to have been the families and homes of parliamentarians, including senators, many of whom due to their social background lived in great houses. On the night of Sunday 10 December 1922 there was a co-ordinated Republican incendiary attack against the home of leading Free State figures. The home of Sean McGarry, TD and Army officer, at Philipsburgh Avenue, Dublin was attacked and set on fire. Mrs McGarry and two of her three children suffered burns.<sup>(266)</sup> One of the injured children later died from his injuries. President Cosgrave's country home at Ballyboden was destroyed in an arson attack on Saturday 13 January 1923.<sup>(267)</sup> Kevin O'Higgins' father, Dr. Thomas Higgins was shot dead on Sunday 11 February.<sup>(268)</sup>

### Ending the War

The main development within the Republican camp in the autumn of 1922 was the debate on whether or not they should declare an alternative government to challenge the legitimacy of the Third Dail and the Free State. In a memorandum to Liam Lynch, De Valera rehearsed the arguments in favour of establishing a Republican Government. De Valera argued that there were three main advantages: it could provide a rallying point for Anti-Treaty sentiment; would preserve the continuity of the Republic and would establish a Republican claim to various funds and resources.<sup>(269)</sup> While De Valera was clear about the advantages of creating an alternative government, there was still a debate to be had about the form that it should take. De Valera believed that there were three options - an Anti-Treaty Dail, the Army Executive taking responsibility or a joint council of political and military leaders. De Valera favoured the first option but had three concerns. Would the Irregular IRA give unconditional allegiance, the

difficulty of claiming a mandate from the people given the result of the election of 16 June and the credibility of an Anti-Treaty Dail being seen to resist future elections which could lead to a repudiation of the Republic.<sup>(270)</sup>

Whatever De Valera's misgivings he responded positively to a call from the IRA Executive to form an alternative administration.<sup>(271)</sup> On 28 October 1922 the Executive issued a 'Proclamation of Republican Government', based on the assertion that if the Irish people were given a "free choice" they would vote for a continuation of the Republic by an "overwhelming majority". De Valera was proclaimed as President, at the head of a Council of State which included Austin Stack, Barton, Count Plunkett, P.J. Rutledge, J.J. Kelly and Mary MacSwiney.<sup>(272)</sup>

De Valera's decision to cast off the role of "a humble soldier" and assume the role of President, suggests that he believed, even at that late stage, that a negotiated settlement along the lines of the Collins/De Valera Pact was still possible. On 5 November 1922 he issued an official communique as President of the Republic repudiating rumoured peace initiatives, describing the Pact as "the last basis for accommodation" and accusing the Free Staters of breaking it at "English instigation".<sup>(273)</sup>

De Valera may well have drawn some succour from the military position in the South West at the end of 1922. While IRA activity in the rest of the country took the form of arson attacks, Tom Barry had captured Carrick-on-Suir on 9 December, and the talented guerrilla commander thought in terms of a determined eastwards sweep from Cork to the Midlands, which would threaten the very approaches to Dublin. His offensive petered out, however, as the lack of civilian support, increasingly superior Free State forces, the threat of execution for those captured with arms, and the apparently futility of the sacrifice combined to sap morale.<sup>(274)</sup>

Nowhere was the sacrifice more bloody, and ultimately futile, than in neighbouring Kerry. The ambushing and booby-trap bombing of Free State forces prompted reprisal actions which descended to the depths of mines being detonated amid groups of chained prisoners. The Free State commander in Kerry was Paddy Daly. Close to Collins, he had been in the thick of the fighting during the War of Independence and the Civil War, and the years of constant pressure may have taken their toll. Free State forces steeled their resolve with jibes that Kerry had not been to the forefront during the War of Independence, and that there had been no attempt to come to the aid of Casement when he was taken prisoner in the county in 1916.<sup>(275)</sup> There was eventually an inquiry into the behaviour of Free State forces in Kerry, and Daly was relieved of his command.

De Valera, Tom Barry and events in Kerry aside, the impetus was still towards peace initiatives. Liam Deasy, who was held prisoner in Kilkenny under sentence of execution, agreed to assist with a peace overture, and issued a statement calling on the Irregular forces to lay down their arms.<sup>(276)</sup> Mulcahy built on this initiative by announcing yet another amnesty, from 8 to 18 February.<sup>(277)</sup> While this initiative was scorned by the vast majority of Irregulars, it was indicative of the direction in which things were moving. The Neutral IRA, O'Donoghue's association of War of Independence veterans who refused to take sides in the Civil War, tried to find some kind of bridge between De Valera's repeated call for negotiations and Cosgrave's insistence on an unconditional surrender of weapons.<sup>(278)</sup>

De Valera was invited to attend a meeting of the IRA Executive, held in the region of the Monavullagh Mountains in Wexford from 23-26 March. While the President of the Republic argued that Irish sovereignty and abolition of the Oath were central to the ending of hostilities, Tom Barry struck a different tone. The same Barry, who had called for a resumption of the war with Britain at the Army Convention of 18 June 1922, now moved "that continued resistance could not further the cause of independence". The resolution was defeated by 6 votes to 5.<sup>(279)</sup> The Executive meeting was adjourned until 10 April but significant events

occurred in the intervening period. On 6 April two IRA Executive members, Moss Twomey and Tom Derrig, were arrested and on 10 April Irregular Chief of Staff, Liam Lynch, was wounded and captured by Free State troops in the Knockmealdown Mountains, and died in Clonmel later that evening.<sup>(280)</sup> The 'Irish Times' in its obituary recorded that Lynch had none of the "fiery opposition" to the Treaty shown by Brugha, De Valera, Mellows and others, and recalled Lynch's attempts to prevent the outbreak of Civil War.<sup>(281)</sup> Since becoming Chief of Staff, Lynch had opposed any suggestion of surrender but there is evidence to suggest that by the time of his death he was ready to seek peace. Lynch's notebook, which was on him when he was captured, contained a draft memorandum to De Valera, which called on the President to order an "immediate cessation" of hostilities.<sup>(282)</sup>

Due to the arrests, and Lynch's death, the IRA Executive did not reconvene until 20 April, at which point Frank Aiken was elected to replace Lynch as Chief of Staff. It was decided to call on De Valera, in conjunction with the IRA's Army Council, to make peace with the Free State government. The following day De Valera presided over a joint meeting of his ministers and the Army Council.<sup>(283)</sup> The outcome of that 'Republican summit' was an agreement that Aiken should order a suspension of operations, with effect from 30 April, and that De Valera should issue peace proposals.<sup>(284)</sup> De Valera published six closely worded points. The first two dealt with sovereignty, the third rejected the right of appeal to any British court, the fourth point called for the abolition of the Oath, the fifth guaranteed freedom of political action, while the final point argued that military forces in the country would be "amenable to the national assembly when freely elected by the people".<sup>(285)</sup> There was no shortage of advice to Cosgrave on how to respond to De Valera's proposals. Thomas Johnson's official Labour opposition thought that they provided a basis for negotiations. The British media offered Cosgrave different advice. The 'Sunday Times' called on the Free State Government to reject De Valera's "medley of platitudes and metaphysical dicia", while the 'Observer' held him responsible for "the clouding of so fair a future" and the 'Evening Standard' described the proposals as "wholly at variance with



the spirit of the Constitution".<sup>(286)</sup> The response of Cosgrave's Cumann na nGaedheal Government was that the political issues raised by De Valera should be dealt with by the votes of the Irish people in the future, and that all arms must be surrendered.<sup>(287)</sup>

De Valera attempted to negotiate through intermediaries, and on 7 May produced a revised set of proposals, which included the suggestion that the Irregular forces should be given a suitable building in each locality where their arms could be stored pending the outcome of a general election. It was this suggestion that led O'Higgins to state that "this is not going to be a draw with a replay in the autumn."<sup>(288)</sup> It was the rejection of that second set of proposals that led to De Valera and Aiken effectively ending the Civil War with the former's "Legion of the Rearguard" message, and the latter's order to dump arms.<sup>(289)</sup>

#### Assessment: The Impact of Collins' death on the conduct of the Civil War

In the course of this chapter I have examined Collins' attempts to avoid Civil War, and sifted through the evidence, largely anecdotal, suggesting that at the time of his death he was seeking to use his relationship with key figures on the Anti-Treaty side to bring hostilities to an end. Mulcahy's meeting with De Valera may well have been an attempt on his behalf to carry on with his fallen leaders' attempts to achieve a ceasefire. That initiative, and his attempts to exercise the autonomy Collins had enjoyed as Commander-in-Chief, led to Mulcahy's increasing isolation in the Provisional Government/Executive Council. I will argue in Chapter 3 that this was a factor which weakened Mulcahy's position in dealing with the recriminations over the Army Mutiny. I have also argued that Collins' death led to an almost immediate change of emphasis in the Provisional Government's policy towards Northern Ireland. I examine this policy shift in detail in Chapter 4.

The question will always remain as to whether or not the events that took place following 22 August 1922 would have taken a different turn if Collins had not

fallen at Beal na mBlath? Would the executions and reprisals policy, which spawned a bitter legacy that has dominated Irish politics for 50 years, have been introduced if Collins' hand had still been at the helm?

When Collins was killed in August 1922, the loyal Mulcahy gathered together as many of his papers as he could lay his hands on, ranging from official government communiques to hand-scribbled notes. These, along with Mulcahy's own extensive library of papers, are now in the care of University College Dublin. Among Collins' papers is a set of typed notes on how the Civil War might be brought to an end. It was clearly written following the fall of the Four Courts, sometime during July or August 1922. In one section Collins states his desire to "avoid any possible unnecessary... loss of life".<sup>(290)</sup> Towards the end he writes;

" The surrender of Rory O'Connor and Mellows important. We do not want to mitigate their weakness by resolute action beyond what is required".<sup>(291)</sup>

This Collins comment seems to suggest that, from the perspective of July/August 1922, he would have been inclined to oppose the executions policy. There can be no definitive answer. All that can be done is to make an informed assessment, a point I will return to in Appendix II. For further evidence I turned to those who were directly involved with those events, or studied them in great detail.

Garret FitzGerald, son of Free State Minister Desmond FitzGerald, answers the question with a question. Would there have been an executions policy if Collins had not been killed?<sup>(292)</sup> Implicit in the former Taoiseach's response is the view that the executions policy arose out of the hardening of attitudes that followed the failure of peace initiatives in the immediate aftermath of Collins death. FitzGerald is sure of one thing, his father never regretted supporting the policy, believing that it led to the ending of the Civil War.<sup>(293)</sup> This confirms Ernest Blythe's account that Desmond FitzGerald was among the first members of the Provisional Government to cast his vote for the execution of O'Connor, Mellows,

McKelvey and Barrett at the fateful Cabinet meeting on 7 December 1922.<sup>(294)</sup>

If Fine Gael represents one wing of the Irish nationalist tradition, then the opposite wing is represented by Provisional Sinn Fein/Provisional IRA. While generations of traditional Republicans have acknowledged Collins as a great military figure, they have also regarded him as someone who sold out the Republic, and was therefore responsible for the Civil War and the bitterness it bequeathed. Before Gerry Adams and Martin McGuinness could set out on a strategy designed to lead to negotiations and compromise, the reputation of Collins the negotiator and compromiser had to be rehabilitated. Prisoners hold an important position among today's Republicans, and it was the summer 1994 edition of 'An Glor Gafa (Captive Voice), The Voice of Irish Republican Prisoners of War' that carried an article entitled 'Michael Collins: A Reappraisal', written by Tearlac O Conghalaigh a prisoner in Long Kesh. Among a number of other points O Conghalaigh accepts that Collins was trying to bring an end to the Civil War in August 1922 "while those who succeeded him renewed the campaign against the Republicans with a viciousness hitherto absent".<sup>(295)</sup> This is a clear assertion by the 1990s Provisional movement that Collins' removal from the scene opened the way for the executions and reprisals policy.

Support for a Collins opposed to executions and reprisals comes from a number of those who have made a detailed study of Collins and the period. Collins' biographer Tim Pat Coogan thinks that he would have opposed the policy but wonders whether or not the assassination of Sean Hales would have pushed him in the other direction?<sup>(296)</sup> In suggesting this, Coogan is posing the age old question; what came first, the chicken or the egg? The assassination of Hales was a direct response to the threat of executions, so it is arguable that it would never have happened if the Provisional Government had not introduced the policy. An earlier Collins biographer, Margery Forester, concluded 'The Lost Leader' by stating affirmatively;

" If he (Collins) had survived there would have been no firing squads because the power of his humanity would have found the solution which those who followed him sought desperately in vain."<sup>(297)</sup>

In discussion with University College Dublin's Michael Laffan, historian of Sinn Fein from 1917 to 1923, he suggested four grounds on which Collins might have opposed the executions policy. Firstly, it has been suggested that the individual members of the Provisional Government voted as they did to demonstrate their readiness to be ruthless in their determination to win the conflict, attributes that the boss of 'The Squad' did not need to prove to anyone. Secondly, Collins knew only too well what it felt like to order the taking of life, and would have been reluctant to endorse the execution of former comrades. Thirdly, Collins has been credited with a modern grasp of the power of public relations. He would have been well aware of the impact of executions and reprisals on international opinion, particularly among the Irish diaspora. Finally, Laffan suggested that if Collins had lived he would have probably continued with his 'hands on' approach to his responsibilities. By keeping a tighter rein on Daly in Kerry, Collins might have prevented some of the worst atrocities of the Civil War which were the source of much of the legacy of bitterness.<sup>(298)</sup>

Senator Maurice Manning, professional politician and historian of the Fine Gael tradition, is less sure. His informed instinct is that Collins would have resisted the executions and reprisals but believes it is an impossible question to answer.<sup>(299)</sup> Manning's academic colleague, UCD's Professor of Politics, Tom Garvin, is more emphatic but on the other side of the debate. Collins, in common with all other ministers in the Provisional Government was desperate to end the Civil War, and, in the view of Professor Garvin, the policy was effective in achieving just that result.<sup>(300)</sup>

British Government opinion of course favoured the executions/reprisals policy as evidence of the Provisional/Free State government's determination to implement the Treaty settlement. At least one informed British view suggests that had Collins survived he would have been less decisive in stamping out Irregular

violence than those who succeeded him. General Sir Cecil Frederick Nevil Macready was GOC British forces in Ireland from 1920 to 1923, and was military adviser to the British delegation during the Treaty negotiations. Writing in 1924, Macready argues his autobiography that;

" Had he (Collins) lived I question whether he could have hardened his heart and conscience, sufficiently to stamp out the embers of rebellion, or to deal with his former comrades in arms and politics even to the extent afterwards achieved by Richard Mulcahy."<sup>(301)</sup>

It seems probable that the Anti-Treaty elements and their heirs in later generations would have found it politic to portray the dead Collins as a lost voice for reconciliation, and may have believed it, while his colleagues in government held to the view that he would have agreed with them, whatever secret reservations they may have concealed.

Compassion, born of shared experiences, and a keen appreciation of public relations, are the most oft-cited arguments by those who believe that Collins would have opposed executions. Could it be that Collins might have had other reasons for opposing "resolute action" against prominent republican prisoners in the summer of 1922?

Earlier in this chapter, and again in Chapter 5, I evaluate the evidence as to whether by that point Collins had come to the conclusion that military action against the Northern authorities was futile and counter productive, or whether he fully intended to return to the dual 'carrot and stick' strategy once the Civil war was over? If Collins did intend to go another round in the North, either because he believed it could produce some result or as the basis of some kind of understanding with the Irregular forces, then the leading figures imprisoned following the fall of the Four Courts could yet have had important work to undertake for Collins.

The direct evidence from Collins himself, dating from the period following the fall of the Four Courts, is restricted to his expression of concern about the

consequences that could arise from the over-harsh treatment of the leading Irregular prisoners.<sup>(302)</sup> It is a solitary piece of evidence, open to interpretation and qualification, but a significant point nevertheless.

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- 275) *ibid*, p.496.
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- 277) *Irish Times*, 14 February 1923, p.1.
- 278) *Irish Times*, 17 February 1923, p.5.
- 279) J. Bowyer Bell, *The Secret Army - A History of the IRA 1916-1970*, Bland, London, 1970, p.37.
- 280) *Irish Times*, 11 April 1923, p.5.
- 281) *ibid*.
- 282) Notebook found on Liam Lynch when captured on 10 April 1923, A/1109 IAA.
- 283) Younger, *Ireland's Civil War*, p.507.
- 284) *Irish Times*, 28 April 1923, p.7.

- 285) *ibid.*
- 286) *Irish Times*, 30 April 1923, p.5.
- 287) In March 1923 the Pro-Treaty element within the old Sinn Fein sought to broaden its support by founding a new political party - Cumann na nGaedheal. In the course of the 1920s the party came to encompass supporters of the Irish Parliamentary Party, former Unionists and local notables. As the party stood for order it drew support from the commercial and propertied classes and wealthier farmers - the stakeholders in Irish society. The name was taken from a society, formed by Arthur Griffith in 1900, which was subsumed in Sinn Fein when it was founded in 1905.
- 288) Younger, *Ireland's Civil War*, p.508.
- 289) *Irish Times*, 29 May 1923, p.7.
- 290) Collins' notes on ending the Civil War, Mulcahy papers P7/B/28 UCD.
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**Chapter 3**  
**"Mick's Men" Mutiny**  
**The Army Crisis of March 1924**

## Introduction

" The late Commander-in-Chief told me that he had taken an oath of allegiance to the Republic and that oath he would keep, Treaty or no Treaty...

The actions of the present GHQ Staff since the Commander-in-Chief's death, their open and secret hostility to us, his officers, has convinced us that they have not the same outlook as he had".<sup>(1)</sup>

On 25 June 1923, barely one month after the Civil War had staggered to an end, these words sounded around the office of William T. Cosgrave, President of the Executive Council of the Irish Free State. They were read by Major General Liam Tobin, a veteran of the 1916 Rising, a leading figure in the War of Independence, a former Director of Intelligence and now aide-de-camp to Governor General Tim Healy. This mid-summer confrontation followed a letter sent some three weeks earlier to President Cosgrave, and co-signed by Tobin and another five senior officers who shared similar backgrounds and grievances.

In this chapter I describe how two distinct components of the Collins entourage came to hold conflicting interpretations as to how their 'lost leader' had intended the National Army to develop. I explain the motivations that I believe led either side to adopt their respective positions. I turn to what Collins did and said regarding the development of the Army, and the Civic Guard, to assess which group of protagonists more accurately reflected their dead leader's intentions.

## Shared Grievances

In that earlier letter dated 6 June 1923, the signatories claimed to be writing on behalf of "officers who accepted the Treaty in exactly the same spirit in which we know the late Commander-in-Chief accepted it..."<sup>(2)</sup> They went on to seek a meeting with Cosgrave as "Michael Collins' successor" with the aim of furthering the "ideals and objects" for which Collins had given his life. Coming so soon after the Civil War, and given that it was signed by some of the key figures on

which the Government had relied to win that conflict, the letter seemed like yet another bombshell lobbed at a besieged government. With hindsight, historians may criticise the representatives of a civilian government meeting with army officers to discuss political questions, however, with the Civil War barely behind them, and a general election pending, I for one can understand why Cosgrave agreed to meet with a delegation of the disgruntled officers in the hope of defusing the situation and preventing any split in the ranks of the the Pro-Treaty party, now known as Cumann na nGaedheal.

Accordingly, the meeting took place on 25 June with Cosgrave and a reluctant General Richard Mulcahy, Minister for Defence, representing the Executive Council, and Tobin along with colonels Charlie Dalton, Frank Thornton and Christie O'Malley representing the disgruntled officers who had banded together in an association calling itself the Irish Republican Army Organisation (IRA O).<sup>(3)</sup> In his recollections of the meeting Mulcahy recalls that Tobin, Thornton and O'Malley struck a bad tempered and aggressive tone while Dalton remained silent. Mulcahy had tried to dissuade Cosgrave from agreeing to such a meeting, and he walked out in protest at the disrespect which he believed was being shown to the President by serving army officers. As a result of his premature departure Mulcahy did not hear the specific demands of the dissidents until a subsequent meeting some ten days later.

Tobin read from a prepared statement, his central thesis being that Collins' position was being undermined by developments in the Free State army. At the outbreak of hostilities over the Treaty in June 1922, the fledgling National Army was based on just 4,000 Pro-Treaty IRA veterans.<sup>(4)</sup> Within eleven months the ranks of the Army had swollen to 52,000 soldiers and 3,000 officers. The dissident officers, all of whom had distinguished themselves in the guerrilla struggle against Britain prior to the Truce of July 1921, were concerned at the implications of this massive influx on the nature and character of the army. They claimed that 50% of the Army personnel were ex-British army, while only 40% had seen service as Volunteers in the independence struggle. More alarmingly,



they argued that many of the ex-British officers were former secret service agents who were still active in the service of their former masters.<sup>(5)</sup>

If the dissidents were concerned at the consequences of the influx into the Army, they were equally concerned by the demobilisation exercise that the Government and the Army Council intended to embark upon now that the Civil War was over. With the return of relatively normal conditions, a standing army of more than 50,000 troops could neither be justified, nor afforded, and in May 1923 it was agreed that the number of enlisted men should be reduced to 30,000, en route to a permanent complement of 18,000, and that the number of officers should be cut to 1,300. Faced with this massive pruning exercise the dissident officers sought equal representation on a committee of inquiry which would investigate the suitability of all those officers who wished to remain in the service, with the aim of ensuring that the Army was led by an officer corps with the correct "national attitude".<sup>(6)</sup> The 'Tobinites' expressed particular concern at the composition of the Dublin area command, appointments to the Dublin Metropolitan Police and the failure of the Government to establish an Irish secret service organisation.<sup>(7)</sup>

Following this list of personnel-dominated concerns, Tobin came to "one of the most important and vital" points which he claimed obstructed the fulfilment of Collins' ideas - the role of the Irish Republican Brotherhood. While the IRB, or to be more precise its Supreme Council, had been an important factor in winning acceptance of the Treaty, it had really ceased to function as a national organisation from about February 1922 onwards.<sup>(8)</sup> Tobin and his fellow officers believed that a revitalised IRB was essential to Collins' "stepping stone" approach to complete independence; however, their attempts to revive it had been pre-empted by Mulcahy and the other members of the Army Council who, Tobin claimed, had taken over the organisation in a "dishonest and corrupt effort to destroy any genuine effort to carry on to a successful conclusion of Mick's ideas."<sup>(9)</sup>

So this was the outcome of the first confrontation between the Executive Council and the dissident army officers styling themselves as the IRA Organisation or 'Old IRA'.<sup>(10)</sup> The latter claimed that the current composition of the Army was not conducive to pursuing nationalist aspirations, and that this was in danger of being compounded if the forthcoming demobilisation was to further reduce the percentage of reliable nationalists who had seen action in the Pre-Truce IRA. The other important vehicle for pursuing the Collins strategy, the IRB, had also been taken over by the very same people who were running the Army, namely Minister for Defence, Richard Mulcahy, and his colleagues on the Army Council.

In this chapter I examine whether or not the motivations of those who banded together in the IRA Organisation were completely genuine, or their arguments accurate. Their prospectus raised fundamental questions. Was the new National Army to be a professional force, based on merit and obeying the democratic civil authority without question, or a politically motivated cadre in which a Pre-Truce record counted for more than ability? What was Collins' vision for the Army?

### The Origins of the Irish Republican Army Organisation

Cosgrave was reported to have been shocked by both the tone and content of the meeting held on 25 June 1923. Concerned he might have been but he should not have been surprised. Early in Professor James Hogan's tenure as Director of Intelligence, April 1923, the President received reports that a group of officers around Liam Tobin had difficulties in adjusting to the changed situation following the ending of the guerrilla war with Britain, and that these problems had surfaced prior to Collins' death. Following his death in August 1922 their alienation accelerated, fueled by mistrust of the new Army leadership.<sup>(11)</sup> Devoted as Tobin was to Collins, his chief did not regard him as automatically qualified for the responsibilities that came with self-government, and in July 1922 Collins replaced Tobin as Director of Intelligence with Joe McGrath.<sup>(12)</sup>

According to the IRA Organisation's own account of events, it grew out of a meeting held on 29 January 1923, probably in the Vice Regal Lodge in Phoenix Park, given Tobin's role as ADC to the Governor General. This initial meeting was reconvened a few days later, on 2 February 1923, with no less than four Major Generals and seven Colonels present.<sup>(13)</sup> The attendance list reads like the cast of characters from the drama of Michael Collins.

In the chair was twenty nine year old Major General Liam Tobin. A native of Cork, Tobin was a 1916 veteran and had been jailed in Lewes Prison with Cosgrave and De Valera after the Rising. During the War of Independence he showed an aptitude for intelligence gathering and rose to become Collins' deputy in the Volunteers' Intelligence Directorate. While Collins was negotiating the Treaty in London, Tobin spent part of the time as his principal bodyguard and part of the time back in Dublin deputising for 'the Big Fella' as Director of Intelligence. Tobin succeeded Collins as Director of Intelligence but, as already noted, he was subsequently removed from that post by Collins, who dispatched him to Cork to put his military experience to good use in prosecuting the Civil War. He had another short spell as Director of Intelligence, from October to December 1922, before being assigned as aide-de-camp to Tim Healy, the Governor General. Among the others who sat around the room were Emmet Dalton and Sean O'Connell, both of whom had travelled with Collins en route to his appointment with nemesis in Beal na mBlath. According to witnesses, "Emmet" was the last word uttered by Collins, while his last conscious act was to acknowledge an Act of Contrition administered by the devoted O'Connell. Certainly the lives of both men were deeply affected by the events of 22 August 1922. Dalton was plagued for decades by fanciful suggestions that he was somehow responsible for Collins' death. O'Connell called his house 'Beal na mBlath' and, according to his daughters, he could not discuss the events of that late summer evening without being overcome with emotion.<sup>(14)</sup> The others present included Collins' intelligence lieutenants Tom Cullen, Tom Ennis and Frank Thornton, and 'Squad' members Jim Slattery, Pat McCrea and Charlie Dalton.

Cullen and Thornton had fought during Easter Week, and both survived interrogation at the hands of the Cairo Gang. Their capture was among the considerations that persuaded Collins to launch the 'Bloody Sunday' operation in November 1920. Charlie Dalton (Emmet's younger brother) was among the assassins who executed that operation, and along with McCrea he was involved in the daring but unsuccessful attempt to rescue Sean MacEoin. Ennis played a leading role in the attack on the Custom House, an operation forced on a reluctant Collins who feared the cost in men and materials would be too high. Ennis was arrested and Jim Slattery lost an arm.<sup>(15)</sup>

This inaugural meeting agreed that the object of the organisation would be to link former IRA men serving in the National Army, and to demand a voice in government policy with a view to securing complete independence. Tobin was elected as chair of the organisation and Cullen as organiser. A further meeting was held in April 1923 and new attenders included former 'Squad' commander Paddy Daly and former Belfast IRA leader Seumas Woods.<sup>(16)</sup>

### The Army Council

If the pedigree of the officers linked by the IRA Organisation entitled them to claim the mantle of Collins, then the men who they regarded as adversaries, the leaders of the Army, had some impressive credentials of their own.

The senior military figure was also a civilian politician, General Richard Mulcahy, the Minister for Defence. Born in Waterford in 1886, Mulcahy was steeped in the background that was common to so many of the revolutionary generation. A member of the Gaelic League, Mulcahy joined the Irish Volunteers, formed as a counter-weight to the anti-Home Rule Ulster Volunteer Force, in 1913 and saw action in 1916 as second in command to Thomas Ashe at Ashbourne, County Meath, in one of the few military actions to take place outwith Dublin. Following a period of internment at Frongoch, Collins' 'university of the national revolution', Mulcahy worked closely with Collins in

reorganising the Volunteers. With the formation of a General Headquarters Staff in March 1918 he became Chief of Staff.<sup>(17)</sup> Mulcahy was a member of the Irish Republican Brotherhood and claimed that it was due to the influence of Collins and "the Organisation" that he was selected as the Sinn Fein candidate for Clontarf, from where he was elected to the first Dail in 1918.<sup>(18)</sup> Mulcahy shared Collins' knack for staying out of jail during the War of Independence. In the conditions of the time the collective functioning of the Dail, or even the Cabinet, was extremely difficult and therefore the key people were the most senior political and military figures who remained at liberty. In the eyes of the active Volunteers, Mulcahy was second only to Collins as paramount leader of the military struggle.

Not surprisingly Mulcahy followed Collins in accepting the Treaty. As the Anti-Treatyite Jim Ryan put it;

" No matter what Mick Collins said, Dick Mulcahy thought he was right. Mulcahy took no credit for anything. Always Mick was the big man with him"<sup>(19)</sup>

As already discussed in Chapter 2, Mulcahy, perhaps even more than Collins, sought to maintain army unity and to prevent the slide into civil war. Once hostilities broke out, however, their double act swung into action with Collins' assuming overall military control as Commander-in-Chief and Mulcahy reverting to Chief of Staff, alongside his responsibilities as Minister for Defence in the Provisional Government. Following Collins' death Mulcahy went on to seek emergency powers to expedite the defeat of the Irregulars.

Mulcahy, in common with his contemporaries in the Gaelic revival, was an enthusiast for the Irish language and as a young man, prior to the 1916 Rising, he attended meetings of the Keating Branch of the Gaelic League, in Dublin, which proved to be something of a nursery for those figures who would lead Ireland to independence. Among those Mulcahy met at Keating Branch meetings were two of his future Army Council colleagues with whom he would face the

Army Mutiny crisis - Gearoid O'Sullivan and Sean O'Murthuile.<sup>(20)</sup>

O'Sullivan, a cousin of Collins and a fellow Corkmen, literally "flung out a flag of war" over Dublin in 1916 when, as one of the youngest officers participating in the Rising, he was given the honour of hoisting the flag of the Republic over the GPO garrison.<sup>(21)</sup> Another of the Frongoch class of 1916, and an IRB member, O'Sullivan rose to succeed his cousin as Adjutant General of the Volunteers during the War of Independence and the two men worked closely together. The bond between O'Sullivan and Collins was exceedingly close. In May of 1917 the two cousins journeyed to Longford to support the candidature of Joe McGuinness in one of the sequence of by elections that prefigured the electoral breakthrough of December 1918. While campaigning in Longford Collins and O'Sullivan met the Kiernan sisters. Tentative relationships began to develop between Kitty and Maud Kiernan and the two Corkmen. As history has recorded, Kitty Kiernan and Collins were tragically separated by the events at Beal na mBlath, while a matter of weeks later O'Sullivan married Maud Kiernan. But for the assassin's bullet, Collins and O'Sullivan would have been not only cousins but also brothers-in-law.<sup>(22)</sup>

Gearoid and Maud married in October 1922 and, around the time of the birth of their first child, Kitty came to live with couple in Dunallen House, the Adjutant General's quarters at Portobello Barracks. Kitty stayed long enough to act as god-parent, a role she shared with another member of the Army Council 'gang of four' - Lieutenant General Sean O'Murthuile, the Quarter Master General.

Like Mulcahy, O'Sullivan, and Collins, O'Murthuile was 'out' in 1916 and was also interned in Frongoch. While still in prison he worked with Collins in rebuilding the IRB network that would prove so important in the years ahead.<sup>(23)</sup> O'Murthuile became Secretary of the Irish Republican Brotherhood at some point in 1920. His priority was the administration of the organisation, and he was not directly involved in the military wing of the movement during the War of Independence. During the Treaty negotiations, from October to December 1921,

O'Murthuile was given the important role of liaising between Collins in London, the Supreme Council in Dublin and the local Centres throughout the country. Through O'Murthuile, Collins sought to keep the IRB informed of how the negotiations were progressing in London and received feedback from the Supreme Council on whether the various 'concessions' demanded by the British were acceptable. He was also anxious to receive objective reports on the strength of the Volunteers at local level, should a return to all out war prove inevitable, and the views of local commanders should it come to a split in the movement.<sup>(24)</sup> As soon as the Civil War broke out O'Murthuile volunteered for military service and by the time of the mutiny crisis had risen to the rank of Quarter Master General.

The remaining member of the Army Council was the Chief of Staff, Sean MacMahon. An IRB member, and close Collins ally, MacMahon was a distinguished veteran of the War of Independence, having served as Quarter Master General in the Volunteers GHQ. In this role it had been his responsibility to keep Volunteer battalions supplied to the best of his abilities. It is reported that the stress of his duties had caused his hair to turn prematurely white.<sup>(25)</sup> MacMahon was involved in army attempts to prevent the Civil War and was appointed Chief of Staff of the National Army in September 1922 as part of the reshuffle of responsibilities that followed Collins death.<sup>(26)</sup>

### The Re-organisation of the Irish Republican Brotherhood

In the days following Collins' assassination O'Murthuile, as the only surviving member of the Executive of the Supreme Council, called a meeting of Collins' "senior IRB colleagues" with the initial aim of securing their President's papers.<sup>(27)</sup> During the remaining months of 1922 O'Murthuile consulted over the future of the Organisation with senior IRB figures. The decision to continue was largely prompted by a determination to block any attempt by the Irregulars to hijack the IRB franchise.<sup>(28)</sup> In November 1922 Irregular Chief of Staff Liam Lynch had discussed an Anti-Treaty takeover of the IRB but any such plans were

thwarted as long as a majority of the surviving members of the Supreme Council were firmly in the Pro-Treaty camp. A new constitution was adopted for the Organisation which accepted the Treaty as part of a strategy for achieving the ultimate Republican goal. It was agreed that those members of the Free State Cabinet responsible for direct negotiations with the British should not be involved in the organisation as it could complicate matters if their membership of a secret Republican society was to become known.

#### Kevin O'Higgins and his criticisms of the Army Council

If the officers linked in the IRA Organisation could claim to be "Mick's Men" so could the four nationalist veterans who composed the Army Council. The IRA Organisation, however, was not the only source of criticism of the Army Council. There were elements within the Executive Council which were critical of Mulcahy and his colleagues, and before long the two groups would forge an uneasy alliance of convenience in their attempts to do down the Army Council.

Following Collins' death, Home Affairs Minister Kevin O'Higgins nominated Mulcahy to succeed him as Chairman of the Provisional Government, the post which became President of the Executive Council when the Free State came into existence in December 1922. Mulcahy deferred in favour of Cosgrave, but the incident gave little inclination of the souring of relationships that would occur in the months ahead.<sup>(29)</sup>

As the Civil War dragged on into 1923, O'Higgins became increasingly critical of the Army's conduct of the war. As the minister responsible for the Civic Guard, O'Higgins believed that as much as 95% of the crime in the country was the responsibility of the Irregulars, not conventional criminals, and that the Army was failing to press home the superiority in terms of men and equipment for which the Free State tax payers were paying a heavy price. O'Higgins was also concerned about cases of indiscipline in the Army, in particular the notorious 'Kenmare incident'. The daughters of a local medical practitioner, a Dr. McCarthy,



were allegedly kidnapped and beaten by serving army personnel. The court martial of the accused officers collapsed due to legal technicalities under the Defence Forces Act. The possibility of a civilian criminal trial was ruled out as the injured parties refused to give sworn statements. O'Higgins laid the failure to resolve this matter at the door of the Army Council and Adjutant General O'Sullivan in particular.<sup>(30)</sup> There was also a suggestion that the army remained aloof from the government. It was argued that Mulcahy did not conduct himself as the Executive Council's representative in the Army but rather the Army emissary to the Executive Council.<sup>(31)</sup> These criticisms were brought to a head in April 1923 when the Army Council offered to resign. The resignations were rejected by an Executive Council wary of any action that would give heart to the Irregulars, and uncertain as to how the army rank and file would react. The Executive Council did, however, establish a Council of Defence, comprising Cosgrave, Mulcahy, O'Higgins and Joe McGrath, to supervise military affairs. At the conclusion of the Civil War the Council was allowed to slide into oblivion largely as a result of Mulcahy's resentment. Executive Council concerns at Mulcahy's perceived aloofness in his stewardship of the Army echo their concerns of the summer of 1922 that Collins was not keeping the civilian government abreast of military developments.<sup>(32)</sup>

While O'Higgins was a great admirer of Collins his background was different from that which united the members of the Army Council.<sup>(33)</sup> O'Higgins had not seen action in 1916 and while he joined the IRB he left after a short period, objecting, like De Valera, to secret oaths sworn in defiance of the teaching of the Catholic Church.<sup>(34)</sup> On 10 June 1923 a meeting was held in the President's office involving Cosgrave, Eoin MacNeill, O'Higgins, Mulcahy and O'Murthuile, the outcome of which would later become a matter of bitter dispute. Mulcahy and O'Murthuile claimed that it had been a constructive meeting, requested by them, to discuss how the good offices of the IRB could be used to facilitate a surrender of arms by the Irregulars, an interesting echo of the current decommissioning controversy in Northern Ireland. The Civil War had officially ended the previous month when Irregular Chief of Staff, Frank Aiken, called for a ceasefire. There

was no question, however, of a surrender of arms. Following approaches from Irregulars such as Tom Barry, the Pro-Treaty leadership of the IRB believed that the organisation could be used to heal wounds and effect the hand-over of weapons. O'Higgins maintained that the meeting had been requested by the Executive Council to express its concern at renewed IRB activity in the Army. The meeting, he claimed, descended into acrimony and President Cosgrave had abandoned it.<sup>(35)</sup> Whatever the true version of events, O'Higgins' antipathy toward the IRB would be an important factor driving events in the spring of 1924.

### Countdown to Mutiny

It was no coincidence that the discontented officers of the IRA Organisation brought their complaints to the attention of the Executive Council in June of 1923. It was during that very month that Defence Order 28 was passed, speeding up the post-Civil War demobilisation.<sup>(36)</sup> The threat of demobilisation was particularly piquant given the ravages of the Civil War on the Free State economy. In too many cases demobilisation would mean unemployment.

Although Mulcahy opposed meeting with representatives of the IRA Organisation to discuss essentially political questions, he shared Cosgrave's concerns to hold the Pro-Treaty camp together and to give no succour to the Anti-Treatyites. Accordingly the Minister for Defence obeyed his President's request to continue to meet with the Tobin group.

Mulcahy next met with IRA Organisation representatives on 7 July 1923. On this occasion the dissidents were represented by Tobin, Sean O'Connell, Charlie Dalton, Christie O'Malley and Frank Thornton. They were also accompanied by Government minister Joe McGrath, who was to emerge as a spokesman for the IRA Organisation within the Executive Council. McGrath came from a similar background to both the dissident IRAO officers and the Army Council members. He had joined the Volunteers in 1913, had fought in 1916, had been elected to

the Dail in 1918 and was a member of the Irish entourage in London during the Treaty negotiations, travelling ahead to arrange Collins' personal headquarters in Cadogan Gardens. A supporter of the Treaty, he joined Collins' Provisional Government in January 1922 and in July Collins appointed him as Director of Intelligence.<sup>(37)</sup> McGrath became Minister for Industry and Commerce in first Free State government in December 1922.<sup>(38)</sup>

O'Connell presented a list of names of officers with previous service whose talents he claimed were being under-utilised in the Army. Dalton listed supposed former British secret service personnel who he claimed had infiltrated the Army, while Thornton bemoaned the lack of an Irish secret service, and listed trusted Pre-Truce IRA officers whose experience of intelligence work would qualify them for such a new service. As members of the IRB they complained at being excluded from the re-organisation of the Brotherhood. The dissenting officers then touched on one of the other causes of resentment - regional rivalry. During the Civil War, officers from the Dublin command were deployed to the South West while their positions in the capital were taken by other officers, mainly from the Northern command. The Civil War over, the Dubliners were unable to get their old jobs back and were understandably resentful.

In replying to the various points, Mulcahy stressed that authority in the Army had to be exercised through the recognised chain of command, and he could not accept that because someone had served in the British army they were automatically ineligible to serve in the Free State Army. In relation to the IRB, he sought to avoid the issue by stating that if they were really members then they would be kept aware of developments via their local Centres. He concluded, however, by undertaking to raise their IRB-related complaints with "persons within my knowledge". This comment was taken by the IRAO representatives as an undertaking to discuss with the Supreme Council the possibility of co-opting a representative from their ranks.<sup>(39)</sup>

The next meeting occurred on 23 July, and on that occasion Sean O'Connell was accompanied by Ben Byrne, Peadar Conlon, Tom Cullen, Mick Hehir and Jim Slattery. They informed Mulcahy that the IRA Organisation had held a general meeting of its supporters since their last meeting with him. The Organisation was apparently appalled that Mulcahy, the former Chief of Staff of the IRA, was defending the position of ex-British Officers. Cullen accused the Army Council of failing to follow on "Mick's lines, or anywhere near Mick's lines." Mulcahy attempted to improve the temper of the meeting by undertaking to test their bona fides as patriots who wanted the most effective army possible in defence of the national interest.<sup>(40)</sup>

The IRA Organisation followed up Mulcahy's offer with a letter signed by Cullen, Slattery and O'Connell on 25 July, and suggesting that they appoint three representatives to liaise with Mulcahy on matters "vital to the progress of the Army on national lines with a view to the complete independence of Ireland."<sup>(41)</sup> Mulcahy replied a couple of days later, agreeing to deal with their representatives but on the strict understanding that "it is a personal and private arrangement and not indicative of sectionalism of any kind in the Army". Any softening in Mulcahy's attitude is probably accounted for in a later passage from the same letter;

" I have seen sufficient disaster brought about by isolation and misunderstanding, to be determined to leave nothing undone that may be possible on my part to prevent either one or the other coming between men whose co-operation has made the present position of the country possible."<sup>(42)</sup>

This was followed by a reply from O'Malley, on 7 August, appointing Major General Tom Cullen, Colonel Ben Byrne and Commandant Mick Hehir as the authorised representatives of the Irish Republican Army Organisation.<sup>(43)</sup> Any constructive dialogue that might have taken place between Mulcahy and the dissidents was shattered by a later letter from O'Malley which listed Pre-Truce IRA officers who had either been demobilised or had been passed over for promotion in favour of ex-British Officers. The letter demanded that Mulcahy

intervene immediately to rectify the situation.<sup>(44)</sup> Mulcahy was furious at the tone of the letter. He argued that "this letter should never have been written", and that it was impossible for him to intervene at that level"<sup>(45)</sup>

Within a month of the contact between Mulcahy and the IRA Organisation breaking down, the first act of actual insubordination occurred. Ironically this first outbreak of mutiny took place at the Curragh, on 9 November 1923, when seven officers refused to accept their demobilisation papers. They claimed that they signed on to fight for an Irish Republic and that job was not yet complete. The Executive Council's response was to establish a sub-committee of ministers - Mulcahy, MacNeill, McGrath and Blythe - to look at the individual cases of Pre-Truce IRA officers who wished to be retained in the National Army. Under this system claimants completed forms which were sent to Mulcahy for comment and then placed before the sub-committee. A total of some 60 officers availed themselves of this opportunity but the vast majority of those cases had not been adjudicated upon prior to the mutiny crisis in March 1924.<sup>(46)</sup> Not surprisingly the delay was laid at Mulcahy's door but in reality it was partly due to McGrath's temporary resignation from the committee, only returning when he was promised that the committee would be allowed to over-rule Mulcahy's recommendations.

On 13 January 1924, following a brief meeting at Portobello (now Cathal Brugha) Barracks, Mulcahy presented President Cosgrave with a memorandum making a number of important points. On 8 January Mulcahy had received reports that a demobilised officer had approached a serving officer in the Claremorris Command stating that a number of officers, demobbed and serving, intended to raid for weapons and then take to the country and present a set of demands to government. The unnamed officer claimed the mutineers enjoyed support in Cork and a number of other commands. Mulcahy had deployed troops in order to cover the threat but nothing had occurred to date. Mulcahy stated in the memo that the mutineers could present a greater threat than the Irregulars, and that vigilance was required. Mulcahy also expressed his concern at the role being played by McGrath who he believed was being used. If the Minister for

Industry and Commerce wanted to assist with the situation then his Dail department should take responsibility for resettling demobilised officers in civilian life.<sup>(47)</sup>

The situation remained tense throughout February and on 3 March 1924 O'Sullivan issued orders curtailing the ability of officers to travel around the country, thereby making it more difficult for the IRA Organisation network to meet. Within days of the Adjutant General's orders being issued the IRA Organisation made its move.

### The Mutiny

On 6 March 1924 what amounted to an ultimatum was delivered to President Cosgrave. Signed by Tobin and Charlie Dalton on behalf of the Irish Republican Army Organisation, it demanded the immediate removal of the Army Council, an end to demobilisation and reorganisation and a conference to clarify the governing party's interpretation of the Treaty. The ultimatum claimed Michael Collins as the IRAO's inspiration and leader and threatened to;

" take such action that will make it clear to the Irish people that we are not renegades or traitors to the ideals that induced them to accept the Treaty."<sup>(48)</sup>

The delivery of the ultimatum coincided with officers absconding with weapons from barracks at Roscommon, Gormanstown, Baldonnel and Templemore, and with the co-ordinated resignations of 49 officers nation-wide. The Army Council's greatest concern was Cork, and Chief of Staff MacMahon travelled to the south-west to take command of the situation.

The initial reaction of the majority on the Executive Council was resolute. On 7 March they ordered the arrest of Tobin and Dalton. McGrath tendered his resignation in protest at the arrest orders although he continued in office until 19 March. Later, in an interview with the Irish Independent, he said;

" (he) would not be party to taking action against a body of men who were responsible very largely for the birth of the Free State and its life since."<sup>(49)</sup>

As the army began searching addresses in Dublin for Tobin and Dalton, the Executive Council's less than complete confidence in the Army Council became evident. The first step in a process of undermining the Army Council was the appointment of Civic Guard Commissioner, Eoin O'Duffy, as General Officer, Commanding the Defence Forces of Saorstát Éireann. The Executive Council, and O'Higgins in particular, regarded the Army Council as tainted by its IRB connections. It was ironic, therefore, that O'Duffy was party to the IRB reorganisation having been elected as Treasurer when MacMahon was elected as President and O'Murthuile elected Secretary.<sup>(50)</sup>

During the crisis the Cumann na nGaedheal parliamentary party held several frantic meetings at which Joe McGrath argued that the Tobin/Dalton ultimatum had been misunderstood and that the IRAO and the Army Council were equally to blame as they had both been running secret societies within the officer ranks of the army. Throughout those debates Mulcahy remained largely silent. Why? It may have been another manifestation of his reluctance to discuss Army affairs in an open political meeting, or perhaps he did not want to reveal the extent of contact that had taken place between himself and the mutineers. The IRA Organisation proffered another possible explanation. They claimed that MacMahon as head of the army, and head of the IRB, was trying to arrange a meeting with the fugitive Tobin, and Mulcahy aware of this did not want to cut across any such discussion.<sup>(51)</sup>

Mulcahy's silence allowed McGrath to seize the initiative and on 12 March he brokered some kind of deal between the mutineers and the Executive Council, the precise details of which would be disputed later. On that day Tobin and Dalton, still in hiding, effectively rescinded the ultimatum, dropping all references to interpretations of the Treaty while maintaining their criticisms of the Army Council. In return, the Executive Council announced that it had

misjudged the intent of the ultimatum, ordered an end to army raids, offered parole to surrendering mutineers who returned any weapons they had stolen, promised a committee of inquiry into McGrath's charges of "muddling, mishandling and incompetence" in the Army, and an Executive Council review of the case of each individual officer who had resigned as part of the mutiny.<sup>(52)</sup>

Mulcahy was disturbed at the leniency being shown towards the mutineers. The IRA Organisation had been an active conspiracy which had sought to subvert a wider group of junior army officers and former officers now serving with the Civic Guard. There was also some evidence that the mutineers had opened up contacts with the Irregulars. Frank Aiken, Chief of Staff of the Irregulars, had issued an earlier statement denying that the IRA Organisation had any connection with the IRA (i.e. with the Anti-Treatyite IRA or Irregulars). Later, Aiken issued another statement that individual mutineers would be admitted to the IRA if they could prove that they had acted out of principle and not self-interest. Sean McEntee, contesting a by election in County Dublin at this time as an Anti-Treaty candidate, said of the mutineers;

" if these men who had been told that the treaty was a stepping stone to the Republic had discovered their mistake and were endeavouring to retrieve their honour, then all who stood for Irish independence must look with real sympathy on their actions."<sup>(53)</sup>

The mistrust between leading members of the Executive Council and the Army Council resulted in one of the most confused and disputed episodes in the entire Army crisis. Having received a tip-off that the leadership of the IRA Organisation, including the wanted Tobin and Dalton, were meeting in a Dublin public house on the evening of 18 March to discuss a plan to kidnap members of the Executive Council, Mulcahy authorised an army raid on the premises.<sup>(54)</sup> Devlin's public house in Parnell Street, opposite the Rotunda Hospital, was a well-known meeting place for Collins' associates. One of the owners of the pub, a Mr. Kennedy, had carried out various services for Collins during the War of Independence and had acted as a courier for De Valera when the Irish President was in London in July 1921 for exploratory talks about talks. Both Kennedy and



his partner, a Mr. Grace, were to swear that the IRAO officers had simply gathered for a drink and that no meeting, secret or otherwise, was underway in the pub.<sup>(55)</sup>

The pub was surrounded by National Army troops under the command of Hugo MacNeill, nephew of the Minister Eoin MacNeill, and a two and a half hour stand off took place, during which Adjutant General O'Sullivan confirmed the order to arrest the IRAO men. McGrath, with Government Chief Whip Dan McCarthy, arrived on the scene to act as an intermediaries on behalf of the men in the pub. A total of 11 people were eventually arrested but Tobin, Charlie Dalton and Sean O'Connell escaped from the premises.<sup>(56)</sup> All of those arrested had been closely associated with Michael Collins during the independence struggle. They included Colonel Jim Slattery, Colonel Frank Thornton, Colonel Christie O'Malley, ex-Lieutenant Michael Collins (the Big Fella's nephew), Commandant Joe Dolan, Colonel Pat McCrea, Commandant Pat Griffin, Commandant Robert Halpin and Commandant Charlie Byrne<sup>(57)</sup> The IRA Organisation claimed the Devlin's raid was a thought out attempt to wipe them out, and that bloodshed was only averted because they had refused to start shooting.<sup>(58)</sup>

### The Political Reaction

The raid on Devlin's coincided with President Cosgrave's absence from the day to day charge of the government due to illness. The way was open for Kevin O'Higgins. At a meeting of the Executive Council on the morning of 19 March O'Higgins argued that the events of the previous night had been a clear breach in the policy of the Government as defined on 12 March. Mulcahy argued that he understood that the lenient approach unveiled on the 12th only applied to mutineers who came forward and surrendered with any weapons they had absconded with. Mulcahy did not believe that the memorandum of the 12th cancelled the order to arrest Tobin and Dalton.<sup>(59)</sup> Faced with a hostile majority in the Executive Council, Mulcahy, not for the first time, walked out of the

meeting. Following his departure his fellow ministers decided to call for the resignations of MacMahon, O'Sullivan and O'Murthuile. They also decided to recommend to the sick Cosgrave that Mulcahy also be asked to resign.<sup>(60)</sup> On hearing of the call for their resignations, O'Murthuile and O'Sullivan complied immediately, and Mulcahy, unaware that his head was also being sought, decided to resign in support of his colleagues. MacMahon, still in Cork, refused to resign believing that it would amount to acquiescence on a policy that would ultimately involve the army in a political crisis.<sup>(61)</sup> He was subsequently dismissed.

The focus of the debate now shifted to the Dail and Kevin O'Higgins took the opportunity to widen the base of his attack on the former Army Council. He repeated his argument that the Devlin's raid was in contravention of the Executive Council's policy, and that Mulcahy and O'Sullivan had been wrong in issuing orders without reference to O'Duffy. O'Higgins then went on to articulate the grievances which had alienated him from Mulcahy. He argued that the Army was wracked by secret societies and the Army Council was to blame for taking the initiative in reviving the IRB. This state of affairs cut across the impersonal military code, and bred a sense of proprietorship which resulted in an army which was "not unequivocally, unquestionably, without reserve, simply the instrument of the people's will".<sup>(62)</sup>

Mulcahy countered with the fundamental point that the Army Council's acceptance of their dismissal by the Executive Council was the ultimate test of loyalty to the civilian authority. He argued that the Army could not allow people who had deserted their posts, and absconded with equipment, to meet openly to conspire to kidnap members of the government. On the question of O'Duffy's position, Mulcahy argued that the precise nature of O'Duffy's role and responsibilities was still unclear at the time of the raid on Devlin's on 18 March.<sup>(63)</sup>

It is true that O'Duffy had been unhappy with the lack of clarification on the range of responsibilities that went with his new position, and indeed Mulcahy

and the Attorney General were scheduled to report on this very matter to the Executive Council on 19 March.<sup>(64)</sup> The claim that the IRAO had been planning to kidnap members of the Executive Council was of course denied by the Tobinites and their supporters such as McGrath. In pursuit of Mulcahy and the Army Council, it also suited O'Higgins to accept that claims of kidnap conspiracies were exaggerated. Forty years later, however, evidence emerged that the intelligence available to the Army Council was relatively accurate.

In a series of articles in the Sunday Press in October/ November 1965, John Murdoch claimed to have first hand testimony, from an officer involved in the IRAO, that such a kidnap plot did exist. According to Murdoch's anonymous source, the plan was to capture President Cosgrave, which was to be achieved with the compliance of his driver. Cosgrave was to be held in Taylor's pub in Swords, County Dublin. Other kidnapped ministers would be held in separate locations in Dublin city and county. The conspirators had no clear strategy as to what would happen next, but with their ally McGrath as the only minister free to operate, they perhaps hoped to achieve a new political equilibrium. According to Murdoch's source, the kidnap plan had been agreed at a meeting in Cleary's basement lounge in O'Connell Street prior to the Tobin/Dalton ultimatum being delivered to the President on 6 March. The source also confirmed that the Devlin's meeting had been called to further discuss the the kidnap plan.<sup>(65)</sup>

The extent to which Kevin O'Higgins' attitude to the mutineers was clouded by his desire to use the mutiny to discredit the Army Council was betrayed in a Dail exchange with McGrath in the immediate aftermath of the Devlin's raid.

McGrath argued that those arrested in the raid should be released unconditionally, and not on parole as the Executive Council recommended.

O'Higgins replied as follows;

"When it was undeniable that a mutinous revolt seemed imminent and seemed under Providence inevitable, it would not be a proper thing to release these prisoners without at least some assurances being given by them that they would not become leaders in such a mutinous revolt."<sup>(66)</sup>

If a mutiny seemed "imminent" and "inevitable" then surely the Army Council acted responsibly in raiding a meeting of its ringleaders?

Although offered a way back by the Executive Council, the IRAO officers who had tendered their resignations pressed ahead with them in protest at what they considered to be the Government reneging on an even more advantageous deal which McGrath supposedly negotiated on their behalf on 12 March. The recovering Cosgrave, now acting as Minister for Defence as well as President, attempted to delay the resignations by ordering the new Chief of Staff not to accept them. O'Duffy reacted angrily to this presidential intervention and the resignations were accepted.<sup>(67)</sup> This was the cue for McGrath to press ahead with his already indicated intention to resign from the Executive Council. From that point on he and the ten other TDs who rallied to his support became 'semi-detached' from Cumann na nGaedheal.

### The National Group

Known as the 'National Group' (or 'National Party') McGrath's supporters wasted no time in the asserting their right to the Collins mantle. In an interview with 'The Freeman's Journal' a spokesman for the Group stated;

"There are a good many of us who regard the Treaty as a half-way house, or a stepping stone to the Republic, and when we say that we say it in the way that Michael Collins did and not merely as a pious opinion. We agree that the next step may not be possible this year or the next year, but we are out against that mental attitude which would put the Republic a thousand years away. We differ radically from those who accept the step by step theory but would apparently never take the next step."<sup>(68)</sup>

On the question of attitude to the Irregulars, the spokesman claimed that those supporting McGrath had "done more against them" than any other section of the Pro-Treaty alliance. He went on to say, however, that they believed the place for Republicans was in the Dail, pursuing their goal through the democratic machinery.<sup>(69)</sup>

The careers of the members of the National Group read like the political equivalent of the records of the military men who had come together in the IRAO. McGrath's political career began on the fringes of the Labour movement, working as an accountant with the Irish Transport and General Workers Union before joining the Irish Volunteers in 1913. He fought in 1916 and was elected as a Sinn Fein candidate in 1918 and 1920 and as a Pro-Treatyite on the Joint Sinn Fein Panel in 1922 and as a Cumann na nGaedheal candidate in 1923. During the War of Independence he served in Collins' Intelligence Directorate, and was given the job of seeing to the logistics of Collins' arrangements during the Treaty negotiations. During the Civil War he served for a period as Director of Intelligence before becoming a minister in the Provisional and Free State governments.

When McGrath turned up at Devlin's Hotel on 18 March 1924 he was accompanied by Dan McCarthy, the TD for Dublin South, the same man that had accompanied him to London in the autumn of 1922 to take care of Collins' arrangements. Other prominent members of the National Group included long-time Griffith associate Sean Milroy, TD for Cavan, and Sean McGarry, TD for Dublin North, both of whom were with De Valera when they were sprung from Lincoln Gaol by Collins in February 1919. Alasdair McCabe, TD for Leitrim/Sligo, was, like McGarry, a senior IRB figure who had been a military commander in his native Sligo in both the War of Independence and the Civil War. Another military veteran associated with the Group was the Galway TD Padraic O Maille. Appointed Deputy Speaker of the Dail in 1922, O Maille was caught in the ambush in which Sean Hales was killed, and resulted in the execution of O'Connor et al. Another interesting associate of the Group was the colourful-sounding Osmond Thomas Esmonde, the son of a Home Rule MP and a direct descendent of Henry Grattan.

The Group was completed by Sean Gibbons, TD for Carlow-Kilkenny, who appears to have had an obsession about the Government being in the grip of Freemasons, Thomas Carter, another of the TDs for Leitrim/Sligo, Joseph Finlay,

TD for Roscommon, and Francis Cahill, another of the TDs for Dublin North.<sup>(70)</sup>

### Committee of Inquiry

The Army Committee of Inquiry, promised by Cosgrave back on 12 March, was eventually established. It was chaired by J. Creed Meredith, a judge and follower of the old Parliamentary Party who had been one of John Redmond's appointees to the Volunteer Executive. The other members were former TD Gerald Fitzgibbon, Patrick McGilligan, McGrath's successor as Minister for Trade and Industry and a representative of Cumann na nGaedheal, D. J. Gorey TD representing the Farmers' Party and Major Bryan Cooper representing the Independent TDs. The Labour Party refused to nominate a member as they believed the Committee should be a Dail committee with all evidence and findings open to the country's elected representatives.<sup>(71)</sup> On the contrary the Committee's remit was to report only on the background to the crisis, rather than the mutiny itself. It had no power to subpoena witnesses and no right to question any witnesses under oath. The hearings were to be closed to the public and all evidence to remain unpublished.

The former members of the Army Council objected to the shortcomings of the Committee but agreed to take part in order to clear their names.<sup>(72)</sup> McGrath and Tobin, Dalton and the other members of the IRA Organisation declined to participate on the grounds that the Executive Council had broken the arrangement brokered on 12 March.<sup>(73)</sup> Despite the shortcomings on remit, and the restricted powers, the Committee set about its work holding a total of 41 meetings, and interviewing 27 witnesses. The final report covered four areas:

- 1) The origins of the mutiny
- 2) The army demobilisation.
- 3) The relationship of the IRB to the Army

4) The general condition of the Army.

The Committee readily accepted the view of former Director of Intelligence, Professor Hogan, when he argued in his testimony that those who led the IRA Organisation were perceived as a problem prior to Collins' death, and that following August 1922 they had become increasingly antagonistic to the post-Collins Army leadership.<sup>(74)</sup> With regard to the demobilisation, the Committee of Inquiry came to the conclusion that the IRA Organisation's obsession with the influence of ex-British Officers was exaggerated. They heard from Chief of Staff MacMahon that only a total of 155 retained officers had ever served with any foreign army. Of the 155, 80 had served with the IRA prior to the Truce of July 1921, and 40 of the other 75 were technical experts. MacMahon told the Committee that he estimated that 25% of the officers serving in the Army pre-demobilisation had joined following the Truce, but that post-demobilisation that number was cut to just 10%.<sup>(75)</sup>

While the Committee recognised that the Tobinites had been a longterm problem, and that arguments about the implications of the demobilisation had been exaggerated, they were critical of the Army Council's relationship with the IRB.

The Committee heard no end of conflicting evidence on the question of the IRB. The essence of the evidence submitted by O'Higgins, Professor Hogan and Colonel J.J. O'Connell (O'Higgins' source in the Army) was that the IRB had ceased to exist by late 1922 and that it had been revived as a secret society within the senior ranks of the Army with meetings being held in Portobello Barracks with eight of the nine General Officers Commanding attending. They also believed that while O'Murthuile was the front man for the IRB, its real head was Mulcahy, and that under the reorganisation and demobilisation schemes nearly all pivotal positions in the Army had gone to members of the IRB. O'Higgins maintained his account of the meeting that took place in Cosgrave's office in June 1923, according to which the meeting broke up in acrimony over the influence of the IRB in the Army.<sup>(76)</sup>

On the other hand O'Murthuile and Mulcahy argued that it had fallen to O'Murthuile, as the surviving member of the Executive of the Supreme Council, to tidy up Collins' affairs, and that later in 1922 it was agreed to revive the Organisation to block attempts by the Irregulars to rebuild the IRB as an Anti-Treaty organisation. They had explained their motivation to President Cosgrave at the meeting on 10 June 1923 and it had been accepted, if not endorsed, by him. There was no deliberate attempt to reconstruct the IRB as an Army organisation. It was simply a fact that the surviving senior IRB people, who took a Pro-Treaty position, also happened to be senior figures in the Army, or in the governing party. The generals believed it was unwise to involve cabinet members, with the obvious exception of Mulcahy, in case their involvement was discovered and compromised ongoing negotiations with the British. Indeed they both hoped that eventually the IRB would develop as an open political organisation pursuing the goal of full independence within the framework established by the Treaty.<sup>(77)</sup>

On this question of IRB involvement the Committee of Inquiry tended to agree with the former Army Council's critics. D.J. Gorey memorialised his colleagues citing thirteen causes of the mutiny, no less than five of which alluded to the IRB.<sup>(78)</sup> Meredith suggested that Gorey was "making too much of the IRB", and the Committee did accept that there was no evidence to suggest that Army appointments had been made on the basis of IRB favouritism.<sup>(79)</sup> On the wider role of the IRB, however, the Committee was scathing;

" We consider that the re-organisation of the IRB, carried out as it appears to have been by the actual heads of the army, was a disastrous error of judgement, and accentuated a mutiny which might not have occurred at all, and which could have been more firmly suppressed if those in authority had not weakened their position by leaving themselves open to the charge of acting in the interests of a hostile secret society."<sup>(80)</sup>

On the final, wider question of the overall state of the Army the Committee could not uphold McGrath's accusations of "muddling, mismanagement or incompetence". While the Committee heard testimony from O'Higgins, and his man in the Army, Jephson O'Connell, suggesting that the Army was faction-



ridden and undisciplined, the consensus of the evidence before them was that the Army was making steady progress towards a professional and disciplined force.

There was a second report, an unpublished report by Chairman Meredith, which was submitted to the Executive Council and was more openly critical of Mulcahy than the published report. While Meredith shared the Committee's analysis of the IRA Organisation, he argued that Mulcahy had exacerbated the situation by dealing inconsistently with the dissidents. His other major criticism, namely that Mulcahy did not keep his Executive Council colleagues fully briefed on developments in the army, contained more than an echo of the O'Higgins' criticisms of Mulcahy.<sup>(81)</sup> The criticism ignores the fact that Mulcahy's meetings with Tobin and others during the summer of 1923 were at the behest of President Cosgrave, who was particularly anxious to avoid any split in the Pro-Treaty ranks prior to the General Election of August 1923. It also fails to take account of Mulcahy's shared history with most of those involved in the IRA Organisation, his experiences of the Civil War and his desire to prevent any repeat of that tragedy.

The official report of the Army Inquiry Committee may best be described as a grudging vindication of the former Army Council, albeit that they had made an error of judgement with regard to the revival of the IRB. Mulcahy sought to press this vindication in what equated to a motion of no confidence in the Government moved in the Dail on 26 June 1924. Mulcahy may have hoped of support from the Labour Party, but the Civil War had fostered an anti-militarism in Labour ranks which made the party equally critical of the Army and the Irregulars.<sup>(82)</sup> With Labour abstaining, Cosgrave was able to defuse the situation by saying;

" that particular incident which occurred three months ago is an incident which in my opinion ought to be dead and buried and ought not to be resurrected no matter what its influence was either at that time or now"<sup>(83)</sup>

### The National Group Resign

The refusal of the Committee of Inquiry to reinstate the IRAO mutineers was McGrath's cue to take his protest one step further and to resign from Dail Eireann. Of the other Cumann na nGaedheal TDs associated with the National Group, McGrath took eight with him: Dan McCarthy, Sean Milroy, Sean McGarry, Thomas Carter, H. Finlay, Sean Gibbons and Alex McCabe.<sup>(84)</sup> Writing in 1971, on the occasion of Mulcahy's death, McCabe revealed that McGrath had asked the National Group TDs to furnish him with signed resignation letters, to be used if and when the moment demanded. It appears that McGrath actioned their resignations without further consultation.<sup>(85)</sup>

Two TDs associated with the Group had not provided him with required resignation letters, Osmond Esmonde, who was in Turkey at that point, and Padraic O Maille.<sup>(86)</sup> Events soon indicated that Milroy differed with McGrath over the resignation strategy. On resigning, McGrath made it clear that he for one was quitting from active politics. He told an Irish Times reporter that there was;

"no room in this small country of ours for three parties, all claiming to be national."<sup>(87)</sup>

Milroy, as his subsequent by election candidacy revealed, obviously did not agree. McCabe was to suggest some 47 years later that Milroy's attitude was partly motivated by his financial situation.<sup>(88)</sup>

### Internal Dissent

Political unrest in Cumann na nGaedheal, and unhappiness with the policy of the Executive Council, was not confined to those associated with McGrath. There was a general concern that ministers were not supporting the Treaty as Collins' "stepping stone" but as an end in itself.<sup>(89)</sup> On 10 October the Coiste Gnotha (Standing Committee) of Cumann na nGaedheal issued a "Statement of Views

relative to the political aspects of the present situation" also known as the 'October Manifesto'. The major concerns of the Committee members were a perceived lack of party influence over the direction of Government policy and, "sores of all", a belief that the former British Ascendancy was faring better than "those who had won the fight."<sup>(90)</sup> There was also disquiet over the selection of a new Minister for Defence following Mulcahy's required resignation. I will return to this 'internal dissent' in Chapter 7 when discussing Collins in relation to the evolving Cumann na nGaedheal/Fine Gael. Suffice to note at this point that these critical insiders, which included Mulcahy himself, Padraic O Maille, Batt O'Connor, O'Murthuille and the 'Big Fella's' sister Margaret Collins-O'Driscoll, could command considerable Collins' connections of their own.<sup>(91)</sup>

#### 'The Mini General Election'

Old Griffith associate, Sean Milroy was the only one of the National Group TDs that had resigned to seek re-election in 'the mini general election' held on 11 March 1925. In doing so he moved from his Ulster constituency of Cavan to Dublin North where there were two vacancies to be filled. In his campaign Milroy received the support of "Cumann na nGaedheal big guns" McCabe, Piaras Beaslai and Padraic O'Maille.<sup>(92)</sup>

In his pitch to the Dublin North electorate Milroy stated that he was "standing for the State, but against the drift of government policy."<sup>(93)</sup> In detail, he attacked the Executive Council for not fully utilising its powers under the Treaty, the position of Army pensioners and the perceived continuing influence of the Ascendancy. Milroy claimed to be standing by the liberties "for which so many of the boys had died."<sup>(94)</sup>

Milroy came bottom of the poll with 2,181 votes, just 4.37% of the first preference total. One of the two official Cumann na nGaedheal candidates, Leonard, exceeded the quota for election on the first count and 773 of his first preference voters gave their second vote to Milroy. When Milroy was eliminated

and his votes transferred, 860 (39.4%) went to the second Cumann na nGaedheal candidate, 729 (33.4%) transferred to Labour, 285 (13%) transferred to Anti-Treaty Republican Oscar Traynor while 339 (15.5%) did not transfer. The transfer pattern indicates that 72.8% of Milroy's supporters shared his support for the State while only 13% were prepared to cast a vote against it. The overall result of 'the mini general election' was Cumann na nGaedheal 7 seats, Sinn Fein 2.<sup>(95)</sup> While this represented a gain of two seats for De Valera, it was a moral victory for the government which had come through a mutiny, open disagreement with the leading Pro-Treaty figures that composed the Army Council, resignations and significant internal dissent to emerge more or less intact.

#### Whither the Army Council and the Irish Republican Brotherhood?

MacMahon was the only one of the Army Council 'gang of four' to return to military service immediately following the Inquiry.<sup>(96)</sup> O'Sullivan, who was called to the Irish Bar in 1925, was appointed as Judge Advocate General in 1926.<sup>(97)</sup> O'Murthuile, always a reluctant soldier, threw himself into working within Cumann na nGaedheal for the perspective which he believed Collins had bequeathed.

Whether or not Mulcahy really believed that he and his colleagues had been vindicated by the Inquiry, there is no doubt that he found the experience "personally insulting" and "grotesque". Mulcahy continued as a TD and was a significant figure for those on the nationalist wing of his party through the wrangles of 1925. Writing forty years after the mutiny he identified 1927 as the year in which the party showed how much its "disposition to us (the former Army Council) had changed", and admitted its "1924 mistake" when, in the aftermath of the assassination of Kevin O'Higgins, O'Sullivan was selected to contest the by-election and Mulcahy returned to ministerial office.<sup>(98)</sup>

Mulcahy's comeback was complete by 1944 when he succeeded Cosgrave as leader of the successor Fine Gael. His Civil War reputation was such, however,

that he could never be acceptable as Taoiseach to the smaller parties required to present a viable alternative governing coalition to Fianna Fail. The democratic alteration of power was more important to Mulcahy than personal ambition and he brokered the appointment of John Costello who presided as Taoiseach over two Inter-Party governments (1948-51 and 1954-57) in which Mulcahy served as Minister for Education and Minister for the Gaeltacht.<sup>(99)</sup>

And what of the Irish Republican Brotherhood? In July 1924 O'Murthuile met with other key figures in the private secretary's lodge in Phoenix Park to wind up the organisation. The funds apparently amounted to £3,809.14/-, of which £2,059.14/- was paid to O'Murthuile to settle debts and complete his history of the Organisation. What was left of the money remained in the account until 1964, when it was used to establish a memorial stone to Wolfe Tone on St. Stephen's Green.<sup>(100)</sup> On the Anti-Treaty side, the Executive of the IRA convened a meeting in November 1924 of all IRB Centres that had sided with the Irregulars, and instructed them to disband their local organisations.<sup>(101)</sup>

So ended the Irish Republican Brotherhood, the one organisation that some on both sides of the Treaty divide had hoped could re-unite the comrades of former times in a political organisation that would pursue the republican ideal, constitutionally, within the framework created by the Treaty.<sup>(102)</sup> For the next fifty years and more sides taken in the Civil War would be the dominant factor in shaping the Irish party system.

### Whither the Irish Republican Army Organisation?

The failure of the would-be putsch and the outcome of the Inquiry did not spell the end for the Irish Republican Army Organisation, which continued to interest Irish Army intelligence. Early in January 1925 it was reported to the Director of Intelligence, Colonel Michael J. Costello, that the IRAO had re-organised.<sup>(103)</sup> Sam Maguire, the man who reputedly swore Collins into membership of the IRB, had joined Tobin, Thornton, Charlie Dalton, Christie O'Maille and Jim Slattery

on the Organisation's Executive.<sup>(104)</sup> A later intelligence report suggests an alternative explanation as to why the majority of TDs associated with McGrath resigned and why only Milroy attempted re-election. It was apparently the hope of the IRAO that the Republicans would make real gains in a straight contest with Cumann na nGaedheal thereby convincing the Executive Council that it must come to an accommodation with the strand of opinion represented by the IRAO and the National Group.<sup>(105)</sup>

In late February, Costello reported to the Army Command that the IRAO was factionalising into three identifiable strands: those who backed Milroy's open, constitutional opposition; those, like Tobin, who wanted to organise on clandestine IRB lines; and those who believed that the IRAO initiative had failed and were turning to the Anti-Treatyites.<sup>(106)</sup> By May 1925 Army Intelligence reported that the first of the strands identified above had named its network 'Clan na Saoirse' with Padraic O Maille as its leading figure in the Dail, and Sean Milroy its prominent figure outside.<sup>(107)</sup> By the end of 1925 it was the view of Army Intelligence that the IRAO no longer represented any kind of military threat and that it was concentrating its energies in representing the pension rights of the men who had served in the Pre-Truce IRA and the National Army.<sup>(108)</sup> Although the leaders of Cumann na nGaedheal continued to regard Tobin with suspicion that did not prevent the outgoing Executive Council from recalling him to supervise the destruction of sensitive documents, including those relating to Collins' death, following De Valera's election victory in 1932.<sup>(109)</sup>

#### What were the real causes and longterm significance of the Army crisis of March 1924?

Dr. Valiulis, who has published several articles and a book on the mutiny, plus a biography of Mulcahy, is clear in her conclusion that the real significance of the events of March 1924 is that they marked the emergence of a professional, non-political national army. She argues that the circumstances of the formation of the Irish Volunteers in 1913 created a military tradition that was independent of both

the state and the dominant political party.<sup>(110)</sup> The establishment of the Dail Cabinet in April 1919 did not resolve the question of civilian political control of the Volunteers as witnessed by the struggle between Cathal Brugha and Collins. Even when the Dail accepted responsibility for the actions of the Volunteers in March 1921 the de facto chain of command was confused. The IRB influence, Collins' undeniable energy and abilities and his dual role as a member of the Volunteer GHQ and the Dail Cabinet, always meant that Collins was the primary ministerial presence in the Volunteers and vice-versa.<sup>(111)</sup> The experience of the Civil War threatened to establish a pattern for future military behaviour, thereby endangering the stability of the state.

Dr. Valiulis argues that it was the outcome of the 1924 crisis that determined that independent Ireland would not be subject to destabilisation at the hands of its own armed forces. In arguing this position Dr. Valiulis rejects the analysis that casts Kevin O'Higgins in the role of the political strongman who faced down disloyal generals. On the contrary, O'Higgins' behaviour, in seeking out the disgruntled Colonel J.J. O'Connell to substantiate criticisms of the Army Council, could be classed as encouraging senior officers to act in an undisciplined manner by ignoring the chain of command and caballing with ministers. Rather, argues Dr. Valiulis, it was the acquiescence of Mulcahy and the other members of the Army Council to the demand for their resignations that upheld the principle of civilian control of the Army.<sup>(112)</sup> The way in which the four generals - Mulcahy, MacMahon, O'Sullivan and O'Murthuile - behaved in the spring of 1924 was important in setting an example of outstanding loyalty to the democratic process which was followed by the Army in 1932 when, with the election of the first Fianna Fail government, recent foes who had taken up arms against them in the Civil War assumed political power.<sup>(113)</sup>

The star-crossed relationship between the Kiernan sisters and the Collins clan was further evidenced by the marriage of Gearoid O'Sullivan and Maud Kiernan, which ended early due to her premature death. He was survived by his second wife and all four of his children were still engaged in full-time education when

their father died in 1948.<sup>(114)</sup> In search of financial assistance to meet her family's needs Mary Brennan O'Sullivan turned to her husband's old comrade Richard Mulcahy.<sup>(115)</sup> Almost 50 years later Collins' grandniece, Mary Banotti, journeyed to the family steading at Woodfield to launch her bid for the Irish Presidency. Among the well wishers were a nephew of Kitty Kiernan and the relations of the young Volunteer officer who raised the tricolour over Dublin's General Post Office on Easter Monday 1916.<sup>(116)</sup>

While accepting the argument that the assertion of civilian control over a professional army is a significant outcome of the Army Mutiny, I also want to assess the extent to which Tobin and company were entitled to claim that they were "Mick's Men", driven to rebellion to defend Collins' ideas?

The records of the officers who gathered in the Irish Republican Army Organisation included in Tobin, the Daltons, Sean O'Connell, Slattery, Dolan et al the men to whom Collins had entrusted the most daring acts of the intelligence war, the men who had provided his personal bodyguard and the men that were by his side when he died. But, as I have clearly illustrated, the men they identified as their main adversaries, the members of the Army Council, had impeccable Collins' connections of their own. Mulcahy, MacMahon, O'Sullivan and O'Murthuile belonged to the Collins generation. They were part of that cohort of revolutionaries that had joined the Gaelic League, the G.A.A., joined the Irish Volunteers and the IRB, fought in 1916, were interned (most notably at Frongoch), took a leading role in rebuilding the national organisations through 1917, had been elected to Dail Eireann in 1918 and had directed the War of Independence from 1919 to 1921. While these two 'ideal types' are not mutually exclusive, eg several of those in the IRAO were 1916 veterans, they explain in part how two rival factions could lay claim to being "Mick's Men". They were both connected to Collins but the nature of their respective relationships with their leader were different.



Given the nature of the underground guerrilla struggle against the British, those who served in the ranks of the intelligence service and those who worked around GHQ were physically separated. Indeed Collins' influence was partly built on the fact that he was the one senior figure who frequented both camps. The Squad and the Dublin Active Service Unit, which provided the firepower of the intelligence service, tended to be based around a circuit of known haunts, most notably Vaughan's Hotel. Years later in his commentary on Piaras Beaslai's 'Michael Collins and the Making of a New Ireland', Mulcahy questioned Beaslai's qualifications to comment on certain matters as he was a member of the "Vaughan's Hotel group" and as such lacked contact with the wider movement and GHQ in particular.<sup>(117)</sup> This comment, directed at someone who was actually a member of the GHQ staff as Director of Publicity, reveals that Mulcahy and others did regard the intelligence operatives as junior, albeit important, colleagues. When Beaslai was commissioned to write his official Collins biography, by Cosgrave and Collins' brother Sean, O'Sullivan and Diarmuid O'Hegarty initially refused to co-operate as they contested Beaslai's claim to have been Collins' "intimate daily associate."<sup>(118)</sup> By the same reasoning Mulcahy refused to review the original 1926 edition and the 1937 second edition.<sup>(119)</sup>

Were the grievances articulated by the IRAO justified? One of the most noticeable things about the Tobinites' recorded grievances is that they almost exclusively refer to Collins' ideas being betrayed by developments within the Army structure, i.e. promotions and demobilisation. Seldom do we read of demands for the government to pursue the Boundary Commission clauses of the Treaty, to challenge on annuities, or any of the other goals associated with the "stepping-stone" strategy. The lack of this wider political perspective, and the real facts regarding the influence of ex-British officers, support the argument that the allusion to Collins was an attempt to wrap self-interest in the tricolour.<sup>(120)</sup>

In his testimony to the Army Inquiry Committee, Gearoid O'Sullivan, who more than other members of the Volunteer GHQ enjoyed a close day to day relationship with those officers who subsequently formed the IRAO <sup>(121)</sup>, argued

that some of the dissident officers resented the loss of positions, or positions aspired to which they were not really qualified for but believed that they were entitled to on the basis of their War of Independence service record. O'Sullivan argued that were also those who could not accept the discipline of a peace-time professional army, and others who could not settle into a normal lifestyle following their extraordinary experiences during the War of Independence.<sup>(122)</sup> O'Sullivan's testimony echoes the motivations that had driven thousands to join the ranks of the Irregulars and to take up arms against the independent Irish state that they had fought to create.

How would events have developed if Collins had lived? The Civic Guard as a test case.

If Collins had lived there would probably have been no rebellion, such was the authority he commanded among both members of the Army Council and the officers who formed the IRAO. But if he had been faced by dissenting officers how would he have reacted? I would argue that an insight into his possible reaction can be gleaned from his attitude towards, and actions regarding, the formation and nature of the Civic Guard. As I pointed out in Chapter 1, Collins had been frustrated by successive failed attempts to establish an effective Republican police force during the War of Independence.<sup>(123)</sup> That experience had bred a scepticism towards a voluntary, politically motivated police force. Following ratification of the Treaty, Collins had no hesitation in involving District Inspector Patrick Walsh of Letterkenny, and other RIC and DMP colleagues, in the Police Organising Committee which met for the first time on 9 February 1922.<sup>(124)</sup> Pre-Truce veteran Michael Staines was appointed as Acting Chairman and charged with presenting an organisational plan which he duly did on 17 February. Staines set out a structure for a full-time professional 'People's Guard'.<sup>(125)</sup> Recruiting began in late February, and while Staines was appointed Commissioner, Walsh was appointed as his deputy. The appointment of Walsh and other former RIC officers was cited by a section of Anti-Treaty recruits as an excuse for a small scale rebellion which prefigured events in the army two

years later.<sup>(126)</sup>

In the weeks before his death Collins intervened to sideline a proposal, originating from Seumas Hughes, Secretary to the Pro-Treaty party. Hughes argued for the creation of an auxiliary police force which would be part of the state administration but allied to the Pro-Treaty position.<sup>(127)</sup> Despite Collins having his hands full prosecuting the Civil War as Commander-in-Chief, he took time to memo his Provisional Government colleagues in Dublin on more than one occasion calling for caution. In his first response he argued that any such force should be more "civic" than party political.<sup>(128)</sup> Later he called for the proposed auxiliary to be controlled by the Civic Guard and that the nation-wide establishment of the main force should take priority. Collins' arguments seemed to have convinced his colleagues as the proposal was dropped.

I would argue that Collins' actions regarding the Civic Guard suggest that while he would have ensured that tried and trusted veterans occupied key army posts, almost all of the first wave of Civic Guard recruits were Pre-Truce, Pro-Treaty IRA men, he would have insisted that the Army develop as a disciplined professional force capable of remaining non-partisan at the alteration of political power.<sup>(129)</sup>

### Conclusion

I would argue that Collins' attitude towards the organisation of the Civic Guard, taken together with his actions during the War of Independence, and his organisation of the fledgling National Army, suggest how that force would have developed under Collins' direction. During the struggle with the British, Collins utilised the talents of people with apparently dubious backgrounds. His overriding concern was that they prove their loyalty by being of practical benefit to the national cause. Several of the most effective Volunteer commanders had received military training in the British Army, and serving members of the RIC and the Castle administration were essential to Collins' intelligence network. Sentiment and record of service did not prevent the division between Collins on

the one hand and Brugha and Stack on the other. As already noted in this chapter, Collins removed Liam Tobin from the post of Director of Intelligence, arguing that his loyal deputy's strengths were not that of a peace-time D/I. Collins' actions and statements suggest that, had he survived the Civil War, he would in all probability have taken a similar approach to that taken by Mulcahy and MacMahon in promoting the talents required by a professional peace-time army.

During the Treaty debates Collins stood for the will of the people against the argument that the views of those who had served and suffered counted for more. Politically neutral military and police forces, or as politically neutral as the circumstances would allow, were important in anchoring that democratic principle. Just as Collins argued for a professional Civic Guard, I would argue that he would have developed the peace-time army along similar lines. This is not to argue that he would not have ensured that tried and trusted colleagues held key positions; almost all of the first wave of Civic Guard recruits were Pro-Treaty IRA men. In arguing for a disciplined professional army, capable of remaining non-partisan at the alteration of power Mulcahy and his colleagues on the Army Council were carrying through Collins' legacy.

I have argued that the 'Tobinites' lacked a wider policy agenda, and that their concerns over the nature and role of the Army were exaggerated. What about their complaint of being excluded from the re-organisation of the Irish Republican Brotherhood? Many of the officers active in the IRAO were members of the IRB. Why therefore, as McGrath argued, could they not be accommodated in its re-organisation? O'Murthuile's answer was that they had not previously held "administrative responsibilities" in the Organisation, and as ordinary members they should operate through their local Centre. To have "taken them in" to the Supreme Council would have been a departure from tradition and, given the attitude of some of the IRAO men, could have threatened the Army Council's intention of aligning the IRB with government policy.<sup>(130)</sup>

Another outcome of the Army Crisis of 1924, in addition to the establishment of democratic civilian control of the Army, was the fracturing of that section of the Pro-Treaty alliance that sought to further what they regarded to be the legacy of Michael Collins. His former gunmen who had coalesced in the IRAO lost what remaining influence they had exercised in the Army and Party and none of that particular grouping would play a major role in the future development of the state.

Several of those who had associated with McGrath's 'National Group', both those who had resigned their seats and those who remained in the Dail, will re-emerge in this study seeking to defend what they regarded to be the true legacy of Collins. McGrath himself, however, was true to his intention to quit politics, and went on to have a colourful business career becoming a millionaire and founder of the Irish Hospital Sweepstake.<sup>(131)</sup>

As I have illustrated, the staff of the Army Council that was, did make a political comeback although their temporary exile from the centre of decision making covered the period which included the Boundary crisis of late 1925. In Chapter 4, on the Boundary question, I will discuss whether or not a more powerfully connected Mulcahy or O'Murthuile would have made any difference to the outcome of events?

There were others, who would also lay claim to the mantle of Collins in building a professional army, who emerged with their positions enhanced by the crisis. Eoin O'Duffy, who Collins supposedly nominated at one stage as his own successor, went on to assume paramount control of the Free State's Defence Forces, and certainly convinced himself that he was following Collins' wishes.<sup>(132)</sup> Likewise Kevin O'Higgins, who on learning of Collins' death had vowed to carry on the work "for which Collins had given his life", was convinced he was doing exactly that in ensuring order and the submission of the Army to civilian political control.<sup>(133)</sup>

Whether they were manipulated by O'Higgins, or managed it all by themselves, Mulcahy and McGrath effectively cancelled each other out as significant players on the Executive Council, albeit in Mulcahy's case for a temporary period. Another result of the Army Crisis may therefore have been the limiting of the influence of the revolutionary generation that had grown up in the Gaelic League and played a leading role in the War of Independence. I believe that this process, and, as we shall discuss in the next two chapters, the failure of the Boundary Commission and the Executive Council's perceived fascination with the politics of the Commonwealth, contributed to the perception that Cumann na nGaedheal had strayed outwith the bounds of mainstream Irish nationalism. I have already argued that one of the outcomes of the Crisis was the enshrining of a military code that allowed Fianna Fail to assume power constitutionally. I would also contend that its political effect contributed to that Fianna Fail victory at the polls.

### Chapter 3. Notes and References

- 1) Statement read by Major General Liam Tobin at the meeting held in President Cosgrave's office on 25 June 1923. Mulcahy papers P7/B/195 UCD.
- 2) Letter to President Cosgrave, dated 6 June 1923, requesting a meeting. Signed by Major Generals Tobin and Ennis and Colonels Slattery, S. O'Connell, C. Dalton and C. O'Malley. Mulcahy papers P7/B/195 UCD.
- 3) Memoir of meeting with IRA Organisation representatives in President Cosgrave's office on 25 June 1923. Mulcahy papers P7/B/195 UCD.
- 4) Maryann Gialanella Valiulis, *Almost a Rebellion: The Irish Army Mutiny of 1924*, Tower Books, Cork, 1985, p.24.
- 5) Statement read by Major General Liam Tobin at the meeting held in President Cosgrave's office on 25 June 1923. Mulcahy papers P7/B/195 UCD.
- 6) *ibid*
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- 8) John O'Beirne-Ranelagh, 'The IRB from the Treaty to 1924', *Irish Historical Studies vol.xx no.77, March 1976*, p.32
- 9) Statement read by Major Liam Tobin at the meeting held in President Cosgrave's office on 25 June 1923. Mulcahy papers P7/B/195 UCD.
- 10) *ibid.*
- 11) Professor J. Hogan, testimony to the Army Inquiry Committee. Mulcahy papers P7/ C/25 UCD.
- 12) Tim Pat Coogan, *Michael Collins*, Arrow, London, 1990, p.394.
- 13) " Brief History of Events" IRA Organisation Document. Mulcahy papers P7/B/195 UCD.
- 14) Colm Connolly (dir), *The Shadow of Beal na mBlath*. Radio Telefis Eireann (1989).
- 15) For further background on the War of Independence and Civil War records of those involved see Padraic O'Farrell, *Who's Who in the Irish War of Independence and Civil War 1916-1923*, 1997.

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- 19) Jim Ryan, Anti-Treaty TD and future Fianna Fail minister. Quoted in Valiulis *Portrait of a Revolutionary*, p.112.
- 20) *ibid* p.5.
- 21) Coogan, *Michael Collins*, p.32.
- 22) For an account of the relationship between Collins and Kitty and O'Sullivan and Maud Kiernan, see Leon O'Broin (editor), *In Great Haste: The Letters of Michael Collins and Kitty Kiernan*.
- 23) Coogan, *Michael Collins*, p.266.
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- 25) Coogan, *Michael Collins*, p.130.
- 26) For background on MacMahon see O'Farrell, *Who's Who?* pp.65 and 175.
- 27) General Richard Mulcahy's statement to the Army Inquiry Committee, dated 29 April 1924. Mulcahy papers P7/C/10 UCD.
- 28) O'Beirne-Ranelagh, *Irish Historical Studies*, vol.xx, no.77, p.35.
- 29) Terence De Vere White, *Kevin O'Higgins*, Methuen, London, 1948, p.172.
- 30) O'Murthuile Unpublished Memoir. Mulcahy papers P7a/209 UCD, p.252.
- 31) Valiulis, *Almost a Rebellion*, pp.29/30.
- 32) Correspondence from Cosgrave to Collins during July and August 1922 expressing Executive Council concern over a lack of information on the military situation. NAI S1376.



- 33) See De Vere White, *Kevin O'Higgins*, pp.103/104 for O'Higgins reaction to Collins' death.
- 34) *ibid* p.32.
- 35) Lieutenant General Sean O'Murthuile's testimony to the Army Inquiry Committee. Mulcahy papers P7/C/13 UCD.
- 36) Document submitted by the Ministry of Defence to the Army Inquiry Committee, dated 14 April 1924, listing numbers of men leaving the army from December 1922 to March 1924. Mulcahy papers P7/C/1 UCD.
- 37) Roll Call of Directors of Intelligence. Irish Army Archives, Cathal Brugha Barracks.
- 38) D.J. Hickey and J.E. Doherty (editors), *A Dictionary of Irish History 1800-1980*, Gill & Macmillan, Dublin, 1987, p.338.
- 39) Note of the meeting held between Mulcahy and IRA Organisation representatives on 7 July 1923. Mulcahy papers P7/B/195 UCD.
- 40) Note of meeting between Mulcahy and IRA Organisation representatives on 23 July 1923. Mulcahy papers P7/B/195 UCD.
- 41) Letter to Mulcahy from Major General Tom Cullen, Colonel Slattery and Commandant O'Connell dated 25 July 1923. Mulcahy papers P7/B/195 UCD.
- 42) Mulcahy's reply dated 27 July 1923. Mulcahy papers P7/B/195 UCD.
- 43) Letter to Mulcahy from Colonel Christie O'Malley dated 7 August 1923. Mulcahy papers P7/B/195 UCD.
- 44) Letter to Mulcahy from Colonel Christie O'Malley dated 16 October 1923. Mulcahy papers P7/B/195 UCD.
- 45) Mulcahy's statement to the Army Inquiry Committee dated 29 April 1924. Mulcahy papers P7/C/10 UCD.
- 46) Note from the Ministry for Defence to the Army Inquiry Committee, dated 23 April 1924, outlining the operation of the Cabinet Committee established to enquire into the claims put forward by certain demobilised officers. Mulcahy papers P7/C/2 UCD.
- 47) Mulcahy memorandum to President Cosgrave, dated 6 June 1923. Mulcahy papers P7/B/195 UCD.

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- 49) McGrath interview with *Irish Independent*, 10 May 1924.
- 50) J. Bowyer Bell, *The Secret Army: A History of the IRA 1916-1970*, Bland, London, 1970, p.46.
- 51) Irish Republican Army Organisation, *The Truth About the Army Crisis*, Dublin, 1925, p.13.
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- 53) John Murdoch, 'The Mutiny of the Generals', *Sunday Press*, 7 November 1965, p.18
- 54) Valiulis, *Almost a Rebellion*, p.73.
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- 56) *ibid.*
- 57) *ibid* p.20.
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- 60) *ibid* p.73.
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- 63) *ibid* col.2226.
- 64) Valiulis, *Almost a Rebellion*, p.70.
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- 71) Valiulis, *Almost a Rebellion*, p.85.
- 72) Letter from MacMahon, O'Murthuile and O'Sullivan to Mulcahy. Mulcahy papers P7/B/ 196 UCD.
- 73) Irish Republican Army Organisation, *The Truth About the Army Crisis*, p.15
- 74) Professor Hogan's testimony to the Army Inquiry Committee. Mulcahy papers P7/C/25 UCD.
- 75) MacMahon testimony to Army Inquiry Committee. Mulcahy papers P7/C/35 UCD.
- 76) Supplementary statement from Colonel Jephson J. O'Connell to the Army Inquiry Committee. Mulcahy papers P7/C/15 UCD, Letter from Kevin O'Higgins to the Chairman of the Army Inquiry Committee. Mulcahy papers P7/C/22 UCD.
- 77) Statement by Lieutenant General Sean O'Murthuile to the Army Inquiry Committee. Mulcahy papers P7/C/13 UCD, Mulcahy Statement to Army Inquiry Committee, dated 29 April 1924. Mulcahy papers P7/C/10 UCD.
- 78) Memorandum from D.J. Gorey to Army Inquiry Committee, dated 26 May 1924. Mulcahy papers P7/C/41 UCD.
- 79) Army Inquiry Committee Report p.7.
- 80) *ibid* p.6
- 81) Chairman's Draft Report. Mulcahy papers P7/C/41 UCD.
- 82) Labour's anti-militarist stand was succinctly summed up by Cathal O'Shannon when he said in the Dail;

" We have denounced militarism, and we have told you the root cause of militarism in Ireland. The military spirit is as deep in one section of the army as another, and the reason is that both came out of the guerrilla warfare against England with prestige, and they have got such swelled heads that the only authority they have is the authority of the gun."

Dail Debates Vol.I, col.830.

- 83) Dail Debates Vol.VI, col.3150.
- 84) *Irish Times*, 31 October 1924, p.7.
- 85) *Sunday Press*, 19 December 1971, p.7.
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- 102) Assessment based on Collins' efforts to use IRB contacts to end the Civil War. See Chapter 2.
- 103) O'Farrell, *Who's Who?*
- 104) Report to the Director of Intelligence from the Secretary of the Department of Defence on the Old IRA Organisation, dated 13 January 1925. IAA.
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- 107) Letter from the Director of Intelligence to the Chief of Staff, dated 26 May 1925. IAA.
- 108) Intelligence Summary No.28, 7 September to 8 October 1925. IAA.
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- 110) Valiulis, *Almost a Rebellion*, p.11.
- 111) *ibid* p.17.
- 112) *ibid* p.83.
- 113) *ibid* p.123.
- 114) O'Sullivan Obituary, *Irish Independent*, 27 March 1948.
- 115) Mrs. O'Sullivan to Mulcahy March 1948. Mulcahy papers P7/C/102 UCD.
- 116) *Irish Times*, 25 September 1997, p.6.
- 117) Risteard Mulcahy 'Michael Collins and the Making of a New Ireland by Piaras Beaslai. A Commentary by General Richard Mulcahy'. Originally a paper read to the Irish Historical Society, Bellfield on 10 February 1976. *Studies Vol LXVIII No.267 Autumn 1978*, p.190.
- 118) Deirdrie McMahan, *Michael Collins and his Biographers: Piaras Beaslai and Rex Taylor*. Paper delivered to the Conference on Michael Collins and the Making of the Irish State, held at University College Cork 1 March 1997.
- 119) *ibid*.

- 120) Sean MacMahon testimony to the Army Inquiry Committee. Mulcahy papers P7/C/13 UCD.
- 121) It was O'Sullivan who broke the news of Collins' death, on 22 August 1922, to several of the officers who subsequently mutinied in 1924. Tim Pat Coogan, *Michael Collins*, p.415.
- 122) Gearoid O'Sullivan testimony to the Army Inquiry Committee. Mulcahy papers P7/ C/12 UCD.
- 123) See Chapter 1.
- 124) Gregory Allen 'Policing the New Democracy' in *Irish Times*, 19 February 1997, p.13.
- 125) Staines' original suggestion of 'People's Guard' was changed to 'Civic Guard', on the suggestion of Griffith, after a force raised by Grattan's Parliament. The term 'Garda Siochana' was first used in March 1922. See Allen. *Irish Times*, 19 February 1997, p.13.
- 126) *ibid.*
- 127) Seumas Hughes to Major General Joe McGrath 'Suggested Scheme of Civil Organisation for the Restoration of Peace and Security.' Mulcahy papers P7/B/29 UCD.
- 128) Collins to Cosgrave, August 1922. Mulcahy papers P7/B/28.
- 129) Connor Grady, *Guardians of the Peace*, 1974, p.47.
- 130) O'Murthuile Unpublished Memoir, p.253.
- 131) D.J. Hickey and J.E. Doherty (eds.), *A Dictionary of Irish History 1800-1980*, p.338.
- 132) Collins apparently told Batt O'Connor that if the Treaty negotiations failed he would resign his leadership positions and return to his native Cork to fight the British as an ordinary Volunteer, and that O'Duffy as "the coming man" would take over his national responsibilities. See Batt O'Connor, *With Michael Collins in the Fight for Irish Independence*, Peter Davies, 1929, London. pp.181/182.
- 133) De Vere White, *Kevin O'Higgins*, pp.103/104.

**Chapter 4.**  
**"Anything but a Divided Ireland"**  
**Michael Collins, the North and the Boundary Commission**

## Introduction

If a week is a long time in politics, then four years proved to be a lifetime in the course of Anglo/Irish relations. Despite a feeling of deep apprehension, there was no way that Michael Collins could have foreseen, through the darkness of the early hours of 6th December 1921, the significant changes in circumstances that would occur during the four years that separated the signing of the Articles of Agreement from the establishment, operation and conclusion of the Boundary Commission. The Commission was created by the Treaty as the compromise solution to one of the most intractable problems in Anglo/Irish relations - the Unionist minority concentrated in the North East of Ireland.

The years between December 1921 and December 1925 were packed with significant incidents. In Ireland, they bore testimony to a bitter civil war, followed by a threatened revolt in the officer corps of the Free State Army. In Great Britain, they witnessed the collapse of Lloyd George's coalition, three general elections in the space of two years, the first Labour Government and the resurgence of the Conservative, and strongly Unionist, Party under Bonar Law followed by Stanley Baldwin who was of Fermanagh Protestant descent. When prime minister, Baldwin would adhere to his interpretation of his Treaty obligations but he was apparently uneasy about discussing the future of Northern Ireland with Free State leaders. He regarded some of them as "assassins" who had committed the unforgivable treachery of betraying the Empire in time of war at Easter 1916.<sup>(1)</sup>

One of the most sweeping changes occurred among the personnel, Irish and British, who put their signatures to the Articles of Agreement. Of the five Irish plenipotentiaries only Eamonn Duggan remained in government. Collins and Griffith were dead while Barton and Duffy had turned Anti-Treaty. On the British side, Lloyd George's 'Coupon Coalition' had collapsed and all of the signatories were out of government for varying periods of time and, following



the general election of 1922, Churchill found himself out of Parliament altogether, his Dundee constituents preferring a prohibitionist candidate!<sup>(2)</sup> Chamberlain and Birkenhead were particularly unpopular within the Tory ranks, partly due to their support for continuing with the coalition.<sup>(3)</sup> Their rehabilitation partly depended on them re-establishing their Unionist credentials.<sup>(4)</sup>

In this chapter I discuss Collins' central role in formulating the Boundary Commission proposal, and the impact of his signing the Treaty. I then go on to debate whether or not his attempts to reach a bilateral understanding with the Northern authorities, while fostering military action against them, betrayed a lack of confidence in his public political assessment as to what the Boundary Commission clause could achieve? I also examine the speed with which Collins' Provisional Government colleagues changed Dublin's Northern policy in the days following his death.

#### Collins and the Boundary Commission proposal

The Articles of Agreement leading to the Treaty would never have been concluded, nor approved by Dail Eireann, without the support and energy of Michael Collins. Collins would never have advocated that course of action if he had not been personally convinced that the Treaty terms could be worked to ensure that large areas of Northern Ireland would eventually come within the jurisdiction of the Free State.

The proposal for a Boundary Commission to settle the frontier between Unionist Ulster and Nationalist Ireland originated from the unlikely source of Sir James Craig.<sup>(5)</sup> In agreeing in December 1919 that the forthcoming Government of Ireland Act should create a six, rather than nine, county Northern Ireland the future Northern premier suggested the creation of a Boundary Commission to transfer pockets of population, on either side of the proposed border, that preferred to come within the alternative jurisdiction. Ill-defined references to Northern plebiscites had been bandied about in the early stages of the Treaty

negotiating process; however, the Boundary Commission proposal was first put forward as a serious suggestion by the chief secretary to the British delegation Thomas Jones. Meeting informally with Griffith and Collins at the Grosvenor Hotel on 8 November 1921, Jones suggested a Boundary Commission as a means of bypassing the deadlock over Ulster which was in danger of wrecking the Treaty negotiations.<sup>(6)</sup> Jones proposed, the following:

- \* that the British recognise the Free State as encompassing all thirty two counties, thereby accommodating the Irish demand for the recognition of the essential unity of Ireland;
- \* that Northern Ireland retain its domestic parliament, and be given one month following the formal creation of the Irish Free State, i.e. the endorsement of the Free State Constitution, to decide whether it wished to come under Free State jurisdiction or remain part of the United Kingdom;
- \* that if the two houses of the Northern Parliament decided on the latter course of action they would automatically trigger a Boundary Commission, which would "delimit" Northern Ireland by transferring to the Free State those areas in which a majority of the population preferred to come under Dublin jurisdiction.<sup>(7)</sup>

Collins and Griffith were initially hostile to the proposal, preferring to settle the boundary of Northern Ireland by local plebiscites rather than a commission, but the latter clearly warmed to the idea within a matter of days. Communicating with De Valera on 9 November, Griffith argued that the commission would produce the same end result as a series of plebiscites, i.e. the transfer to the Free State of the nationalist counties of Fermanagh and Tyrone and those nationalist areas of South Down, South Armagh and Derry, including the City of Derry.<sup>(8)</sup> Meeting with Lloyd George on 12 November, Griffith agreed that, if no further movement towards the unity of Ireland could be wrung from Craig and his

resistant Northern Government, he would recommend supporting the Boundary Commission compromise, thereby preventing the entire negotiating process from collapse. Griffith confirmed this undertaking the following day, 13 November, when Jones showed him a typed memorandum embodying Lloyd George's understanding of the previous day's discussion.<sup>(9)</sup>

Griffith's undertaking effectively undermined the ability of the Irish delegation to break off the negotiations on the question of Ulster and Irish unity. If the Irish plenipotentiaries had any negotiating strategy, or direction from their Cabinet in Dublin, it was that any breakdown in the negotiations should come over Ulster.<sup>(10)</sup> International opinion would be more sympathetic to the Irish position if the breakdown could be blamed on the intransigent Ulstermen, rather than on one of the other key issues, e.g. guarantees on British defence or association with the Crown, separating the two sides. From the moment Griffith gave his word to Lloyd George, and confirmed it to Jones, the Irish 'negotiating strategy' was a busted flush. Griffith failed to brief his colleagues on what had transpired, thereby allowing Lloyd George to produce the memorandum to cut the ground from eleventh hour arguments from the Irish on the question of essential unity.<sup>(11)</sup>

The Boundary Commission was therefore central to Griffith's acceptance of the Treaty, however, he could not have carried the delegation, the Cabinet nor the Dail without the support of Michael Collins, and Collins would never have accepted the Treaty had it not been for his own assessment of what the Commission could achieve.<sup>(12)</sup> As the Treaty negotiations teetered on the brink of collapse on the evening of 4 December, Griffith and Jones persuaded Collins and Lloyd George to meet on their own to see if they could establish a basis for breaking the deadlock. The meeting took place at 9.30am on Monday 5 December at 10 Downing Street and, according to Collins' own report of the meeting, he concurred with Lloyd George that the Free State could only gain under the Boundary Commission proposal, whether or not the Northern Parliament agreed to come into the Free State.<sup>(13)</sup> If the Northern answer was 'yes' then obviously the Free State would consist of all thirty two counties, with

devolution granted to the Six Counties. If the answer was 'no', then the Boundary Commission would be triggered and substantial tracts of territory transferred to the Free State. The remaining 'rump' Northern Ireland would become increasingly unviable thereby increasing pressure on the remnants to seek an all-Ireland accommodation. In addition to obtaining an understanding on the operation of the Boundary Commission, Collins emerged from the meeting with further concessions on the oath, defence and trade.<sup>(14)</sup>

In agreeing to a Boundary Commission Collins was not conceding the principle of partition. By the time the Treaty discussions opened in London in October 1921, partition was already a fact. It was not the contents of the Treaty that established partition but the British 'Government of Ireland Act', which received royal assent in December 1920. Elections to the Northern Parliament took place on 24 May 1921, and the Unionist majority gathered for the convening of that assembly on 7 June. As much as Collins detested partition, a point I will emphasise later in this chapter, it was a political reality. All that could be achieved was the 'clawing back' of clearly defined nationalist areas bordering on the proposed Free State. The Boundary Commission, as understood by Collins following his discussions with Lloyd George, must have seemed as good a device as any for achieving that goal.

The reality of partition was implicitly accepted by those supporting De Valera's opposition to the Treaty. As noted in Chapter 1, the question of the North and the Boundary Commission was not one of the main points of contention when the plenipotentiaries returned to Dublin with the Articles of Agreement. The main attack from the Anti-Treatyites came on the issue of the status of Ireland, the 'Republic', and the allied questions of allegiance to the Crown and sovereignty. The alternative 'Document No.2', put before the Dail by De Valera, stated on the Northern question;

" We are prepared to grant to that portion of Ulster which is defined as Northern Ireland in the British Government of Ireland Act 1920, privileges and safeguards not less than those provided for in the Articles of Agreement for a Treaty between Great Britain and Ireland and signed in London on December 6th 1921."<sup>(15)</sup>

The record of the Dail debates on the Treaty includes some 338 pages of verbatim debates, yet only 9 of those pages, less than 3%, deal with the North and the Boundary Commission.<sup>(16)</sup> The vast majority of the words addressing the Northern situation came from just three TDs - Ernest Blythe, Sean MacEntee and Eoin O'Duffy, all whom represented Monaghan, one of the three counties of historic Ulster not included in Northern Ireland. O'Duffy was a native of Monaghan while Blythe was born in Antrim and MacEntee was from Belfast.

Why were those who opposed the Treaty so muted on the question of the border? In playing the patriotic card De Valera had to be wary of being seen to undermine the future operation of the Commission. He did not want to open himself to the accusation that he was damaging the chances of substantial territory being transferred to the Free State. He may have genuinely believed that a Boundary Commission award would render Northern Ireland unviable therefore achieving the gaol of national unity in the longer term. Given the difficulty of the Ulster problem it may be that those opposing the Treaty could simply not think of an alternative approach that would yield any more than the Boundary Commission provision.<sup>(17)</sup> There is also a view that, despite the limited rhetoric to the contrary, most of the assembled TDs simply did not care, regarding the majority in North East Ulster as alien and obstructive.

Article 12, the Boundary Commission clause, of the Treaty ratified by the Dail in January 1922 read as follows;

"If before the expiration of the said month, an address is presented to His Majesty by both Houses of 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 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."<sup>(18)</sup>

Those on the Irish side who took an optimistic, or maximalist, view of what the Boundary Commission could yield interpreted Article 12 as a 'penalty clause' to be paid by Northern Ireland should it opt out of the Free State with substantial Northern Nationalist areas being forfeited as a result. From a literal interpretation of Article 12, however, there was nothing to prohibit a two-way transfer of territory, and the fact that it referred to a continuing Northern Ireland, as defined by the Government of Ireland Act, 1920, suggests minimal, rather than major adjustments. No commitments were given as to how the wishes of local inhabitants were to be determined, and such wishes were to be qualified by "economic and geographic conditions".

One of the inherent weaknesses in Article 12, from an Irish point of view, was that it effectively handed the decisive say on any future border review to the British Government. Given that any commissioner appointed by, or representing the view of, the Northern Ireland Government was likely to differ with the Free State commissioner on most issues, the decisive 'casting' vote would be held by the Chair of the Commission, i.e. the appointee of the British Government.

On several occasions between the ratification of the Treaty and his assassination in August 1922, Collins went on the record to underline his maximalist interpretation of what Article 12 could and would yield in the way of territory to the Free State. Following a meeting of the Provisional Government on 3 February Collins issued a statement stating;

" Now there is nothing ambiguous about that Clause. The decision of the boundary line is a question for the inhabitants of the areas concerned to decide."<sup>(19)</sup>

He went on to argue that the Free State would secure "immense" areas of Northern Ireland. In response to a follow up question from the 'Freeman's Journal' on the same day, Collins maintained that "there is no getting away from the written words of the Treaty."<sup>(20)</sup> In another statement a few days later he repeated the same line of argument;

" ...we must insist that majorities must rule and it is that principle for which the Treaty stands"<sup>(21)</sup>

He continued to preach the same message on the international stage. In an article prepared for syndication in the Hearst newspapers in the United States in March 1922 he argued;

" If they (the Northern Irish) stay out the decision of the Boundary Commission arranged for in Clause 12 of the Treaty would be certain to deprive Ulster of Fermanagh and Tyrone. Shorn of these counties she would shrink into insignificance."<sup>(22)</sup>

Further authoritative evidence of Collins' firm belief that the Boundary Commission would hand over substantial territory is provided by John Chartres. Born in England of Irish parents descended from a distinguished line of French Huguenots, Chartres had been working on the fringes of British intelligence when Collins brought him over in late 1918, via a channel opened up by the Llewelyn Davies. Following a term of undercover work in Dublin, Chartres graduated to the Sinn Fein foreign envoy service. Although Count Plunkett was the Minister for Foreign Affairs, there was never any doubt that Chartres was Collins' man,

and it was the 'Big Fella' that insisted that the Dail Cabinet recall Chartres to join the secretariat of the Irish delegation at the Treaty negotiations.<sup>(23)</sup>

It was from the vantage point of 'treaty negotiations insider' that Chartres was later to stress to Mulcahy that both parties to the Treaty understood that the Article 12 process, if triggered, would result in the transfer of large areas to the Free State. Chartres recalled that the entire British delegation was present when Collins illustrated, with the use of detailed maps, the scope of the areas that would be transferred to the Free State.<sup>(24)</sup> Chartres was equally clear that the "economic and geographic conditions" caveat was intended to apply to "isolated islands" of nationalist population, e.g. the Glens of Antrim and West Belfast.<sup>(25)</sup>

If Collins was really so confident that Article 12 would eventually yield substantial territory to the Free State, how do we explain his actions during the six months from the ratification of the Treaty in January 1922, through to the outbreak of full-blooded Civil War in June?

#### The Collins/Craig Pacts

Within a fortnight of the Treaty being endorsed by the Dail, Collins, Chairman of the Provisional Government, met with the Northern premier, Sir James Craig, in London. The Unionists realised that the acceptance of the Treaty by the Dail meant that the Boundary Commission would have to be faced sooner or later, but Collins offered to forego that mechanism if the two parts of Ireland could reach agreement among themselves as to how they would share the island in the future. The first "Collins/Craig Pact" was concluded on 21 January 1922 and consisted of five points:

- (1) The Boundary Commission envisaged in Article 12 of the Treaty to be scrapped in favour of a group of four, two from each side, who would report directly to Collins and Craig, and the two premiers would agree a revised boundary "on behalf of their respective Governments."



- (2) The dropping of the Belfast Boycott, i.e. the shunning of Northern goods in the South, in return for the re-employment of Catholic workers driven from their jobs in the North.
- (3) Agreement to seek agreement to the dispute over the operation of the railway network.
- (4) Agreement to find a more "suitable system", than the Council of Ireland outlined in the Treaty, for dealing with all-Ireland issues.
- (5) Agreement to discuss the position of people taken prisoner by the Northern authorities following the Truce of July 1921.<sup>(26)</sup>

The pro-Unionist 'Morning Post' of 23 January reported the meeting and subsequent agreement under the positive headline "Lesson for the South: The way to Bring About Fusion with Ulster". The following article held out the prospect that as long as the 26 counties remained within the Empire then "the federation of North and South is no mere dream."<sup>(27)</sup> Within days, however, the Pact was in trouble over conflicting interpretations of the final shape of the units that might comprise that federation. At a meeting of the Ulster Unionist Council on 27 January, Craig was forced to edorse the "not an inch" line opposing any revision of the Border. Meanwhile, Collins and Griffith met with a delegation of Northern nationalists on 1 February and reiterated the expectation that large parts of Northern Ireland would be ceded to the Free State.<sup>(28)</sup> The Pact could not survive the gulf separating the public statements of its signatories and it predictably collapsed when the two men met again, in Dublin on 2 February 1922. They disagreed strongly over the interpretation of Article 12. Craig argued that he had private undertakings from British politicians that the Commission would only address minor rectifications, essentially tidying up the existing border line. Collins adhered to the 'Fermanagh, Tyrone, South Down, South Armagh and parts of Derry' formula.

Following the breakdown of the Pact, Collins publicly asserted that;

"Everybody on the British and Irish delegations (at the Treaty negotiations) perfectly understood that the Boundary Commission would mean the loss of Tyrone and Fermanagh to the North East Parliament.

The Commission working with Clause 12, para 2 of the Treaty as its terms of reference, would naturally give effect to the wishes of the inhabitants of places like East and South Down, South Armagh, and large portions of County Derry."<sup>(29)</sup>

Despite the failure to reach agreement in January/February, Collins was still not resigned to leaving matters to the Boundary Commission. With Churchill acting as an intermediary, the two Irish premiers met in London on 29 March. On this occasion Collins was joined by Griffith, Duggan and Kevin O'Higgins while Craig was supported by Lord Londonderry, E.M. Archdale and the Northern Cabinet Secretary Sir Wilfred Spender. Spender refused to shake hands with the Southern delegation, and described Collins as ;

" Looking like the hero of an American film. In truculently boastful mood, (he) made no attempt to deny responsibility for (IRA) outrages."<sup>(30)</sup>

The second "Collins/Craig Pact" was agreed on 30 March 1922 despite the reservations of the Northern delegation. It was a fuller document than its predecessor. It contained eleven points which dealt with the same three central issues that had been addressed in the original pact. The Provisional Government would cease from attempts to undermine the authority of Northern Ireland, economically, politically or militarily, while the Northern Government would take action to prevent continuing anti-Catholic pogroms, and tackle the anti-nationalist bias in the administration of justice. On the question of the Border, this second Pact committed North and South to meet during the period in which the Northern Ireland Parliament had to decide whether or not to opt out of Free State jurisdiction, i.e. the period of one month following the adoption of the Irish Free State Constitution, to determine "whether means can be devised to secure the unity of Ireland."<sup>(31)</sup> In the likelihood that such agreement should prove impossible, the two governments would examine "whether agreement can be

arrived at on the Boundary Question otherwise than by recourse to the Boundary Commission outlined in Article 12 of the Treaty."<sup>(32)</sup> The pro-Unionist press expressed doubts as to whether or not Dublin would be able to prevent IRA activity in the North.<sup>(33)</sup>

Although this second pact was more substantial, and was agreed by full delegations, it fell apart almost as quickly as the previous attempt at agreement. Fresh outrages against the Catholic minority in the North continued unabated. A particularly appalling crime, "the Arnon Street butchery", in which four people were murdered, and a number of others wounded, occurred on 1 April almost before the ink on the Pact was dry. Collins held off until 22 April, however, before he felt compelled to wire Craig, insisting that further progress could not be made until there was serious action taken by the Northern Government to prevent further outrages.<sup>(34)</sup>

Craig replied on 25 April in a long letter which Collins regarded as flippant. The Northern premier avoided answering any of Collins' points directly but gave his own account of how his Government was living up to its obligations under the Pact. Craig also issued his response to the press.<sup>(35)</sup>

Collins' reaction to this response suggests that his hopes of reaching a bi-partite agreement, without recourse to the tri-partite Boundary Commission, were running out. In a letter dated 28 April, Collins accused Craig of evasion and rebutted point by point his claims to be abiding by the Pact. Collins also listed the disturbing statistics of murder, attempted murder, wounding and house burning that had taken place in Belfast alone since the signing of the second pact. Collins described the figures as "an appalling record of crime to happen in the chief city of any Government which calls itself civilised".<sup>(36)</sup>

Responding to Craig's assertion that the Provisional Government had treated the Northern authorities with a lack of respect, Collins wrote;

" I cannot see in what way my Government has been discourteous to an authority in whose territory the members of the greatest Church in Christendom, which enjoys the protection of all civilised governments, are harrassed and persecuted in the most appalling fashion by armed mobs, who are apparently not interfered with in any way by your police and military. Under your jurisdiction - to name but a few instances - little Catholic children playing in the street, Catholic expectant mothers at the doors of their homes, a Catholic father and five members of his family in his own drawing room, a Catholic woman in the porch of St. Matthew's Catholic Church, all in Belfast, have been foully and deliberately murdered in cold blood. You suggest that we lack experience. If this is the test of 'experienced government' then we are happy to be called 'inexperienced'."<sup>(37)</sup>

Collins went on to accuse the Northern Government of being unable to "deal effectively with these barbarians in your midst", and Unionist politicians of inciting, rather than calming, the situation.

Comparing this letter with general tone of the correspondence emanating from the architects of the Irish State, which is usually hallmarked by restraint and the polite conventions of the time, leads me to the conclusion that Collins had come to accept that bilateral agreement with Craig was impossible and that the tripartite Boundary Commission would have to run its course. It is also an indication of what Buckland describes, in his biography of Sir James Craig, as Collins;

" intense personal, even hysterical, interest in the treatment of the Northern minority."<sup>(38)</sup>

The second Collins/Craig pact fizzled out in April/May 1922. Collins' Provisional Government broke with the process over the continuing harassment of the Catholic/Nationalist minority in Northern Ireland. Several Catholics who had been nominated to bodies established under the terms of the pact, i.e. the Investigation and Relief committees, were harassed and in some cases arrested by the Northern authorities.<sup>(39)</sup> The Northern Ireland Government officially repudiated the arrangement over the signing of another pact - the electoral contract agreed by Collins and De Valera on 22 May 1922.<sup>(40)</sup>

Why did Collins strive to come to an arrangement with Craig that would preclude the need for the Boundary Commission? Was it because he privately harboured doubts that the Article 12 mechanism would not result in the kind of settlement that he had predicted in public on so many occasions? Was the maximalist scenario he predicted primarily a strategy for getting the Treaty accepted, rather than an honest assessment of what the Boundary Commission could deliver?

Before answering those questions I want to examine the other, clandestine, arm of Collins' strategy regarding the North during the first six months of 1922. While he offered bi-lateral agreement with one hand he held a Lee Enfield in the other.

### The Military Option

In his attempts to reach an accommodation with the Belfast government, Collins employed a 'carrot and stick approach'. The punitive element was intended to persuade the Northern authorities that the running of their statelet would be no easy matter. Collins encouraged Catholic teachers who refused to recognise the Northern education authorities, and advised Nationalist-controlled councils and boards not to co-operate with the Unionist Government.

The Ulster Unionists regarded the Truce of July 1921 with a degree of cynicism. To them the very existence of the IRA was an act of provocation, and when security responsibilities were passed to Belfast in November of that year, while the Treaty negotiations were still taking place in London, they made a number of new arrests, and on Christmas Eve they raided an IRA training camp at Cranagh in the Sperrin Mountains.<sup>(41)</sup> On 7 February 1922 Collins approved a cross border raid designed to kidnap prominent Unionists who would be held as hostages to secure the release of Republican prisoners. The raid was organised by O'Duffy in his capacity as Chief of Staff of the Pro-Treaty sections of the IRA - the emerging National Army. The IRA came into direct conflict with Northern

security forces a few days later when a group of Ulster 'B' Specials travelling through Free State territory clashed with the local IRA in Clones, County Monaghan. Four Specials were killed but the real losers were the Catholic/Nationalist population of Belfast who bore the brunt of a loyalist backlash. This orgy of violence included one of the more notorious incidents of the time when Catholic children at play in a school yard were bombed. The Clones incident also led the British to set up the Border Commission. Not to be confused with the Boundary Commission, this new body composed Irish, Northern and British representatives and was intended to police and prevent future border incidents.<sup>(42)</sup>

Incidents continued, however, and Collins was concerned at a raid on the premises of the Republican Liaison Committee (the Committee established to enforce the Truce) in Belfast, and by the appointment of Sir Henry Wilson, now a Unionist Westminster MP, as Military Adviser to the Northern Ireland Government. Wilson pressed ahead with the re-organisation of the old RIC into the armed RUC, and introduced flogging for a number of offences, e.g. unauthorised possession of firearms.

One could be excused for supposing that the Northern IRA units would have tended towards an Anti-Treaty position, given the likely exclusion of the Six Counties under the Treaty. This, however, was not the case. Their continued recognition of the Pro-Treaty Beggars Bush GHQ, and the desire to remain neutral in the civil war brewing in the South, may have been due to the rhetoric of the Anti-Treatyites. The Oath, the Crown and the Republic, seemed remote from the immediate concerns of Northern nationalists. Their stance may have been due to Northern pragmatism, siding with the faction who could be of most practical assistance to them.

Following an approach from Frank Aiken, Commander of the Fourth Northern Division, Collins agreed in March 1922 to the formation of a Northern Military Council covering the Six Counties, with Aiken commanding and Sean MacEoin

as second in command.<sup>(43)</sup>

The Collins-sponsored IRA offensive got underway in May 1922. According to Northern IRA commanders they were informed by O'Duffy that their men would be trained and armed in the South in preparation for an invasion of Northern Ireland in the late summer of 1922.<sup>(44)</sup> Collins kept the military aspect of his Northern strategy concealed from his colleagues in the Irish Provisional Government and from the British. In order to cover his tracks Collins carried out an audacious arms swap. Weapons supplied to the fledgling Free State Army were traded with Liam Lynch's Anti-Treaty Southern Division, and the arms obtained from the Irregulars were shipped to IRA units in the North. As a result captured weapons could not be traced back to Collins and expose the true nature of his involvement in the renewed IRA activity.<sup>(45)</sup>

The Northern and British response to this new IRA offensive was decisive. Internment and a curfew were introduced, Republican and Nationalist organisations were banned and Craig declared that his Government would not cooperate with any attempt to establish the Boundary Commission. While the British were unhappy with Northern pronouncements on the Boundary Commission, they stood by their Province and on 3 June 1922 one thousand British troops invaded the Belleek/Pettigo triangle, a contested patch of territory created by complex twists and turns in the Fermanagh borderline.

With the danger of the 'cold' civil war turning 'hot', and a general election due in a matter of days, British intrusion into Free State territory was the last thing that Collins wanted. Collins was further rattled by the reaction to the assassination of Wilson on 22 June 1922. As already discussed in the chapter dealing with the Civil War, there is substantial evidence to confirm what has long been suspected, that Collins gave the original orders for the assassination.<sup>(46)</sup> Whether the British suspected Collins or not, it suited London to pin responsibility on the Anti-Treaty forces occupying Dublin's Four Courts. They demanded that Collins take action to end this rebellion against his Government's

authority or they would take matters into their own hands.

The outbreak of the Civil War brought a halt to any thoughts of military adventurism in the North. Orders to cancel all IRA activities in the Six Counties were issued in July 1922. The following month a conference of Northern Officers was held in Portobello (now Cathal Brugha) Barracks on the 2nd of August.<sup>(47)</sup> At this meeting, involving both Collins and Mulcahy, it was decided to stand down/withdraw the Northern units of the IRA. Any Volunteers who believed they could not safely return to civilian life in Northern Ireland would be offered paid employment in the National Army. They would be based at the Curragh and would not be ordered to take part in activities outwith the Six Counties.<sup>(48)</sup> Coogan cites an affidavit by one of the officers present, Thomas Kelly, Divisional Engineer of the Second Northern Division, which quotes Collins as saying;

"With this civil war on my hands, I cannot give you men the help I wish to give and mean to give. I now propose to call off hostilities in the North and use the political arm against Craig so long as it is of use. If that fails the Treaty can go to hell and we will all start again."<sup>(49)</sup>

### "Anything but a divided Ireland"

What does Collins' behaviour, from the endorsement of the Treaty in January 1922 through to his death in August, tell us about his real assessment of the Boundary Commission? Do his efforts to come to an agreement with Craig, and his readiness to consider military action, betray a lack of faith in the Commission transferring the oft-cited Nationalist territories to the Free State?

An alternative interpretation of his actions, however, is that they were not based on any lack of faith in what the Boundary Commission would deliver, but rather concern over the situation that would reign in what would remain of Northern Ireland following a positive award to the Free State. The imposition of a boundary settlement on the Northern Government could harden sectarian attitudes



with serious implications for the quarter of a million Catholics who would continue to live in a redrawn Northern Ireland following a maximalist transfer of territory. If, in the course of time, a rump Northern Ireland was forced to unite with the rest of the island through economic necessity it would bequeath almost one million resentful Unionists, and a 'minorities' problem, to the Free State.

There is some evidence to support this interpretation of Collins' actions. Writing from internment in Frongoch in 1916 Collins voiced strong opposition to partition, stating that he was prepared to accept "anything but a divided Ireland."<sup>(50)</sup> Writing to a Northern Nationalist correspondent in the aftermath of the collapse of the first "Collins/Craig Pact", Collins writes of his distaste for partition "no matter in what form it appears". He continues by warning against the creation of resentful minorities.

" We may reduce the North East area to such limits that it cannot exist without us, and that it will be forced in. But there would be much rancour in the train of this action. It would be far better to fix our minds for a time on a united Ireland, for this course will not leave minorities which it would be impossible to govern."<sup>(51)</sup>

Further evidence comes from Kevin O'Shiel, one of Collins' legal advisers who went on to the head Free State's endeavours to obtain a major territorial award from the Boundary Commission. Writing in May 1923 he described Collins' attitude to the Boundary Commission as follows;

" He realised that even after the Boundary Commission had sat and made its decisions, and even if those decisions conceded to us our ultimate claim there would still be an 'Hibernia irredenta' to disturb the peace of future generations. Not only that, but there would be an increased feeling of intense hatred amongst the Northern secessionist populations against the rest of Ireland. Though the territory of Saor Stat might be broadened, the gulf between Saor Stat and those populations would also be broadened. So fully aware of this was the late General that on a number of occasions he went out of his way to establish contact with the Belfast authorities in the hope that such contact would lead to a better and more enduring settlement between Irish men."<sup>(52)</sup>

Michael Collins was an Irish Nationalist to the core and his behaviour during the six months between the Treaty being adopted by the Dail and his death at Beal na Blath was consistent with both his responsibility as President of the Irish Republican Brotherhood and the attitude he adopted towards the Treaty process. For Collins the Treaty was a "stepping stone" to the ultimate goal of a fully independent united Ireland. If in granting substantial further territory to the Free State, the Boundary Commission was to make complete unity even more difficult to achieve, then attempts had to be made to try to coax/cajole Northern Ireland into agreements on essential unity without recourse to the Boundary Commission. His attempts having failed, it was now down to the Boundary Commission to take its course. In one of his last contacts with the British Government, in July 1922, Collins called for the Commission to be established. Churchill refused to act, however, until the Irish Free State Constitution had been passed by both parliaments.<sup>(53)</sup>

So far in this chapter I have debated the basis of Collins' Northern policy, and his efforts to effect the boundary issue. In the remainder of the chapter I examine the impact of his death on events.

#### The impact of Collins' death on Dublin's Northern policy

In a memorandum to Provisional Government Cabinet members in October 1922 Kevin O'Shiel, a former Collins aide and civil service expert on Northern Ireland, stated that "The Army for a long time had one policy and the civilians another." He went on to write that Collins tended to take decisions on policy towards the North "without consulting many."<sup>(54)</sup>

Of the members of the Provisional Government, Mulcahy was certainly the only one who knew the full details of Collins' 'carrot and stick' policy towards the North, and in all probability he was the only one who supported the strategy. The other members of the Cabinet were concerned with settling affairs in the twenty six counties and making the Treaty stick. They would have found it hypocritical,

having argued for the rule of law and for respect for the elected government in the South, to support insurgency in the North. They also had an eye on the likely reactions of the government in London, and were wary of sanctioning any course of action which might lead to the Treaty being repudiated. The divergence between Collins and his colleagues crystallised in the last days before his death.

In the absence of Collins, who had temporarily stepped down as Chairman to concentrate on his duties as Commander-in Chief, the Provisional Government decided on the need for a civilian policy, and on 1 August 1922 they appointed a North East Advisory Committee to work towards that end. The influential figure on the Committee was Ernest Blythe, the then Minister for Local Government, a Protestant and native of County Antrim who had travelled to the south west as a young man to immerse himself in the Gaelic language and join the revolutionary movement. In a policy paper presented to the Cabinet on 19 August, after Collins had already left Dublin to keep with his appointment with Nemesis, Blythe and Michael Hayes, another member of the Advisory Committee, set out the basis of a new policy towards the North.

The paper rejected conventional invasion as impossible, and dismissed economic pressure on the North as ineffective. On the subject of guerrilla warfare, it argued that a "continuance" would only result in further suffering on the part of the Catholic/Nationalist minority and argued that "military operations on the part of our supporters in or against the North East should be brought to an end."<sup>(55)</sup> The contents of the paper verifies that Blythe and the other members of the Provisional Government did have some idea of what Collins had been up to even if they did not know the details. It was one of Collins' secrets that they all had to keep in order to ensure the smooth implementation of the Treaty settlement. As an alternative the paper called for a friendly disposition towards Northern Ireland, allowing the Unionists to dwell on the economic logic of partition and the likely award of "at least two and a half" counties to the Free State should they decide to opt out once the Free State Constitution was endorsed and the Boundary Commission triggered.

The paper called for eight specific changes in policy:

- (1) To cease paying Nationalist teachers, thereby forcing them to recognise the Northern education authorities.
- (2) To break off relations with Nationalist local councils, thereby requiring them to recognise the Northern Government.
- (3) To encourage Northern Nationalists to enter the Northern Parliament.
- (4) To increase border security, and to handover fugitives in return for the abolition of flogging in the North.
- (5) To urge the Catholic community to disarm, in return for British guarantees on protection.
- (6) To encourage Nationalist prisoners in the North to recognise the judicial system.
- (7) To cease from 'outrage propaganda', i.e. the embellishing of the gory details of violence carried out against the minority community.
- (8) To cease "all kinds of minor nagging".<sup>(56)</sup>

### "Not An Inch"

Guided by its new policy, the Provisional Government, which became the Executive Council of the Irish Free State on 6 December, approached the end of 1922 convinced that the Boundary Commission was the most direct way of assisting Northern nationalists. Accordingly it established the North East Boundary Bureau in October 1922 with the remit to prepare the Free State case, and that of the various Northern Nationalist communities, for presentation to the

Boundary Commission, and to campaign around it.<sup>(57)</sup> The day after the Irish Free State came into operation, 7 December 1922, the combined Houses of the Northern Parliament carried an address to the King opting out of the jurisdiction of the Dublin-based parliament and government.<sup>(58)</sup> In July 1923 President Cosgrave wrote to the British Prime Minister calling for the establishment of the Boundary Commission, and notifying him of the appointment of Professor Eoin MacNeill as the Irish Free State's commissioner.

Although a year had passed since Collins first called for the setting up of the Boundary Commission, the British stalled Cosgrave's approach arguing that they wished to await the outcome of the forthcoming Irish general election in August 1923, and the forthcoming Imperial Conference.<sup>(59)</sup> Whether or not they were prepared to admit it out loud, the British Government had a new problem on its hands with the North's announcement that it would not participate in the Boundary Commission exercise and its refusal to appoint a commissioner.

While the Irish Free State authorities were keen to get the Boundary Commission process moving, they did not completely close the door on Collins' strategy of reaching an arrangement with the North without recourse to the Commission. Their thinking was influenced by Collins' concern that even a bumper award to the Free State would still leave disgruntled, potentially de-stabilising, minorities in the North. They were also concerned at the changing political situation in the United Kingdom. The Lloyd George Coalition was gone, washed away by a resurgent Tory Party. Those leading Tories who had put their signatures to the Treaty were busy rehabilitating themselves via a series of speeches and articles supporting a minimalist interpretation of the Boundary Commission's role in setting a new borderline. The election of the first Labour Government in December 1923 did not change the situation radically. Far from translating its long-held, pro-Irish policy into government action, the minority administration did not relish the prospect of imposing transfers of territory on Northern Ireland, particularly when the Conservatives would only be too ready to take advantage of the situation. There is also some question as to where the true sympathies of the

presbyterian MacDonald lay.<sup>(60)</sup>

The new Labour Colonial Secretary, J. H. Thomas, effectively sought to resurrect the Collins/Craig Pact process by convening a tri-partite conference in February 1924 with the aim of reaching agreement without recourse to the Boundary Commission. Although more than 18 months had passed since Collins called for the convening of the Boundary Commission, seven months since Cosgrave had nominated MacNeill as the Free State's Commissioner, the Irish agreed to participate for the reasons outlined above. The Conference adjourned and soon after Craig fell ill and embarked on a lengthy convalescence. On 4 March the British Home Secretary, Arthur Henderson, wrote to the Duke of Abercorn, the Governor of Northern Ireland, expressing concern that any momentum towards a settlement could be lost and asking him to nominate alternative Ministers who could attend a re-convened conference in March.<sup>(61)</sup> The Duke replied negatively, and the Executive Council, learning that the Northern Irish wanted to postpone the re-convened meeting until late April, wrote to Thomas expressing their concern that the delay was being deliberately created to allow time for electoral gerrymandering in the border areas to minimise Nationalist representation thereby undermining the case for the transfer of those areas to the Free State if, or when, the Boundary Commission was eventually called into operation.<sup>(62)</sup>

Thomas persuaded the Irish to wait and the Conference eventually re-convened on 24 April 1924. The Free State was represented by Cosgrave, O'Higgins and Attorney General Hugh Kennedy, Northern Ireland by Craig, the Marquis of Londonderry and Richard Best while the British Government was represented by Thomas and Arthur Henderson. Although much anticipated, the conference failed, the official communique stating that "after a prolonged discussion it was not found possible to reach agreement".<sup>(63)</sup> On 26 April the Executive Council called for immediate steps to complete the composition of the Boundary Commission.<sup>(64)</sup> Thomas responded on 28 April confirming that the British Government would now take the necessary action.<sup>(65)</sup>

The main problem facing the Labour Government was Northern Ireland's refusal to appoint a Commissioner. On 10 May the British Government formally compelled the Northern Government to make an appointment and, as predicted, it refused.<sup>(66)</sup> The Free State reaction to this refusal was to press various alternatives on the British Government. These included going ahead with only two commissioners, asking the Canadian Government to act as boundary arbitrators or handing the job to the Imperial Conference.<sup>(67)</sup> The course of action followed by Thomas and his colleagues was to refer the matter to the Judicial Committee of the Privy Council on 21 May to rule as to whether or not the British Government could appoint the Northern Commissioner. On 31 July the Judicial Committee ruled that, given the appropriate legislation, the Government could appoint the third commissioner.<sup>(68)</sup> The necessary legislation was accordingly carried at Westminster, and by late October 1924 the Boundary Commission was ready to go to work.

### The Boundary Commission

The British Government's first choice as its nominee, and chairman of the Commission, was former Canadian premier, Sir Robert Borden, but he declined in light of Northern Ireland's refusal to participate. It then turned to Mr. Justice Richard Feetham a judge of the Supreme Court of the Union of South Africa. A product of Marlborough and New College, Oxford, Feetham lived to the age of ninety one dying in 1965. His opposition in later life to the South African apartheid regime belies any easy stereo-typing of him as a reactionary figure. The British Government's choice of Northern Irish Commissioner was Joseph Fisher, a journalist, and former editor of 'The Northern Whig'. Although Fisher, who was almost 70 years of age at the time of his appointment to the Boundary Commission, was not an official Northern 'representative', he was closely associated with Carson, Craig and the Unionist leadership.<sup>(69)</sup> His staunch Unionist views are reflected in his book 'The End of the Irish Parliament' in which he was disparaging about previous attempts at Irish self-government.<sup>(70)</sup>

As already noted, the Irish Free State's Commissioner was Eoin MacNeill a Catholic born in County Antrim. His keen interest in ancient history and the Gaelic language led to MacNeill being one of the founders of the Gaelic League, and to his appointment as Professor of Ancient Irish History at University College Dublin.<sup>(71)</sup> Originally a supporter of Redmond's Irish Party, MacNeill was involved in the formation of the Irish Volunteers in 1913 becoming their Chief of Staff. MacNeill broke with Redmond over the issue of recruiting volunteers for the British Army in World War I and sided with the minority that retained the name Irish Volunteers. MacNeill, however, was not a member of the IRB and when he learned of the Military Council's intentions for Easter 1916 he confronted Pearse and co., and believing that the Rising was bound to fail he set about countermanding the mobilisation order, a move which ensured that fewer Volunteers took part than might otherwise have been the case.

MacNeill's arrest following the Rising ensured his rehabilitation in eyes of revolutionary nationalists, and he was greeted in prison by a general salute from his incarcerated comrades. Cosgrave maintained that he appointed MacNeill as he thought a Northern Catholic would be most effective.<sup>(72)</sup> This has to be open to question. If Cosgrave wanted to wrong-foot the other two Commissioners then why not appoint a Northern Protestant like Blythe? The truth is that by the time MacNeill was nominated there was a view in the Executive Council that the Boundary Commission could become a serious political problem.<sup>(73)</sup> There were few, if any, volunteers and MacNeill accepted the responsibility in much the same way that Collins had agreed to be one of the plenipotentiaries. To use his own words, MacNeill later claimed that the "task was imposed" upon him and was "undertaken under a sense of public duty and service".<sup>(74)</sup> MacNeill coupled the role of Commissioner with the post of Minister for Education in the Executive Council while Feetham and Fisher operated as full-time Commissioners, a factor which goes some way to explaining how subsequent events developed.



Fifty seven years of age at the time of his appointment to the Commission, MacNeill was older than the other senior figures on the Executive Council, e.g. Cosgrave was forty four, Blythe thirty six, O'Higgins, Fitzgerald and McGilligan just thirty two. Unlike the others, MacNeill was not a career politician and he could always return to academic life if damaged by his association with the Boundary Commission.

Even as the Boundary Commission set about its work the Free State Government had not given up hope of still securing some kind of deal with Craig without waiting for the Commission's award. Now that the British Labour Government had over-ridden Northern Ireland's refusal to participate in the Commission exercise, there was a view that Craig might be more ready to come to an accommodation in the autumn of 1924 than he had been to deal with Collins in January or March '22, or at British behest in the spring of 1924.

On 25 September O'Higgins, the Minister for Justice, circulated the other members of the Executive Council with a paper prepared by staff of the North East Boundary Bureau outlining a possible offer to Northern Ireland.<sup>(75)</sup> This document, and a second circulated a few days later,<sup>(76)</sup> listed the "disadvantages" of allowing the Boundary Commission to take its course" as follows:

- \* Uncertainty as to what the Commission will conclude;
- \* That any likely result would still leave the majority of Northern Nationalists under the Northern Ireland Parliament;
- \* That the Free State Government would lose the opportunity to do anything to alleviate the lot of Northern Nationalists;
- \* The risk of fresh bloodshed being provoked by the Commission exercise;

- \* That post-Boundary Commission, the possibilities of Irish unification could be further off than ever. The re-drawn Northern Ireland could be large enough to resist economic pressures towards unification and would include an enhanced Unionist majority.

In a comment echoing Collins' concerns, the paper states;

" it's a different thing to draw a Boundary between (two states) which are to remain separate states, and to draw it between two parts of a country which we eventually hope will be one."<sup>(77)</sup>

The Executive Council's response to the papers was to set up a committee of civil servants, legal advisers and North East Boundary Bureau Staff to develop the proposal further. The result of their endeavours was circulated to Executive Council members on 22 October 1924 and suggested five constitutional models:

- (1) A fully federal system with Northern, Southern and Federal parliaments.
- (2) The continuation of a subordinate parliament in Northern Ireland. This was effectively what had been envisaged by Articles 14 and 15 of the Treaty and had already been rejected by the North.
- (3) Joint sittings of the Northern Parliament and the Dail to discuss All-Ireland issues.
- (4) A partly elected/partly appointed Central Council of Ireland to deal with All-Ireland questions.
- (5) A directly elected Central Assembly, with legislation subject to endorsement by Belfast and the Dail.

The Executive Council's initiatives at this stage were also prompted by a growing concern in Dublin at pronouncements being made in Britain that

suggested that the Boundary Commission would yield less than the Irish had always envisaged.

Following the signing of the Treaty, Lloyd George had stated clearly that if the Northern Government triggered the Boundary Commission by opting out of a united Ireland then the majority of Fermanagh and Tyrone would be transferred to the Free State.<sup>(78)</sup> Other signatories to the Treaty, Chamberlain, Birkenhead and Churchill had said much the same. By the autumn of 1924 the political situation had changed. Lloyd George was out of office and unlikely to return, meanwhile the Tory signatories were working their way back into a Conservative and Unionist Party angered by their supposed surrender on Ireland. One by one they recanted, and argued that the Boundary Commission was only ever intended to make minor rectifications to the existing border.<sup>(79)</sup>

The statements of these English statesmen prompted concern in the months following the decision to go ahead with the Commission. Correspondence of the period suggests that the most concerned included O'Higgins, James MacNeill, Eoin MacNeill's brother, the Irish High Commissioner in London, and Sir Alfred Cope, former Under Secretary in the British Dublin Castle administration and by 1924 adviser to British Government on Ireland.<sup>(80)</sup>

The paper on possible forms of agreement was circulated within days of the fall of the British Labour Government and the election of a record Conservative and Unionist majority with Baldwin at the helm. The political landscape had changed and there was no way in which the Northern Irish could be persuaded to consider fresh proposals. As Collins had concluded in July 1922, it was now down to the Boundary Commission.

The first act of the Boundary Commission was to hear Counsel on behalf of the Free State Government on 4 December 1924.<sup>(81)</sup> The legal team representing the Free State Government, led by John O'Byrne who had succeeded Hugh Kennedy as Attorney General, cited the results of the British General Election of 1918 and

the Government of Ireland Act election of 1921 to demonstrate the support that existed for an independent, united Ireland in key areas of what was now Northern Ireland. The other key statistics often cited in the Boundary Commission process was the census of 1911 and its breakdown of the religious affiliations of the population. The Free State legal team argued that the Treaty had presented Northern Ireland with a clear choice. Remain within Free State jurisdiction and enjoy considerable devolution within the existing Northern Ireland area, or decide to opt out and have its boundaries revised. The Dublin Government regarded it as legitimate to act as an advocate for those Northern Ireland inhabitants who wished to come within the Free State.<sup>(82)</sup>

The Boundary Commission toured the border areas inviting local organisations to make representations to them, and took evidence from those bodies taking up the offer.<sup>(83)</sup> The representations received by the Boundary Commission can be classified into five categories:

- (1) Those from small border pockets in which there was an alleged majority in favour of transfer. Of the 16 representations that fell into this category, 14 favoured transfer from the Free State to Northern Ireland, while the remaining two favoured transfer from Northern Ireland into the Free State.
- (2) Representations from larger mixed areas alleged to have a majority in favour of transfer. Of the 12 claims in this category only 1 favoured transfer from the Free State to Northern Ireland while the remaining 11 wished to be transferred to the Free State.
- (3) Claims made on purely economic or geographic grounds. The 11 representations in this category split five in favour of transfer to Northern Ireland and six in favour of transfer to the Free State.

- (4) Six areas, which were not adjacent to the existing borderline, all calling for transfer to the Free State.
- (5) Calls for comprehensive changes. There were 10 representations calling for large-scale transfer. There were 3 representations calling for the restoration of the historic Ulster boundary, i.e. the transfer of Monaghan, Cavan and Donegal into Northern Ireland. The remaining 7 reflected Collins' stated view and called for the transfer of Fermanagh, Tyrone, the greater portion of Derry, Armagh and Southern Down to the Free State.<sup>(84)</sup>

The preponderance of larger areas seeking transfer to the Irish Free State was a mirror reflection of the units in which the North East Boundary Bureau organised, appointing an agent in each case.<sup>(85)</sup> Having completed its Northern Irish hearings, the Commission heard further evidence from the Free State Government before it retiring to London to consider its report.<sup>(86)</sup>

While the North East Boundary Bureau succeeded in mobilising the views of Nationalist communities in the Six Counties, it was in danger of losing the battle on other fronts. While the N.E.B.B. was publishing detailed papers on ancient Irish history, the Northern Government, under guise of the 'Ulster Association' was running an effective campaign aimed at decision makers and the wider public. H. A. MacCartan, the Bureau's publicist in London, described the Ulster campaign as "the most expensive and intelligent campaign I have yet seen."<sup>(87)</sup> In his description of elements which would distinguish a modern marketing plan, MacCartan writes of the Ulster Association publishing a weekly newsletter, targeting local, regional and specialist press, winning and dining opinion formers, and making full use of its influence with the governing Conservative and Unionist Party. MacCartan's urgings, supported by High Commissioner James MacNeill, did not go unheeded and the N.E.B.B. emulated several of the Unionist tactics in promoting the Nationalist case, although its budget was clearly limited.<sup>(88)</sup>

N.E.B.B. leaflets and pamphlets called repeatedly on England and her politicians to honour their (Treaty) obligations, and the interpretation of Article 12 that they concurred with when the Treaty was signed.<sup>(89)</sup> Another consistent theme was to evoke Collins as an illustration of the high price that Ireland had paid for honouring her part of the Treaty. As one leaflet argued;

"in honouring her bond, Ireland has lost two of her greatest sons, the late President Griffith and General Michael Collins."<sup>(90)</sup>

More important than the views of the Free State Government, pressure groups, or the representations from local organisations, was the prevailing interpretation of Article 12. I have already looked in some detail at the interpretations held by Collins, Griffith and their successors, and at the changing perceptions of British politicians. The key interpretation, however, was that held by Feetham, Chairman of the Boundary Commission. The Commission award was not something that governments could simply welcome and ignore. Its conclusions were binding and for implementation without delay. Given, as already noted, Fisher and MacNeill would be unlikely to agree on any issue, Feetham wielded a *de facto* casting vote which increased the status of any view he might hold.

From the outset Feetham argued that Article 12 clearly intended Northern Ireland to continue as a unit and therefore the existing boundary should remain "where no good reason, that the Commission can take into account, is shown for altering it".<sup>(91)</sup> He also took the view that minor alterations could be in either direction and that existing Free State territory could be transferred to Northern Ireland. Feetham regarded the wishes of local inhabitants as important but not paramount. Article 12 included no provision for plebiscites therefore bare majorities in favour were not sufficient reason to alter the line. Indeed it was the duty of the Commission to over-rule the wishes of inhabitants if their proposals cut across economic or geographical sense (as defined by the Commissioners).<sup>(92)</sup>

MacNeill maintained that this interpretation of Article 12 was never formally adopted by the Boundary Commission, although Feetham did circulate an early

"informal memorandum" on, 11 September 1924, containing his own views.<sup>(93)</sup> MacNeill and Feetham later clashed on their different interpretations of an early decision taken on procedure. Feetham maintained that the Commissioners had agreed to produce a unanimous report while MacNeill maintained that they had agreed that the final report should be signed by all three, and that there should be no provision for a minority report, but that did not equate with unanimity.<sup>(94)</sup> Another important procedural decision was the agreement to maintain absolute confidentiality throughout the Commission's proceedings. MacNeill agreed and adhered to this undertaking regarding his Commission responsibilities as quasi-judicial.<sup>(95)</sup> Meanwhile Fisher was corresponding with Carson and other Unionist figures on developments taking place within the Commission.<sup>(96)</sup>

The final Boundary Commission award, 'agreed' at a meeting of the Commission on 4/5 November 1925 was fashioned by Feetham's interpretation of Article 12. In terms of territory, the Commission recommended transferring 183,290 acres from Northern Ireland to the Irish Free State and 49,242 acres from the Free State to Northern Ireland, reducing the length of the border from 280 to 229 miles.<sup>(97)</sup> Population wise, it involved transferring 31,319 people from British to Irish jurisdiction while it transferred 7,594 in the opposite direction. Less than 10% of those traveling North to South were Protestant but Catholics composed 36% of those transferring South to North. The largest single piece of territory earmarked for transfer from the Free State to Northern Ireland was the area of East Tirconail adjacent to the Liberties of Londonderry. This consisted of 30,295 acres including more than 5,000 residents, almost 2,000 of whom were Catholics.<sup>(98)</sup>

#### Political reaction to the Boundary Commission 'Award'

While members of the Executive Council were braced for an award which differed radically from that envisaged when the Treaty was endorsed back in 1922, public opinion in the Free State was shocked by the revelation that not only would the Boundary Commission not award the expected large tracts of

Nationalist territory but would also recommended that Free State territory and citizens should be transferred to Northern Ireland. The first indication came in a "special forecast" carried in 'The Morning Post' of Saturday 7 November. In an article headed "No Big Slice of Territory for Free State", the exclusive report captured the essence of the Boundary Commission's award although some of the details were inaccurate.<sup>(99)</sup> The article was probably the result of Fisher's briefing.<sup>(100)</sup> The impact of this news on accepted notions that the Free State would be the clear beneficiary of the Boundary Commission exercise was reflected in the response of competitors, e.g. 'The Irish Times' regarded the report as "speculative"<sup>(101)</sup> while the 'Scotsman' warned its readers to treat the report with caution.<sup>(102)</sup>

The consternation caused by the leak within the twenty six county area was leapt upon by the political opposition. De Valera called for unity against the Commission award and called on Cosgrave to renege on those elements of the Treaty settlement - the Oath and Crown - which, he argued, the people had only accepted in return for an optimistic perception of what the Boundary Commission might yield.<sup>(103)</sup> If De Valera had chosen this moment to end his abstentionism, and had entered the Dail at the head of his 48 supporters, the Government would have been under real pressure, a fact that Cosgrave apparently conceded to Thomas Jones.<sup>(104)</sup>

Although the Morning Post leak appeared on 7 November, it was not until eleven days later that MacNeill was able to travel to London to confront his fellow Commissioners on the issue. MacNeill had been detained in Dublin debating Education estimates, yet another example of his difficulties in juggling the role of Commissioner with his responsibilities as Minister for Education.<sup>(105)</sup> MacNeill resigned from the Boundary Commission on 20 November, and a few days later, 24 November 1925, he resigned from the Executive Council.

Faced with yet another political crisis, the Executive Council came to the view that the absolute priority was to prevent the transfer of existing Free State



territory and the concerns of Northern nationalists were secondary.<sup>(106)</sup> The Free State authorities argued that the Treaty had recognised the entirety of the island as the Irish Free State, pending the decision of Northern Ireland whether or not to opt out. In the interim, the powers of the government and parliament of the Free State were in a state of suspension over Northern Ireland but would apply immediately to any area assigned to the Free State by the Boundary Commission but there was no corresponding arrangement whereby the powers of the Northern Ireland Government were in a state of suspension over any Free State territory. The Irish also developed the argument that the Six Counties represented the maximum claim of the Unionists, the option of a nine county Ulster having been rejected by them.<sup>(107)</sup>

With this objective in mind, Cosgrave travelled to London on 25 November 1925 and a series of conferences took place with the British on the following day, and continued at Chequers over the weekend of 28/29 November. These discussions resulted in a five point settlement which was signed by Cosgrave, Blythe and O'Higgins on behalf of the Irish Free State. While representing an amendment to the Treaty agreed by the two sovereign governments, this package contained something for all three parties involved, i.e. the British, Free State and Northern Ireland governments.

The first and most significant point in the agreement was the scrapping of Article 12 and the enshrining of the Government of Ireland Act boundary. This met the Free State objective of protecting the integrity of its existing territory and avoiding the political, and possibly military, consequences that could result from such a transfer, while neither the British nor Northern authorities relished the prospect of assimilating thousands of reluctant citizens supported by forces across the new border.

The major Free State gain was the waiving of Treaty Article 5 which committed the Irish to maintaining a share of the British national debt and British War Pensions.<sup>(108)</sup> Other Irish 'gains' included an agreement on navigation rights in

Lough Foyle, and an undertaking to have the cases of Nationalist prisoners in the North reviewed by the British Government.<sup>(109)</sup>

The Northern Government welcomed the agreement on Lough Foyle navigation rights but their major gain was the transfer of responsibility for the Council of Ireland from Westminster to Belfast, effectively spelling out the end of this all-Ireland institution.<sup>(110)</sup>

The agreement even included something for Southern Unionists with the Free State Government agreeing to increase the money paid in compensation for damage to property between the Truce of July 1921 and the ending of the Civil War in May 1923.

While Baldwin, Craig and Cosgrave could all draw some satisfaction from the agreement to amend the Treaty, their attitude was not shared by Feetham. The South African jurist was proud of his endeavours, and claimed that MacNeill's resignation in no way negated the report and award. The three premiers met with Feetham on the evening of 3 December but it was Churchill, who was also present, that placated the South African. He suggested that Feetham should write an open letter to Baldwin laying out the basis on which he had approached the boundary exercise and carried out his responsibilities, and that it should be arranged for the letter to be published.<sup>(111)</sup> It subsequently appeared in 'The Times' of 18 December 1925. It was also agreed that Baldwin would write to the South African premier General Hertzog lauding Feetham's performance as Chairman.<sup>(112)</sup>

With regard to the report itself, it was agreed that it should be suppressed, that 20 copies should be printed and deposited with the Cabinet Office and the plates destroyed. The report was withheld from the public, Irish and British, until 1 January 1968.<sup>(113)</sup> It would be almost as long, forty years, before the prime ministers of the Six Counties and Twenty Six Counties would meet again face to face.

The agreement drew a strong response from Northern nationalists. A conference held in Omagh on 7 December, attended by Nationalist MPs, carried the following resolution;

"The rights guaranteed us by the Treaty have been renounced by those who undertook to guard them...We of the Border Counties feel that we have been callously betrayed.

Article 12 was inserted in the Treaty to safeguard the rights of Northern Nationalists. But for it the Treaty would never have been accepted by the Irish people."<sup>(114)</sup>

It concluded by attacking the supposed "ineptitude" of MacNeill in his role as Commissioner.

Predictably the settlement was attacked by Sinn Fein, from outside the Dail, and Labour within it. However, criticism also came from within the governing Cumann na nGaedheal. As soon as the details of the settlement became known, they were attacked by Professor William Magennis, TD for UCD. He regarded the concession on Article 5 as "eye wash" as he believed that Free State could not be forced to comply with its provisions.<sup>(115)</sup>

Labour leader Thomas Johnson invited all those opposed to the boundary agreement to a meeting in the Shelbourne Hotel on Tuesday 8 December. It was attended by most Labour TDs, by De Valera and 40 Sinn Fein TDs, an independent Labour member, 2 Farmers' Party TDs and three Cumann na nGaedheal TDs - Magennis, Louis J. Dalton (Tipperary) and Osmond Esmonde who had been associated with McGrath's National Group back in 1924.<sup>(116)</sup> The meeting concluded with the formation of a joint committee and Austin Stack and Magennis were elected as joint Secretaries.

The Dail divided on the proposed deal on 10 December 1925, and approved it by 71 votes to 20. Among the twenty against were Cumann na nGaedheal TDs, Magennis, C.M. Byrne, TD for Wicklow, and the semi-detached remnants of the

National Group Padraic O Mallie and Esmonde, while a further two, Louis Dalton and Denis McCullough, abstained.<sup>(117)</sup> McCullough represented the border county of Donegal in the Dail, was a native of Belfast and a former President of the IRB.<sup>(118)</sup>

This minor revolt was indicative of a wider concern within the governing party. Unhappiness with the Boundary Commission outcome was expressed at the Cumann na nGaedheal Ard Comhairle held on 1 December 1925.<sup>(119)</sup> In a long debate on a resolution implicitly critical of the Executive Council there were calls to ignore the Commission's report and to demand a border plebiscite.<sup>(120)</sup> Father Brennan of Castlemaine argued that the Commission had violated the Treaty and therefore abstaining republican TDs should be admitted to the Dail without being required to take the Oath, "thereby ending one kind of partition."<sup>(121)</sup> Ernest Blythe fought the Executive Council's corner, arguing that they had inherited a deficient Article 12 which left decisive control in the hands of the Chairman of the Commission appointed by the British Government.<sup>(122)</sup>

Those who regarded themselves as Collins' heirs, e.g. Mulcahy, Batt O'Connor, O'Murthuile and the Big Fella's sister Margaret Collins-O'Driscoll, must have been uneasy to hear Blythe imply that the root of the failure lay in an instrument so closely associated with Collins. Reflecting on the Ard Comhairle debate, Mulcahy seems to have particularly enjoyed Father Brennan's rebuking of Blythe as a "jeremiah of despair."<sup>(123)</sup> Mulcahy could have provided the leadership for a significant revolt within the ranks of Cumann na nGaedheal but, like the Ard Comhairle majority, he balked at the chaos that would result and the critical resolution was withdrawn.<sup>(124)</sup>

When the Dail debate took place on the resulting legislation, the Treaty (Confirmation of Amending Agreement) Bill, Cosgrave had no hesitation in recalling his revolutionary past to 'out nationalist' his critics. In dismissing Labour Leader Johnson, Cosgrave accused him of taunting "those who took a great personal risk...to do something useful for the country." While he

acknowledged that Johnson's sympathies had been with those fighting the War of Independence, Cosgrave described him as never having "borne the brunt and the heat of the day."<sup>(125)</sup> Turning to Magennis, Cosgrave inquired of the "wordy professor" just "how many sleepless nights he passed in the great struggle?"<sup>(126)</sup> The disciples of the "stepping stone" strategy were less sanguine than their party leader. Mrs. Collins-O'Driscoll supported the government but called on TDs to be brief as the longer the debate continued, the more the Dail would be held in public "contempt".<sup>(127)</sup> Mulcahy argued that there was no point in speculating on what might have been if "the late General Collins had lived", and he recommended to the Dail that the country cut its losses and accept the agreement.<sup>(128)</sup> Padraic O Maille evoked the legacy of Collins in calling for opposition to the agreement.<sup>(129)</sup>

### Clann Eireann

The controversy over the Boundary Commission resulted in a further narrowing of the governing coalition. On 24 and 25 January 1926 a conference held at Dublin's Mansion House gave birth to a new political party, a breakaway from Cumann na nGaedheal, Clann Eireann, or the 'People's Party'. The founding programme of the party included the ending of partition, the ending of the Oath, financial reform, the reconstruction of departments of state and promotion of the national culture.<sup>(130)</sup> In adopting a more nationalist position, a sort of 'constitutional republicanism', Clann Eireann was an attempt to establish an independent political party on the ground that had been fleetingly occupied by McGrath's National Group in late 1924. It should come as no surprise therefore that a number of the people involved with the National Group were to be found in the ranks of Clann Eireann.

One of the three sitting TDs who defected from Cumann na nGaedheal to Clann Eireann, was Padraic O Maille, one of the two TDs associated with the National Group who had refused to follow McGrath in resigning their seats.

O Maille was elected as Honorary Secretary of Clann Eireann while those elected

to the Party's governing committee included former National Group TD Sean Gibbons. Another former National Group TD, the veteran War of Independence and IRB man Alec McCabe attended the inaugural meeting of the party at the Mansion House.<sup>(131)</sup>

When discussing the phenomenon of the National Group, in relation to the Army Mutiny, I highlighted that McGrath and company saw themselves as standing for Collins' policy. To what extent was the same true of Clann Eireann? While the party does not seem to have publicly paraded Collins and his legacy to the same extent as the National Group, it nevertheless gathered its share of former Collins acolytes who would defend their actions in terms of remaining loyal to what Mick stood for. O Maille and Sean Gibbons were both Frongoch graduates, had been elected to the first Dail in 1918, had served with in the War of Independence, had followed Collins in supporting the Treaty and had joined Cumann na nGaedheal. Both had been involved with the National Group and had now joined Clann Eireann.<sup>(132)</sup> Later they would both go on to join Fianna Fail, Gibbons representing it in the Dail, O Maille in Senate. Throughout both men would maintain that they had remained loyal to Collins policy.<sup>(133)</sup> One of the first Vice Chairs of the Clann Eireann was Dr. Patrick McCartan a long-standing member of the IRB, and a Sinn Fein envoy during the War of Independence. As a member of the Dail he had reluctantly followed Collins in supporting the Treaty.<sup>(134)</sup>

The first Clann Eireann committee also included C.M. Byrne, the third defecting Cumann na Gaedheal TD, and Florrie O'Donoghue who had remained neutral during the Civil War promoting reconciliation among former comrades. Another interested observer at the inaugural meeting was Piaras Beaslai, former Director of Publicity in the Volunteer GHQ, Collins' official biographer and former TD who quit active politics in 1923 disillusioned that the policy laid down by Collins was not being carried through.<sup>(135)</sup> From the Anti-Treaty camp, Dan Breen joined Clann Eireann. Credited with having fired the first shots in the War of Independence, the celebrated Breen had tried in vain to halt the drift to Civil

War. Like many of those involved Breen moved on from Clann Eireann to Fianna Fail.<sup>(136)</sup> Since Collins' death in August 1922, John Chartres had become increasingly alienated from his leader's successors, a factor that probably led to his being transferred from the Free State's nascent foreign service to the Department of Industry and Commerce. The Boundary crisis widened the breach and, under the nom de plume of 'Fear Faire' literally 'The Watchman', he wrote articles for 'The Nation' attacking the Executive Council's handling of the situation. If death had not intervened Chartres may well have ended up in the ranks of Fianna Fail, if he could overcome the lurking suspicions of some on the Anti-Treaty side who maintained that he had been a British plant in the Collins' camp.<sup>(137)</sup>

McGrath had decided that there was just not sufficient space in the political system for three nationalist parties, and therefore decided against developing the National Group beyond a Dail caucus to a fully fledged political party contesting elections. Clann Eireann's performance in the June 1927 general election suggests his calculation was accurate. Clann Eireann stood eight candidates in seven constituencies and polled only 5,567 first preference votes, the vast majority of which were gathered by Padraic O Maille in Galway, P. Conlon in the border constituency of Monaghan and by the two candidates fighting in Longford/Westmeath.<sup>(138)</sup> O Maille with 1,809 first preference votes was the only Clann Eireann candidate to save his deposit, polling more than one-third of the constituency quota under the Single Transferable Vote system. O Maille and Magennis both lost their seats while the third TD to defect to Clann Eireann, C.M. Byrne, did not seek re-election.

The poor performance of Clann Eireann should not be interpreted as an overwhelming popular endorsement of the Government's handling of the Boundary crisis. The key development between the founding of Clann Eireann in January 1926 and the election of June 1927 was the founding of Fianna Fail in May 1926. Fianna Fail and Clann Eireann were pitching for the same political space, evidenced by the fact that Sean Lemass, the organisational engine behind

Fianna Fail, sought to conclude an electoral pact with Clann Eireann.<sup>(139)</sup> Fianna Fail polled well first time out winning 299,626 first preference votes, and their decision in August 1927 to enter the Dail marginalised Clann Eireann as a constitutional Republican party.<sup>(140)</sup> As already noted several Clann Eireann figures later settled in Fianna Fail, including Magennis who returned to the Oireachtas as a De Valera nominee to the Senate.<sup>(141)</sup>

At the great Pro-Treaty rally in Dublin in March 1922, the front row of the platform consisted of Collins, McGrath, O Maille, McGarry and Cosgrave. Collins was dead. McGrath and McGarry had quit the Pro-Treaty party in 1924 over the Executive Council's handling of the Army crisis. O Maille sympathised with his old comrades but delayed his departure until the Boundary Commission affair. All three would claim to be acting in line with the policy set out by Collins. Only Cosgrave remained. Head of government and the Treaty party he would stake his own claim to be Collins' heir.

The Boundary Commission debacle was one of the key factors behind De Valera's break with Sinn Fein and the formation of Fianna Fail.<sup>(142)</sup> De Valera realised the difficulties the Government would have faced over the Boundary deal if Sinn Fein had been operating in the Dail. The damage that the Boundary Commission incident inflicted on Cumann na nGaedheal should not be measured against the meagre fortunes of Clann Eireann alone, but by the wider results of the 1927 general election which saw the number of Government-held seats fall from 63 to 47, and the emergence of Fianna Fail as a serious rival for government.<sup>(143)</sup>

#### Collins and Article 12. Mistaken, Mised or Lost Opportunity?

In my assessment there are three possible explanations that reconcile Collins' actions during the Treaty negotiations, and after, with the way things eventually turned out on the Boundary question following his death.



One interpretation must be that Collins was conned by by the British. Desperate to come to some arrangement on the question of the North he grasped at the Boundary Commission straw unaware, or ignoring, that the British had constructed it to ensure that Northern Ireland would survive more or less intact. This interpretation sits neatly with that argued by Frank Pakenham (Lord Longford), in his 1935 'Peace By Ordeal'. He argued that the inexperienced and naive Irish had their bluff called by the imperial super-sophisticates led by Lloyd George.<sup>(144)</sup>

Alternatively, Collins could have fully realised the short comings of the Boundary Commission clause but, determined not to allow the negotiations to collapse, he accepted it and talked-up its prospects to ensure that the Treaty was endorsed by the Dail and the country. I have already rehearsed the argument that such an interpretation would explain both the Collins/Craig process and Collins' clandestine military campaign. Fully aware that the Boundary Commission would disappoint, he sought to pre-empt it by coaxing/forcing the Belfast government into bi-lateral agreement on the nature of North/South relationships.

In a soon to be published study on the Irish border, Edinburgh University's Ged Martin argues that Collins talked himself into believing that the Boundary Commission would transfer extensive Nationalist areas to the Free State, and criticises the Irish negotiators for failing to secure more specific commitments in relation to Article 12.<sup>(145)</sup>

I would argue that there is another interpretation, and that Collins accurately reflected his understanding with the British when predicting the scope of the award the Boundary Commission would make in favour of the Free State if it was triggered by Northern Ireland's withdrawal.

There are claims that Collins had received secret undertakings that supported this interpretation. P.S. O'Hegarty claims to have been told by Collins, at a gathering of senior IRB people held during the Treaty debate, that Birkenhead had given

him a firm undertaking that if the Belfast Parliament opted out of the Free State then the Boundary Commission would reduce Northern Ireland to just four counties.<sup>(146)</sup> General Sean MacEoin claimed that the final draft of the Treaty Articles should have included an undertaking to hold plebiscites in the border areas but that this detail was omitted from the final document by mistake. Collins wished to have the excluded lines added but the British, arguing it was too late to make changes, provided Collins with a written guarantee, in the form of a letter from Birkenhead, which stated that if the Boundary Commission was triggered by the Northern Unionists then the British would accept Collins' nominee for Chairman of the Boundary Commission thereby giving the Free State a two to one majority and a guarantee of major transfers of territory. Further more MacEoin claimed to have seen the letter.<sup>(147)</sup> The O'Hegarty story could represent nothing more than Collins' interpretation of speeches by Lloyd George, Chamberlain, Churchill and Birkenhead in the immediate aftermath of the Treaty negotiations. With all respect to the 'Blacksmith of Ballinalee', the late General's story of secret codicils beggars belief and the attempts of historians, and the Collins and Smith families, to trace any such document.

Legends aside, however, I believe that Michael Collins had sound reasons for believing the indications confirmed to him by Lloyd George on the morning of 5 December 1921 would be honoured. Collins knew that the British knew that he was central to the Treaty being accepted by the Dail and the Army leadership, and they were wary of undermining him. This was particularly true of Lloyd George while he remained in office.<sup>(148)</sup> Collins knew that the British knew that they had clearly implied that Nationalist areas in the North would be transferred to the Free State, and that they would have been wary of just how he would have reacted if they reneged on the understanding. Collins also knew that the international perception was that the North would lose territory if it opted out of the Free State. If the Irish, having adhered to the Treaty at such great cost, were seen to be 'betrayed' by the British then they would be viewed as the injured party in the eyes of world opinion. If against that background Collins had repudiated the other articles of the Treaty, and declared a Republic, any British

punitive action would have been against the grain of world opinion, including a section of opinion on the British mainland. There is sound evidence to suggest that Collins genuinely believed that the Boundary Commission would transfer substantial Northern nationalist territory to the Free State. Everything in his record suggests that Collins would have taken a hands on approach to the operation of the Boundary Commission. If Collins had survived it is highly unlikely that he would have allowed MacNeill, or any other Commissioner appointed by the Free State, to become so detached.

In supporting this interpretation, I fully realise that I have to account for Collins' attempts to reach an accommodation with the North that would have pre-empted the Boundary Commission mechanism. I have already addressed this point in this chapter, but to recap, I believe the evidence supports the view that Michael Collins believed that any partitionist solution could never be a complete solution so he strove to ensure Northern Unionists that their rights could be protected in some kind of inventive all-Ireland solution. This is clearly the view of Collins' intentions taken by his friend and biographer, Batt O'Connor, who writing following the boundary debacle in 1928/29, stated;

" We had always been ready to settle with our North-Eastern population by conference and agreement"<sup>(149)</sup>

O'Connor asserts positively in 'With Michael Collins in the Fight for Irish Independence', that if Collins had lived, and there had been no Civil War, then an accommodation would have been reached with the North.<sup>(150)</sup> Collins' Cork background, and O'Connor's Kerry origins and years spent in America, may have been a factor in leading both men to under-estimate Ulster Unionist intransigence.<sup>(151)</sup> By the time of his death, however, I believe that Collins had come to realise that the Civil War had ended any prospect of a bi-lateral agreement on essential unity, and that the Boundary Commission would have to run its course. But why did it turn out so differently from the outcome that Collins had consistently predicted?

In December 1921, the British Coalition Government looked forward to positive relations with the new Irish state, in no small part due to the integrity of Griffith and the charm of Collins. At that point they were probably prepared to face down intransigent Unionism in Northern Ireland and preside over a major Boundary Commission award in favour of the Free State. By 1925, however, attitudes had hardened as a result of the Civil War. Griffith and Collins, so pivotal to the Article 12 understanding, were both gone. The political situation in Great Britain was transformed with Lloyd George cast out and the former Coalition Tories, most notably Churchill and Birkenhead, busy rehabilitating themselves on the Irish question.<sup>(152)</sup>

This was the radically transformed political terrain that Michael Collins could not possibly have foreseen seen through the darkness of a London night some four years earlier. The subsequent entrenching of partition represented the greatest failure of his legacy.

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**Chapter 5**  
**From Empire to Commonwealth**

## Introduction

In this chapter I consider Collins' political ideas regarding the future of imperial relations, and his vision of what could ultimately be achieved. I then go on to examine the actions of his successors, and consider the extent to which they delivered on this particular part of the Collins' legacy. First, however, I discuss the significance of the international dimension to Irish nationalism.

### "From a Land Beyond the Wave"

Modern Irish nationalist movements were traditionally conscious of the international dimension of their struggle and campaigns. Generations of nationalists, of both the constitutional and military force traditions, alluded to an antique Ireland which had made a major contribution to the civilisation of Europe. Free from its entanglement with England, a modern self-governing Ireland could repeat that achievement. Ireland's majority adherence to Catholicism connected her to an international network from which England was historically excluded.

Irish nationalists, and the Irish state, have highlighted the pioneering missionary work of the 5th and 6th century saints - Brendan, Columba and Kilian.<sup>(1)</sup> Former president Mary Robinson has described their work as providing early Ireland with a "global dimension".<sup>(2)</sup>

There was also an appreciation of the tradition of Irish military service, both in the service of foreign powers opposed to England in the global power game, and within the ranks of the British army. In romantic tradition the genesis of the 'Wild Geese' dates back to the Flight of the Earls in 1607.<sup>(3)</sup> As early as 1587, however, 'El Tercio Viejo Irlandes' was fighting in Flanders in the service of Spain.<sup>(4)</sup> From that point on Irish warriors served in many different armies right down to the Irish Brigades fighting on the side of the Boers in South Africa, and

the almost 50,000 Irish people, North and South, who died in British service in World War I, including tens of thousands of Irish 'National' Volunteers' who were convinced that they were fighting so that "small nations might be free", and for Ireland's right to home rule.

The ideals of the American revolution provided much of the inspiration behind the political upheaval that led to Grattan's Parliament. Later, Wolfe Tone's United Irishmen were inspired and supported by revolutionary France. As I suggest in Chapter 1, the extensive commemoration of the centenary of the 1798 rebellion may well have been a factor in influencing the eight years old Michael Collins and others of the generation that would drive events from 1916 to 1922. In 1920 one of Collins' advisers Kevin O'Shiel, who became the Dublin Government's lead civil servant dealing with the Boundary Commission, wrote 'The Making of a Republic'. As the title suggests this history of the American independence struggle was intended to draw parallels between colonial America in the late eighteenth century and Ireland in the early twentieth century. In a final chapter devoted to "Ireland's Part in the American Revolution", O'Shiel wrote of America's debt to "the children of the Gael", and called on the great Republic of the New World to repay its debt to Ireland.<sup>(5)</sup> The Irish influence on the American continent increased with the post Famine diaspora. Several of the leading figures involved in the early years of the Irish Republican Brotherhood, served in the American-Mexican War or the American Civil War, while another, John Devoy, gained his military experience in the French Foreign Legion.<sup>(6)</sup> The IRB internationalised their physical force strategy with incursions across the Canadian border by American supporters. Arguably, their most daring action was the Catalpa incident of 1876, which rescued six IRB men from Freemantle gaol in western Australia. It was organised by the American end of the Organisation, and carried out with the help of Australian supporters!<sup>(7)</sup> Consistent with the principle of "my enemy's enemy is my friend", so clearly expressed in the 1916 Rising, the IRB spent the later decades of the 19th century seeking support from Russia, attempting to interest Spain in a revolt in Gibraltar and planning to smuggle guns to the Zulus.<sup>(8)</sup>



Constitutional nationalists also had an international appreciation of their campaign. The Irish Parliamentary Party mobilised support among the exiled Irish communities of the post Famine diaspora, and, in the form of the Irish National League, among Irish communities in Scotland and elsewhere on the United Kingdom mainland. The international lobbying paid dividends. The Canadian Parliament carried pro Irish home rule resolutions in 1882, 1886, 1887 and 1903. The Australian Federal Parliament followed suit in 1906.<sup>(9)</sup> The traffic was not exclusively one way. In 1878 and 1883 the Irish Parliamentary Party actively considered fielding an Indian candidate in an Irish constituency to provide the Indian independence movement with a direct voice at Westminster.<sup>(10)</sup>

One hundred and fifty years on the impact of the Great Famine is still at work in the Irish psyche. It created expatriate communities around the world, particularly in the dominions and the United States, underlining Ireland's position as a 'mother country', a factor which, I argue in this chapter, made it more difficult to accept a colonial solution to the self-government question. The Famine's impact can still be measured today by the relatively large numbers of Irish organisations and aid workers fighting hunger and misery in Ethiopia, Somalia and many other countries around the world.<sup>(11)</sup>

The leadership of the post-1916 Sinn Fein is credited with having a "modern appreciation" of the value of diplomacy and the international representation of its case.<sup>(12)</sup> The first meeting of Dail Eireann issued its 'Address to the Free Nations of the World', and international recognition by the Paris Peace Conference was a central part of its strategy.

The nascent Dail Foreign Affairs Department translated the 'Address' into an impressive array of foreign languages and delivered copies into the hands of governing politicians in some 40 countries of the Empire, Europe, the Americas and Asia.<sup>(13)</sup> A departmental report on the eve of the Truce, in June 1921, reported the existence of Dail legations in 8 countries, plus a roving envoy in South Africa, and additional press bureaux in Switzerland, Spain and Austria.

These Irish diplomatic forerunners included a number of figures who had played a leading role in Sinn Fein and would continue to play a prominent part in the birth of the new state. The Paris legation was headed up by a future President of Ireland, Sean T. O'Kelly, and his staff included Joseph Walshe who would go on to serve as Secretary to the Department of External/Foreign Affairs from 1922 to 1946.<sup>(14)</sup> In Rome the Dail was represented by future Treaty delegation member and Minister for External Affairs, George Gavan Duffy, while future Treaty delegation secretary, and Collins' confidant, John Chartres, was the envoy in Germany. The responsibility of the crucial American posting was shouldered for a period by IRB Supreme Council member, and Collins' increasingly estranged friend, Harry Boland.<sup>(15)</sup>

Given the emphasis placed on Ireland's international standing, it was no surprise that the most resented shortcomings of the ratified Treaty included those which constrained that status through the Irish Free State's membership of the Commonwealth. The international ramifications of the Treaty may partly explain why leading figures in the Dail diplomatic service tended to turn Anti-Treaty, eg O'Kelly, Art O'Brien and Harry Boland.<sup>(16)</sup>

### The Collins' Vision

In agreeing to the Treaty, Michael Collins well understood the gap between the restrictions and obligations of Commonwealth membership and the international status that Sinn Fein had sought for Ireland. It was this cluster of issues that Collins was addressing when he described the Treaty as a "stepping stone" to complete freedom. Collins knew from De Valera's preliminary discussions with Lloyd George in July 1921, and from the subsequent correspondence between the two premiers, that the British would insist on some form of Dominion status for Ireland. One of his biographers, Leon O Broin describes Collins' mind as "full of it".<sup>(17)</sup> His own instincts as a military leader told him that Britain must view some form of imperial association as essential to its national defence, securing the Irish 'back door' against the adventurism of European rivals.

Evidence of Collins' practical realism on this point is demonstrated by his discussions with the Supreme Council of the Irish Republican Brotherhood, prior to and during the Treaty negotiations, to ensure that the guardians of the Republic shared his appreciation of the harsh realities of the situation and sanctioned his actions.<sup>(18)</sup> In preparing the ground for a dominion-style settlement Collins is known to have studied constitutional authorities such as Duncan Hall, Berridale Keith, Josiah Wedgwood and Jan Smuts.<sup>(19)</sup>

Collins sought to turn necessity to virtue. Former Taoiseach Garret FitzGerald and Collins' grandniece, and current Deputy Leader, Nora Owen may represent different strands in Fine Gael thinking but in my separate discussions with them they were both emphatic in arguing that Collins' would have welcomed the development of the European Union.<sup>(20)</sup> Both based this commonly held view on Collins' willingness to learn from international examples, and on his assessment that it was well worth pooling elements of Ireland's de jure sovereignty in an international association that would guarantee Ireland's de facto independence from the inevitable influence of a neighbouring, bigger, more economically powerful United Kingdom. This is the point that Collins was getting at when he wrote;

" We know that there are many things which the States of the Commonwealth can afford to regard as 'common concerns', which we could not afford so to regard. This is where we must be careful to protect ourselves as best we can against the disadvantages of geographical propinquity. This is why we had to find some form of association which would safeguard us, as far as we could be safeguarded, in somewhat the same degree as the 3,000 miles of ocean safeguards Canada."<sup>(21)</sup>

In December 1921 Collins' believed that the Treaty clause which specifically promised the Free State the same constitutional standing as Canada was the key international association guaranteeing Irish independence. Collins contrasted this with the lack of international underpinning of Ireland's newly won independence in the arguments of the Anti-Treatyites;

" and the constitutional status of Canada, defined in the Treaty, gives us stronger assurance of our immunity from interference by Britain than the indefinite clauses in Document No.2."<sup>(22)</sup>

Fifty years later Irish governments came to view the then European Economic Community as another international association, membership of which would strengthen that "immunity from interference". In 1994 a stamp booklet jointly commemorating the 75th anniversary of the First Dail and the fourth set of direct elections to the European Parliament was issued by An Post under a Fine Gael led government. The text of the booklet argued that Ireland's decision to join the European club was a sign of the country's "confidence in its identity", marking its "progress from British colony to European partner."<sup>(23)</sup> Current applicants among the Eastern European nations of the former Soviet block obviously regard E.U. membership as an underlining, rather than diminution, of their independence. Equally, the Palestinian Authority's enquiries with regard to Commonwealth membership is also an attempt to strengthen international underpinning of an autonomy reluctantly ceded by a more powerful, suspicious neighbour.<sup>(24)</sup>

It is not possible, however, to argue with any certainty how a political figure who died in 1922, Collins, would have responded to a political vision, the European project, which has its genesis in the 1950s. It is possible that both FitzGerald and Owen were projecting current concerns with Ireland's place in Europe onto the blank screen that is Collins' future. I found it interesting, however, that both interviewees independently raised the notion of Collins the European visionary

The desire to transform necessity into virtue is evidenced in the memorandum written by Collins during the Treaty negotiations 'The International Aspects of the Anglo-Irish Settlement' which outlined the kind of international association that could emerge from the Commonwealth if the "stepping stone" strategy was followed.

In the second Earl of Birkenhead's biography of his father, the Collins paper is described as a "personal and unofficial memorandum" which Collins handed to Austen Chamberlain in late November 1921, who then subsequently circulated it to the other members of the British delegation.<sup>(25)</sup> Secondary sources vary on the purpose of this document and the precise date on which it surfaced in London.<sup>(26)</sup> Ryle Dwyer in his 'Michael Collins and the Treaty' suggests that the document was tabled in support of the argument for External Association but the discursive style of the language, and the almost utopian nature of the objectives, suggest that it was written with an eye to the longer haul.<sup>(27)</sup> The copy of the document in the National Archives is dated as 23 November 1921, to be read at conference on 24 November.<sup>(28)</sup> The minutes of the sub-conference held in the House of Lords on 24 November list only Birkenhead and Sir Gordon Hewart present on the British side with Collins, Griffith, Duffy and Chartres representing the Irish delegation. They read as follows;

"The British representatives then read a memorandum by Mr. Collins bearing upon the wider international aspect of the Anglo-Irish Settlement."<sup>(29)</sup>

Whatever the precise status and immediate intention of the document there is no doubting its authorship, nor the importance which Collins bestowed on it. Collins' first press interview following the signing of the Treaty was given to the Press Association on the evening of Wednesday 7 December at the Irish delegation headquarters in Hans Place. Collins chose to focus on the future of the imperial association and almost word for word he read his memorandum into the public record through the pages of the 'Freeman's Journal', which carried the interview the following day.<sup>(30)</sup> The fact that Collins was still 'touting' the contents of the document following the signing of the Articles of Agreement also supports the view that it was not written to support an immediate argument during the negotiations, but with an eye on the longer term.

In the memorandum, and subsequent interview, Collins made the following points about Ireland's place in the Commonwealth and the future of imperial

relations generally:

- \* Ireland was not a colony populated by recent descendants from Great Britain but a separate, ancient nation.
- \* Ireland's coming to independence coincided with the colonies outgrowing the tutelage of the mother country. The experiences of the Great War had been a defining moment. The Dominions entered as colonies but believed that their sacrifice entitled them to a greater independence on the international stage. Each Dominion signed the Treaty of Versailles separately, and the Dominions joined the League of Nations as individual members in 1920.<sup>(31)</sup>
- \* Due to geography, however, Ireland would be as ready as the colonies to join in free association on matters of common concern.
- \* That Lloyd George's invitation to the Irish to consider how association with the Commonwealth may best be reconciled with Irish national aspirations required an assessment of the evolving status of the dominions.
- \* That the independence of the self-governing dominions had to be clearly recognised.
- \* That Ireland could not be satisfied by the present legal status of the dominions but by the de facto position they had secured.
- \* That implications of that de facto position had to be recognised as regards sovereignty, allegiance and constitutional independence.
- \* That following such reforms the Commonwealth might develop into a genuine League of Nations which the United States would consider joining.

- \* That Ireland as a mother country with an international standing would be important in consolidating the legitimacy of such an organisation, particularly in the United States.
- \* That American involvement in such an organisation would make a major contribution towards world peace.

On other occasions Collins set out more specific or immediate "stepping stones" aimed at enhancing Ireland's international status under the Treaty;

" We can send our own ambassadors to Washington, to Paris, to the Vatican; we can have our own representatives on the League of Nations (if we wish)."<sup>(32)</sup>

Taking both sets of objectives as Collins' agenda, or vision, for the development of the imperial association, the remainder of this chapter is devoted to an analysis of the extent to which his Cumann na nGaedheal heirs pursued that agenda, and with what degree of success. Before moving on to examine the actions of the Cosgrave governments, it is important to have a clear idea of the range of measures contained within the Treaty settlement which had to be removed if the "League of Free Nations" envisaged in Collins' memorandum, was to become a reality. The main obstacles were:

- \* The formal subordination of the Oireachtas to the United Kingdom Parliament, reserving the right of the latter to make laws for the Dominions in line with constitutional practice, i.e. in the areas of nationality and merchant shipping legislation or any in other area where the Dominion concerned invites the exercise of Westminster primacy.
- \* That Executive authority was vested in, and derived from the British Crown and the position of the King as a constituent element of the Oireachtas.

- \* The Oath to the Crown required of all members of the Oireachtas. Although the Oath was resented it must be remembered that it differed from that applying to other Dominions in that primary allegiance was sworn to the Constitution of the Irish Free State with a secondary pledge of faithfulness to the Crown as head of the Commonwealth. The Oath was virtually word for word the version that had been approved and recommended to Collins by the IRB Supreme Council on 3 December 1921.<sup>(33)</sup>
- \* The right to appeal decisions of the Irish Supreme Court to the Judicial Committee of the Privy Council.
- \* The right of the Crown's representative (Governor General) to either withhold the King's assent from a Bill or to "reserve" a Bill for the assent of the "King in Council", ie the British Cabinet.
- \* The restriction prohibiting the Dominions from passing legislation with an extra-territorial effect.
- \* The continued existence of the Colonial Laws Validity Act of 1865, the second clause of which declared void any Dominion legislation which was "repugnant" to any Act of the British Parliament.<sup>(34)</sup>

I would argue that evidence indicates that Collins had a realistic assessment of what was possible on "crown and empire". He went to London with a pre-prepared idea of what was possible immediately, and with a strategy for building on that position in the longer term. As Piaras Beaslai argues in his 1937 revision of his 'official' Collins biography, such a view of Collins clashes with that offered by Frank Pakenham (Lord Longford) in his 1935 study of the Treaty negotiations, 'Peace By Ordeal'. Beaslai challenges the Pakenham view that Collins was primarily a military man who did not consider politics seriously until his appointment as a plenipotentiary. Beaslai cites Collins' role in the reconstruction of Sinn Fein in 1917, and his service as acting President while De



Valera was in America, and Griffith in jail, as two instances of the political Collins.<sup>(35)</sup> I would argue that the approach he adopted to dominion status is another example of the thought-out Collins.

Political grasp and direction is no protection against political violence, and a bullet at Beal na mBlath meant that Collins' hand would no longer be at the helm. I now go on to examine the extent to which his successors followed the course he had charted?

### Round One: 1922-1925

With the exception of three months in 1927, when President Cosgrave assumed the portfolio, the post of Minister for External Affairs was held from September 1922, to the defeat of Cumann na nGaedheal in 1932, by FitzGerald, Kevin O'Higgins and Patrick McGilligan. It was under these three men that the Irish Free State began to make its mark on the nature of imperial relations, and to gradually move matters in the direction envisaged by Collins. They were also keen to assert Collins' interpretation of the Treaty as an flexible instrument against the Anti-Treaty assertion that it froze Ireland's imperial association for all time. Making the Treaty work in the way Collins had predicted, and demonstrating that Cumann na nGaedheal was effective in representing Irish interests, was regarded as important in winning over sections of public opinion.<sup>(36)</sup>

Gavan Duffy, FitzGerald's predecessor as Minister for External Affairs, left his successor a memorandum of advice which was decidedly 'up beat' about the new state's ability to play an influential role internationally.<sup>(37)</sup> Duffy argued that the influence of the Irish diaspora, particularly in the United States, Ireland's geographical position and her perceived role as a leader of the democratic and anti-imperialist struggle all combined to give the Irish Free State an international significance out of all proportion to its size and population. Duffy also argued

that the more significant Ireland's international role, the less likely England would be to interfere.

Duffy was writing to FitzGerald as the first real salvoes of the Civil War resounded around Dublin. The divisions over the Treaty served to tarnish the reputation which the departing minister had described in such glowing terms. The divisions had thrust themselves on to the international stage in early 1922 when rival Pro-Treaty and Anti-Treaty delegations attended the Irish Race Convention in Paris. It was the horrors of the Civil War, of assassination, executions and reprisals which really questioned the reputation of the Irish as a peace loving people put upon by the imperialist designs of a larger neighbour. Dermot Keogh, who has made a great study of Ireland's external relations, has described the Civil War as Ireland's "first foreign policy failure".<sup>(38)</sup>

The Civil War also delayed the very business of external affairs. While the Free State was fighting for its life, the details of the imperial connection did not seem that important. It was not until the summer of 1923, therefore, that the Irish Free State made its real debut on the international stage.

The Irish Free State's first foreign policy initiative was to join the League of Nations, which the other Dominions had joined in 1920. On 20 February 1923 Kevin O'Shiel, former Collins adviser, Assistant Legal Adviser to the government and later head of the North East Boundary Bureau, memorialised members of the Executive Council on the question of League membership. In his memorandum he pointed out that Lord Balfour was to be replaced as British representative at Geneva by Ronald McNeill MP whom O'Shiel described as "a violent partisan of the Northern secessionist movement", and he went on to argue that McNeill's appointment was tantamount to extending direct representation in the Council of the League to Northern Ireland.<sup>(39)</sup> O'Shiel concluded that this was yet another reason why the Irish Free State should apply for League membership.<sup>(40)</sup>

Within a month O'Shiel was writing to Executive Council members yet again, arguing that "if things go wrong" with regard to the proposed Boundary Commission, the League could be a possible court of international appeal.<sup>(41)</sup> Despite O'Shiel's urgent promptings, the Government wanted to ensure that the Civil War was won and its authority secured before making moves on the international stage.

The Irish Free State was eventually admitted to the League on 10 September 1923. All 46 member states voted in favour and Cosgrave, who was present in Geneva along with Hugh Kennedy, Desmond FitzGerald, Osmond Esmonde and James MacNeill, was called on to address the Assembly. Speaking in Irish and English the President claimed to be speaking on behalf of "one of the oldest yet one of the youngest nations", and made a deliberate point of describing the Treaty as an international agreement.<sup>(42)</sup>

Cosgrave sent a message home to Ireland via the pages of the 'Irish Independent'. He told the paper's readers;

" Today's ceremony has a deep meaning. The efforts of past years are confirmed . Our freedom is recognised by the nations of the world. Our status is defined . We now begin to receive the universal consideration to which we are entitled by the position we have won."<sup>(43)</sup>

The President was obviously keen to present this development in international status as a natural continuum of the independence struggle. His message was very much in the style of Collins' "stepping stone" approach. While there is no doubt in my mind that Collins would have supported Irish membership of the League of Nations, that organisation should not be confused with the "association of free and equal nations" envisaged by Collins in his November 1921 memorandum. Collins saw his organisation growing out of the Empire, and speculated that the United States would one day join it. American refusal to join the League of Nations did much to undermine the influence and authority of that organisation.

The opposition at home, both within and outwith the Dail, could not openly

criticise this entrenching of the national position although they must have been concerned that it undermined their critique of the Treaty. Labour Leader Thomas Johnson could not resist questioning whether, under the status assigned to it by the Treaty, the Irish Free State was actually eligible for membership of the League. FitzGerald clearly relished his reply that the Covenant of the League specifically referred to "states" and "dominions".<sup>(44)</sup>

Within weeks of joining the League of Nations, the Irish Free State faced its first Imperial Conference. The mechanism of the Imperial Conference was regularised in 1907 when it was agreed that the self-governing dominions and Great Britain should meet every four years, or more often if circumstances demanded it. Every meeting of the Imperial Conference had resulted in some modest advance in the independent status of the dominions.

The 1923 Conference, which opened in London in October, came too early for the Irish Free State to have a clear agenda of its own, and it was largely regarded as an opportunity, to gain experience of the way things operated. There are those who argue that the Irish never became a driving force within the Commonwealth and that they merely followed a trail blazed by South Africa and Canada, and that it was the upheaval in relationships caused by World War I, rather than the policy of any of the dominions, that transformed the situation. Those pursuing this line of argument point to the Imperial Conference of 1923 and argue that if the Irish were really an engine for change it would have been apparent then as the Free State Government was at its strongest diplomatically having faced down the Anti-Treatyites in Civil War.<sup>(45)</sup>

I do not share this point of view. In this chapter I have already illustrated that the Civil War had distracted the Free State Government from the imperial reform agenda, just as I argued in the previous chapter that it had distracted the Irish authorities from the boundary question. I have also argued in this chapter that the harsh brutalities of the Civil War undermined the Free State's international 'image', agreeing with Dermot Keogh that the Civil War was a failure in Irish

foreign policy. My evaluation of Ireland's significance in shaping developments in the imperial relationship is based on events between 1922-1932, rather on one Imperial Conference which was held less than five months after the cessation of the Civil War, at a time the Free state Government was encountering discontent among sections of its own Army on which it had just relied to win the Civil War.

In a briefing document prepared for President Cosgrave in advance of the 1923 Conference, FitzGerald identified the issues likely to be raised by the Canadian delegation which were consistent with the "stepping stone" approach to which the Irish Government was committed.<sup>(46)</sup>

The signing of the Treaty of Versailles by all of the dominions, and the Canadian/American Halibut Treaty of 2 March 1923, had challenged the diplomatic unity of the Empire, and the position of the British Foreign Office as the sole executive agent for the Dominions in external policy. The Canadian actions opened the way for the appointment of representatives to other countries and also questioned the role of the office of Governor General. Were they subordinates of the Colonial Office or the personal representatives of the King?<sup>(47)</sup>

The key reform to emerge from the 1923 Imperial Conference was the confirmation of the rights of dominions to conclude bi-lateral treaties as per the Halibut Treaty. It was also agreed that where major international treaties had implications for more than one part of the Empire then they should be signed by each of the Dominions concerned and not by the British Government alone. FitzGerald served on the sub-committee dealing with treaty-making, chaired by the British Foreign Secretary Lord Curzon.<sup>(48)</sup>

Within a week of the Irish Free State joining the League, Michael MacWhite, one of the former Sinn Fein envoys who had been appointed as one of the Irish representatives to the League, wrote to FitzGerald suggesting that the Free State

seek to register the Treaty with Great Britain as an international treaty under Article 18 of the League Covenant.<sup>(49)</sup> In June 1924 Alfred O'Rahilly, another Irish representative in Geneva, wrote to Cosgrave urging Treaty registration. O'Rahilly argued that against the backcloth of the Army Mutiny it could assist in heading-off dissidents. Osmond Esmonde, one of those associated with McGrath's National Group, had a great personal interest in external affairs and the international registration of the Treaty could be sold as decisive action in line with Collins' "stepping stone" approach. Just as O'Shiel had argued that League membership could be useful in any future conflict over the Boundary Commission, O'Rahilly argued that registering the Treaty with the League would put pressure on the British. If things were to go wrong with the Boundary Commission, and the Treaty had not been registered, then the Executive Council could be criticised for not having taken every possible step in applying pressure for the Irish point of view.<sup>(50)</sup>

Cosgrave consulted with his Minister for External Affairs and on 26 June FitzGerald circulated all members of the Executive Council with his assessment of the chances of successfully registering the Treaty. FitzGerald predicted that the British would oppose the move as it would assign to the Treaty a status which they did not recognise and it would set a precedent of the League regulating affairs between different components of the Empire and Commonwealth, something else the British did not recognise. FitzGerald also predicted, however, that the British would not push their opposition as it could re-open the debate as to whether or not dominions had the right to join the League.<sup>(51)</sup>

On 11 July 1924 the Irish Free State presented the Treaty for registration under Article 18. FitzGerald's predictions as to the likely British reaction proved very accurate. On 13 August the British Colonial Office stated that it regarded the Irish action as raising questions of "very great constitutional importance as to the relations between the component parts of the Empire" and officially informed the League of their view that the Treaty did not fall within the scope of Article 18. Cosgrave responded the following day stressing that the Irish supporters of the

Treaty regarded it as a international agreement between two nations. The British proposed that the Irish should drop their action pending discussion at the next Imperial Conference scheduled for 1926.<sup>(52)</sup> On 4 November the Labour Colonial Secretary, J.H. Thomas wrote to Governor General Healy confirming the Labour Government's adherence to the 'inter se' principle.

All three main British parties were committed to the view that the League of Nations had no role in the relations between the various parts of the Commonwealth. The Thomas letter claimed that this point of view had been accepted by the Barcelona Transit Conference of 1921 when the following article was inserted in all conventions:

" nothing in this convention shall be interpreted as regulating rights and obligations *inter se* of the territories forming part of, or under the protection of, a single sovereign state whether these territories considered individually are or are not, members of the League of Nations."<sup>(53)</sup>

Following a change of Government in Britain, Thomas' Tory successor Amery wrote to Healy subscribing to the view of "successive British Governments" that Article 18 did not apply to the Irish Treaty.<sup>(54)</sup>

The registration of the Treaty struck at the heart of differing British and Irish interpretations as to how the Irish Free State had come into being. On the one hand the British view was that the new state had been created by an act of the British Parliament. On the other hand the Irish argued that the new state had grown out of an international Treaty agreed between the representatives of the British and Irish peoples, and ratified by their respective parliaments - Westminster and Dail Eireann. As the Tory 'Morning Post' expressed it;

" It is wrong for the 1921 agreement to have been described as a Treaty. A Treaty cannot be made between the Crown and its subjects."<sup>(55)</sup>

It went on to condemn the Irish action as;

" Another move in the quiet process of turning a Dominion in name into a Republic in practice."<sup>(56)</sup>

FitzGerald's ultimate prediction was accurate. While the British made it absolutely clear that they disagreed with, and did not recognise, the Treaty registration they drew back from creating a crisis or showdown within the League. The Treaty registration was a case of the Irish using a supportive international environment to further their interpretation of the Treaty and its possibilities.

In reaching for another of the "stepping stones", which Collins argued would advance its international status, the Irish Free State began taking steps in early 1924 to appoint a representative, a minister plenipotentiary, to the United States of America. They approached the British Government on the matter and nominated Professor T.A. Smiddy, a former economic adviser to Michael Collins.<sup>(57)</sup> The initial British reaction was to consult with the other dominions. Both Canada and South Africa approved of the move while New Zealand opposed. Australia argued that the matter should be left for discussion at the next meeting of the Imperial Conference.<sup>(58)</sup> The British delayed while they considered whether Irish representation to the United States affected the Irish Free State alone, or whether it had wider implications for the Commonwealth.

The Irish took exception to three points in the initial set of representative's credentials proposed by the British. They objected to the use of the term 'United Kingdom of Great Britain and Ireland' in describing the King. They disliked the implications of the term "to attach him (the representative) to our embassy" and finally they objected to the fact that the credentials were to be counter-signed by the British Secretary of State.<sup>(59)</sup> The British yielded on points two and three and referred discussion on the Royal title to the next Imperial Conference. These outstanding points agreed or deferred, the British then consulted the Americans as to whether or not Smiddy was 'persona grata'. The Americans responded on 11 August and Smiddy's credentials were eventually presented to President Coolidge on 7 October 1924.<sup>(60)</sup> Smiddy's appointment was the first by the King



of an accredited representative of a dominion to another head of state.<sup>(61)</sup> By the autumn of 1924 the Free State Government had achieved two of the specific objectives outlined by Collins. The Free State had joined the League of Nations and appointed a representative to Washington.

The Irish Free State began 1926 by unsuccessfully contesting election to the Council of the League of Nations. Successful or not the Irish had established another precedent in breaking with the 'group principle' by which the Commonwealth members of the League were represented on the Council by one of their number on a rota basis. The Irish initiative resulted in a Canadian being elected to the Council a few years later.<sup>(62)</sup> The Irish were prepared to end 1926 as they had started it and arrived at the 1926 Imperial Conference with a detailed agenda for reform.

#### Round Two: The Imperial Conference of 1926

The representatives of the United Kingdom, the self-governing dominions, and India gathered around the conference table at Downing Street on 19 October 1926. Although their views differed, they agreed the over-riding issue, was 'equality of status'. The Canadian Prime Minister, MacKenzie King, came to London convinced that the British Government had unduly influenced the Canadian Governor General to the disadvantage of his Liberal Party and he was determined to ensure that such interference would not be repeated.<sup>(63)</sup> His South African counterpart, General Hertzog, arrived equally committed to pressing for equality of status having used the issue of greater independence from Britain to political advantage at home. Before sailing for London, Hertzog told a meeting in Cape Town that he would "set the veld on fire with a call for Republican independence" if the co-equality of the dominions was not recognised at the Conference.<sup>(64)</sup>

The Irish Free State was represented by Kevin O'Higgins, Vice President of the Executive Council and Minister of Justice, Desmond FitzGerald, Minister for

External Affairs, and James MacNeill, the High Commissioner in London. They were supported by Joseph Walshe, Secretary of the External Affairs Department and Diarmuid O'Hegarty, Secretary to the Executive Council.<sup>(65)</sup> The direction set by Canada and South Africa was to the Irish delegation's liking but the Irish were less concerned with ringing declarations of principle and more concerned about achieving the legal and technical changes that would transform the notion of equality into 'de jure' reality.

The recognition of equality of status demanded by the Canadians, South Africans and Irish was agreed in what became known as the 'Balfour Declaration', taking its name from Lord Balfour who convened the relevant sub conference;

" They (the dominions) are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations."<sup>(66)</sup>

While the Irish welcomed and supported this bold declaration of principle, the irony was not lost on the delegation that it was to be associated in history with "Bloody Balfour" who had been something of an Irish 'bete-noire' during the 'Land War'.<sup>(67)</sup>

On 2 November the Irish delegation tabled its closely-argued paper entitled 'Existing Anomalies in the British Commonwealth of Nations'. The Irish argued that if the principle of co-equality was accepted, as per the Balfour Declaration, then it was necessary to address the anomalies and anachronisms which threatened the principle. These included:

- \* The undermining of the right of each dominion government to advise the King on all matters relating to it by a) the British power of veto over dominion legislation, b) the issuing of exequaturs to consuls operating in the dominions and c) the assumption that the British signature on international treaties and agreements was binding on the dominions.

- \* The role of the Governor General in representing the British Government as well as the Crown.
- \* The restriction of the legislative competence of a dominion to its territorial area.
- \* The continued existence of the Colonial Laws Validity Act of 1865 under which the legislation of the British Parliament exercised authority over laws passed by dominion parliaments.
- \* The Royal Title, particularly the Irish concern over the description of Great Britain and Ireland as one single kingdom.
- \* The right of appeal to to the Judicial Committee of the Privy Council against the decisions of the supreme court of any of the dominions.
- \* The role of the British Foreign Office in regulating relations between foreign governments and the dominions.<sup>(68)</sup>

Although the British Foreign Office was initially dismissive of several of the points raised in the Irish memorandum, all of the points listed by the Irish were addressed by the Conference.<sup>(69)</sup> A number of their proposed reforms were agreed while others were referred to an "expert committee process" for decision at a future imperial conference. It is not surprising therefore that the Irish were credited with having played an influential role in the Conference deliberations.

The Conference agreed that the right of the British Government to advise the Crown on dominion legislation should go. The only exceptions were federal dominions which positively regarded "reservation" of legislation as a form of protection for state/provincial rights, or in the case of contractual agreements where British lenders required assurance that their rights would not be usurped by dominion legislation. The question of the Colonial Laws Validity Act was

referred to an expert committee for consideration. The above changes, along with an agreement that dominion governments should communicate directly with the British Government, and cease using the Governor General as some kind of go-between, transformed the role of the post of Governor General, reducing its function to that of personal representative of the Crown appointed on the exclusive advice of the dominion concerned.

Other issues agreed in London in the autumn of 1926 included future foreign treaties being signed by the King separately on behalf of each dominion that was party to the agreement, the separate representation of the dominions at international conferences, either by an agreed common delegation or by independent delegations, and the granting of Exequaturs (the power of foreign consuls to operate in a dominion) to be approved by the King on the sole advice of the dominion government concerned, and counter-signed by the appropriate dominion minister.<sup>(70)</sup>

#### 'The Kingdom of Ireland'

The other, particularly Irish, reform agreed by the Imperial Conference related to the royal title. The existing formulation described George V as;

"...by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions Beyond the Seas, King, Defender of the Faith, Emperor of India."

The Conference agreed a change in the title to read;

"...by the Grace of God, of Great Britain, Ireland and the British Dominions etc, etc"<sup>(71)</sup>

This small change, which was given effect by the 'Royal and Parliamentary Titles Act of 1927', became known as the "O'Higgins' comma". FitzGerald told the Dail that it ended the "description of this country as part of a political unit which came to an end with the Treaty".<sup>(72)</sup>

Along with the operation of the Colonial Laws Validity Act, the questions of extra-territorial powers and merchant shipping legislation were referred to the "expert committee" procedure. The one area in which the Irish made least progress was appeals to the Judicial Committee of the Privy Council. The Irish regarded this as an important issue but on this point they could not rely on the support of the federal dominions that regarded the procedure as an element in the system of checks and balances regulating state/provincial rights. The Irish reserved the right to raise the matter again at the next imperial conference. O'Higgins had apparently come to an understanding with Birkenhead that if the Irish did not press the issue in 1926, then he would support their demand at the next imperial conference.<sup>(73)</sup> By the time of the next imperial conference in 1930, however, Lord Birkenhead, and Kevin O'Higgins were both dead.

In addressing the Irish people on the achievements of the 1926 Imperial Conference, FitzGerald asserted that;

" experience has given the verdict to Arthur Griffith and Michael Collins."<sup>(74)</sup>

FitzGerald clearly believed that the gains made by the Irish at the Imperial Conference had confirmed Collins' view that the Treaty was a flexible instrument that could be used as a "stepping stone" to complete freedom. One of the Irish Conference team, Kevin O'Higgins, certainly believed that he was following in Collins' footsteps. Denounced as an "imperialist", because of his preoccupation with Commonwealth affairs, O'Higgins retorted that;

" I try to do what the Big Fella would have done. I try to play them at their own game."<sup>(75)</sup>

The issue of the Royal Title was no mere grammatical point to O'Higgins. He viewed it as essential to a possible resolution of the political priority he claimed to share with Collins, namely the unification of the country. O'Higgins wished to see the Crown operating as the head of state of six independent kingdoms. The only king that would ever be acceptable to Ireland would be a King of Ireland.

There are undoubted echoes of the original Griffith/Sinn Fein concept of the 'dual monarchy', Griffith's citing of the Austro-Hungarian model as one which could reconcile an independent Ireland with its Northern Unionist minority. Up to his death in 1927 O'Higgins believed that the Irish kingdom model could provide a basis for re-unification. It was widely believed that O'Higgins had put this view to no less a personage than Lord Carson and also to L.S. Amery, the Tory Secretary of State for the Dominions. Lord Londonderry is reputed to have visited Dublin in the summer of 1927 to discuss this proposal further.<sup>(76)</sup> As a result of the revelations accompanying the publication of Sinead McCoole's biography of Hazel, Lady Lavery, already briefly referred to in Chapter 1, we know that O'Higgins and Lady Lavery were lovers. We also know that Londonderry was among her admirers, and it is therefore feasible that she arranged for both men to meet to discuss how unification might be brought closer.<sup>(77)</sup>

This political interpretation of the fruits of the 1926 Conference was shared by the 'Irish Times'.

" The Kingdom of Ireland has been restored in theory, if not in fact. Is it too much to hope that one day the problem of Irish Unity will be solved by the aid of this formula?"<sup>(78)</sup>

There were certainly those among the Northern Unionists, and their mainland supporters, who did fear that the changing of the royal title held implications for the future of Northern Ireland. The British Home Secretary and Prime Minister Baldwin both replied at different times in the House of Commons that the "Ireland" referred to in the new title was a geographical rather than a political entity and implied no role in the government of Northern Ireland for the Free State. Baldwin evaded the question as to why the new title did not refer to the "United Kingdom of Great Britain and Northern Ireland" and list the "Irish Free State" among the dominions?<sup>(79)</sup>

I have pointed out in the earlier chapters on the Army Mutiny and the Boundary

Commission that O'Higgins role in both events could be interpreted as outmanoeuvring the ministers involved, Mulcahy and MacNeill respectively, in order to enhance his already powerful position within the Executive Council. His taking over the portfolio for External Affairs in the summer of 1927 could be interpreted as his taking yet another rein of state firmly in hand. There is no doubt, however, that O'Higgins excelled at the byzantine complexities of imperial negotiations and that he regarded them as central to the development of Ireland's international status. When General Hertzog arrived back in South Africa following the 1926 Conference, he claimed to have "brought home the bacon". It was widely whispered that it was "Irish bacon".<sup>(80)</sup> Whatever O'Higgins' motivation for taking over the portfolio, he did not have long to enjoy it. He was struck down by an assassin's bullet little more than two weeks later.

Kevin O'Higgins lingered on his deathbed for five hours before succumbing to his fatal injuries. His wife sought to comfort him by telling him that he would soon be with "your father, Michael Collins and your little son"<sup>(81)</sup> O'Higgins had lost his father and infant son in tragic circumstances and this linking of Collins' name with them suggests that O'Higgins' immediate family believed beyond doubt that he admired and loved Michael Collins, a view supported by O'Higgins' emotional reaction to the news of Collins' death. O'Higgins attitude to Collins' may well have been more complex. In Frank O'Connor's research for his Collins biography he was apparently told by Ernest Blythe that O'Higgins had once commented to him;

" That crooked Spanish bastard will get the better of that pasty-faced blasphemous fucker from Cork."<sup>(82)</sup>

If this statement was ever made, it was probably uttered around the time of the De Valera/Collins pact, a development which, as noted in Chapter 1, led to a breach between Collins and Griffith. It is possible that it was made in the heat of the moment and was not indicative of O'Higgins' considered attitude towards Collins. Following the publication of Sinead McCool's book, and the comments by Una O'Higgins O'Malley regarding her father (see Chapter 1), we know that

Hazel Lavery adored Michael Collins, whether or not their relationship was ever physically consummated, and that she pined after him. We also know that Lady Lavery and O'Higgins were definitely lovers in the years after Collins' death. The structure of such emotional triangles can distort the attitudes of the most rational of human beings, and we can only ponder whether or not O'Higgins came to resent the dead Collins as the great love in his own lover's life?

Whatever O'Higgins' real attitude towards Collins there is no doubt that he was acting in line with his stated strategic approach in the field of imperial relations. The link between continuing Commonwealth membership and hopes of eventual national reunification was endorsed most starkly by another government minister. Addressing a meeting at Ardee, Monaghan in January 1927, Ernest Blythe, the holder of Collins' old finance portfolio, argued;

" If I could get a Republic for the 26 counties by holding up a finger, I would not hold up that finger. If we did, whatever prospects there are of re-uniting the country would disappear completely."<sup>(83)</sup>

One of the more utopian claims in Collins' November 1921 visionary paper on the development of a "free association of states" was that the United States of America might join such an organisation. Following the decisions taken at the 1926 Imperial Conference, support for Collins' assertion came from an authoritative source. Writing on the Irish achievements and the willingness of the British Government to concede, the 'Washington Post' reported;

" ...if the Government of George the Third had possessed the wisdom of that of George the Fifth there would have been no Declaration of Independence and the United States would still be part of the British Commonwealth."<sup>(84)</sup>

While the 'Washington Post', the 'Irish Times' and the Cumann na nGaedheal figures who claimed the mantle of Collins were triumphant at the outcome of the 1926 Imperial Conference, the public at large did not share their excitement. Many were pre-occupied with concerns nearer home, and it was difficult for Cumann na nGaedheal to trumpet the Conference as further progress to full



independence when they had argued since 1922 that the Treaty had offered them that degree of independence all along.

In the months between the Imperial Conference and his assassination in July 1927, O'Higgins and his colleagues continued to assert, and push out the boundaries of, the Free State's independence on the international stage. The Irish Government formally protested against Austen Chamberlain's speech to the League of Nations Council in March 1927 when he claimed to be speaking on behalf of all the dominions.<sup>(85)</sup>

The Irish Free State was represented in its own right at the Naval Disarmament Conference held in Geneva in June 1927 by O'Higgins. He addressed the Conference on the nature of dominion representation, stressing that the representatives of each dominion were appointed representatives of the King and acted on behalf of the dominion government concerned. O'Higgins protested that the Commonwealth nations were asked to agree to being represented by two imperial representatives on the Executive Committee of the Conference.<sup>(86)</sup> The persistent O'Higgins seems to have made an impression on the Conference delegates. The Japanese delegation described the Conference as a failure for all except the Irish;

" They have used it (the Conference) to assert their international status, in which they have fully succeeded."<sup>(87)</sup>

The dominions exercised their international status in 1928 by individually signing the Paris Treaty for the Renunciation of War, and through 1928 and 1929 the Irish Free State increased its number of representatives abroad, appointing envoys to Paris, Berlin and the Vatican thereby fulfilling another couple of objectives on the check list bequeathed by Collins.<sup>(88)</sup>

In September 1929 the Irish Free State flexed its diplomatic muscle again when Patrick McGilligan, who had succeeded as Minister for External Affairs in October 1927, signed Article 36 of the 'Optional Clause' of the Statute of the

Permanent Court of the International Justice, without reservation. Great Britain and the other Dominions had signed with the reservation that the Court's scope of operation would not cover "domestic" disputes between Commonwealth nations. The English press claimed that the Irish had failed to inform Commonwealth colleagues of their intention, but McGilligan strongly contested that allegation.<sup>(89)</sup>

Whether they had been formally informed or not, the Irish action should not have come as shock to British or dominion leaders. Given the continuing Irish objection to the role of the Judiciary Committee of the Privy Council as an imperial court of appeal, it was not surprising that they would want to subscribe to an alternative mechanism to which international disputes could be submitted. Such a development would have been consistent with the Irish vision of the Commonwealth in transition, evolving from a colonial federation to Collins' alliance of equal nations.

### Unfinished Business

The 1926 Imperial Conference agreed to refer a number of issues to an "expert committee" to bring about the de jure changes necessary to underpin the de facto status of the dominions defined in the Balfour Declaration. It eventually met in December 1929 and presented its report in January 1930. As most of the delegations were led by political leaders, the Irish Free State was represented by McGilligan, Diarmuid O'Hegarty and Costello,<sup>(90)</sup> the expert committee was really a full-blown imperial conference and it became officially known as the 'Conference on the Operation of Dominion Legislation and Merchant Shipping Legislation 1929'.<sup>(91)</sup>

The 1929 meeting set about the agenda referred to it by the 1926 Conference. It was readily agreed that the power of the Imperial Parliament to disallow dominion legislation, the restriction on the extra-territorial operation of dominion legislation and the power of the Governor General to reserve dominion

legislation were obsolete. It was also agreed that the restrictions imposed by the Colonial Laws Validity Act should be abolished subject to the proviso that the existing practice governing amendments to the constitutions of Canada, New Zealand and Australia should be maintained. On the complex questions of Merchant Shipping legislation it was agreed that dominions should have rights to pass legislation while recognising the need for uniformity.<sup>(92)</sup>

The overall result of the measures recommended by the 1929 Conference would give the Dominions the right to amend or repeal all Imperial statutes extending to them.

The Imperial Conference of 1930 convened in October/November to deal with the recommendations made by the Conference on Dominion Legislation and Merchant Shipping but the mood was decidedly different from of the 1926 gathering. The Irish had lost a major ally in MacKenzie King's Canadian Liberal Government. Bennett's Conservatives, like several other delegations, were more concerned about the international economic situation than constitutional questions.<sup>(93)</sup> Two of the towering figures who had been so effective at the 1926 Conference had died since the last full imperial conclave. O'Higgins on the Irish side, and Lord Birkenhead on the British, embodied a wealth of experience in Anglo-Irish negotiations. When they died, that experience and a useful continuity died with them.

The Irish delegation was led by Patrick McGilligan, supported by FitzGerald, who by then held the defence portfolio, by Minister of Agriculture Patrick Hogan and by Attorney General Costello. They were augmented from time to time by Professor Smiddy, who had succeeded James MacNeill as the High Commissioner in London, and J. Dulanty, the Trade Commissioner in London.<sup>(94)</sup> By now the aspirations of the Irish Free State had outgrown the issues discussed in 1926 and 1929. In a despatch from the Irish Department of External Affairs to the British authorities, the Irish set out other issues they wanted to have discussed.

The first concerned the running sore of the role of the Judicial Committee of the Privy Council. The Irish described the continuing right of this extra-state institution to exercise jurisdiction in internal Irish affairs as a "menace to (Irish) sovereignty".<sup>(95)</sup> In an attempt to bring the operation of the Crown in the dominions into line with practice in the UK, the Irish demanded direct access to the King. The Irish raised again the old 'inter se' principle, arguing that it implied that the nations of the Commonwealth constituted a single sovereign state. They argued that international treaties should not be regarded as applying 'inter se' unless all of the participating dominions clearly agreed it.

The fourth and final Irish demand concerned the issue of communications between dominions and foreign governments. The existing practice of communicating through the British Foreign Office was criticised as slow and the Irish argued that it gave the impression that the British Foreign Office was the supreme authority in a federal state. The Irish proposed that in instances where a dominion did not have a representative in a foreign country, dominions should communicate directly with the foreign government in question through the British representative in that country.<sup>(96)</sup>

The 1930 Imperial Conference was less of a clear cut victory for the Irish agenda. On the positive side it approved the recommendations of the 1929 Conference and decided on the drafting of the Statute of Westminster which would enshrine the transformation in imperial relations. It read;

" No Act of the Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend to a Dominion as part of the law in force in that Dominion unless it is expressly declared in that Act that the Dominion has requested, and consented to, the enactment thereof."

It was agreed that the Statute would be debated by the British and dominion parliaments in the course of 1931, thereby allowing the Statute to become operative from 1 December 1931. The date was important to the Free State's Cumann na nGaedheal leaders as they wanted the Statute in place before they

faced De Valera and Fianna Fail at a General Election in 1932.<sup>(97)</sup>

In relation to the newer Irish agenda, there was movement on access to the King and communications with foreign governments, but the British dug in on the question of the Privy Council and the 'inter-se' principle. These were always going to be difficult issues for the Irish Free State to make progress on. Previous Irish successes had in part been due to the ability to forge alliances with other Dominions, most notably Canada and South Africa. Due to the English speaking/French speaking divide in Canada and the British/Afrikaner divide in South Africa, the judicial mechanism of the Privy Council was seen as a useful referee for settling disputes between dominion majorities and minorities. The other dominions simply did not share the Irish view that the Judicial Committee of the Privy Council was a restriction on their independence. The British on the other hand had shown their commitment to the 'inter-se' principle, the belief that international institutions had no role in regulating affairs between Commonwealth nations, when they strongly objected to the Irish Free State registering the Anglo/Irish Treaty with the League of Nations.

Those who argue that the Irish were bit-players in changing imperial relations in the period 1922-32, would seem to me to be on stronger ground if they were to base their case on Irish failure to succeed without Canadian and South African support in 1930, rather than on a supposed lack of Irish initiative at the 1923 conference.

Unperturbed, the Irish Free State continued to unilaterally expand the boundaries of its international status. In January 1931 it authenticated a Treaty of Commerce and Navigation with Portugal with the Great Seal of Saorstát Éireann, despite British objections.<sup>(98)</sup> The Cosgrave Government also tried to take some initiative on the Oath. The Irish accepted the British interpretation that any such change would be the equivalent of a partial re-negotiation of the Treaty. Sean Murphy, the Assistant Secretary at the Department of External Affairs, was sent to London to explain just how contentious an issue the Oath was and how it could be used

to advantage by De Valera in the forthcoming general election campaign. The British, however, refused to play ball.<sup>(99)</sup>

### The Statute of Westminster

In opening the debate in the Dail on the Statute of Westminster in July 1931, McGilligan began by asserting that the imperial system which had taken centuries to build had been brought to an end in the course of four years. He continued by praising Collins and Griffith, "the founders of this state" for their insight into the nature of imperial developments which would inevitably lead to the dominions, and thereby the Irish Free State, developing as fully independent players on the international stage.<sup>(100)</sup> McGilligan then praised the strategy followed by the Irish Free State from 1926 onwards to force the pace in imperial developments, and singled out O'Higgins as the driving force behind it. McGilligan argued that the over-riding external policy consideration of the Irish Free State had been to;

"... uproot from the whole system of this State the British Government... the whole aim and the whole result of the Conferences of 1926, 1929 and 1930, was that one had to get completely rid of any power, either actual or feared, that the British Government had in relation to this country."<sup>(101)</sup>

McGilligan concluded that this had been achieved by substituting the position of the British Government by the British monarch who, as far as Irish affairs were concerned, functioned subject to the will and control of the Irish Government.

The enthusiasm with which the Free State governing party welcomed the Statute of Westminster was not universally shared. New Zealand, and to a lesser extent Australia, were unenthusiastic about the new Statute while back in the United Kingdom the new National Government, which had succeeded the minority Labour Government, came under pressure from British sceptics who expressed concern over the Statute of Westminster for a variety of reasons.<sup>(102)</sup>

There was a general feeling that the issue was relatively boring and pedantic. More informed criticism came from those traditionalists who opposed giving

written form to political relationships and regarded the Statute as something of a 'proto' written constitution. It also drew resentment from the imperial die-hards who believed that the Statute was 'rubbing in' dominion independence which had already been accepted.<sup>(103)</sup> These general reservations, however, were secondary to the particular concern that, given that acts of the British parliament could no longer be mandatory on dominion governments, the Irish Free State could in the future unilaterally annul key elements contained in the Anglo/Irish Treaty.

This concern was given voice by Churchill who had the credibility of having been one of the Treaty negotiators. Speaking on the second reading of the Statute of Westminster Bill in the House of Commons on 20 November 1931, Churchill began by acknowledging the supreme sacrifice that Collins, Griffith and O'Higgins had made to secure the Treaty. He went on, however, to argue that the terms of the Statute would allow a future Dail to repudiate key elements of the Treaty namely the Oath, the limitations on the size of Irish defence forces and British access to harbour facilities and fuel storage.<sup>(104)</sup> Churchill supported an amendment moved in the Committee stage of the Bill which read;

" nothing in this Act shall be deemed to apply to the repeal, amendment or alteration of the Irish Free State Constitution Act, 1922."<sup>(105)</sup>

The immediate response from the Government frontbench was delivered by the Solicitor General, Sir Thomas Inskip, who argued that everything in the Bill had been included in the report of the 1930 Imperial Conference which had been accepted by the House. He went on to argue that Churchill himself had asked the House to take an even bigger gamble when endorsing the original Treaty.<sup>(106)</sup> Alarm bells started ringing in Dublin when they learned that Colonial Secretary Thomas concluded the debate stating that the Government would consider the points that had been raised by MPs.

An immediate insight into the likely Irish response came in an intervention in the debate by Cahir Healy the Northern Nationalist MP for Fermanagh. He took exception to Churchill's suggestion that the Free State might renege on its

commitments and accused the Northern Ireland Government of having broken the spirit and terms of the 1922 settlement by scrapping proportional representation, and accused the British Government of breaking the same settlement by its actions over the Boundary Commission.<sup>(107)</sup>

The initial response from the Free State Government was in the form of a letter from President Cosgrave to Prime Minister MacDonald on 21 November, the day following the London debate. Cosgrave made it clear that his government opposed any such amendment and argued that the Irish had stated on the record that the Anglo/Irish Treaty could only be altered by consent. He concluded by urging MacDonald to stand firm;

" the interests of the peoples of the Commonwealth as a whole must be put before the prejudices of the small reactionary element in these islands."<sup>(108)</sup>

Irish fears were placated somewhat by a secret despatch from their High Commissioner in London, Dulanty, who met with Thomas on the morning of 23 November. Thomas argued that Churchill's intervention had been made on a Friday when the House was poorly attended, apart from die-hards who stayed on to express their concerns. The Solicitor General and Thomas were the only members on the Government Bench and the latter's statement had merely been a ploy to play for time. Over the course of the weekend Thomas had spoken to Austen Chamberlain and Baldwin to confirm their support, and had also secured supportive editorials in both the 'Times' and the 'Daily Express'. Dulanty was also able to confirm that the British understood just how damaging the passing of the suggested amendment would be to the interests of the Free State Government.<sup>(109)</sup>

When the debate on the Bill moved to the House of Lords it became clear that senior Tory opinion was 'on-side', if a touch reluctantly. Speaking in the debate on 26 November, Lord Salisbury began by aligning himself with those enthusiasts for the unwritten constitution claiming that " the interpretation of



great constitutional principles in precise language is foreign to our whole conception of government."<sup>(110)</sup> In an attempt to carry die-hard opposition with him, Salisbury conceded that there were genuine causes for concern over possible future Irish actions and he quoted from a statement, supposedly made by Collins on 6 December 1921, indicating that the Treaty could well be flouted once British military evacuation had been completed.<sup>(111)</sup> Having made these oratorical concessions to the die-hards, Salisbury accepted Cosgrave's letter to MacDonald as sufficient guarantee that the Irish would not unilaterally change the terms of the Treaty and that the amendment, while well intentioned, was not necessary.

Winding up the Second Reading in the Lords the following day, Lord Hailsham expressed his regret over Salisbury's references to Collins and the casting of doubt on the dead Irish leader's "plighted word".

" Whatever Mr. Collins did or did not say nobody could deny that he carried through the Treaty at the risk of his life and in fact he did pay with his life for his support of the Treaty."<sup>(112)</sup>

Nine years after his death on a remote West Cork roadside, the ghost of Michael Collins still stalked the grandeur of the British House of Lords as the noble peers debated the future of the British Empire.

### Conclusion

The difficulties which arose over the passing of the Statute of Westminster Bill had their roots in two fundamentally different views as to the legal origins of the Irish Free State, which have already been referred to in this chapter. As far as the British were concerned, the new state was brought into being by an act of the United Kingdom Parliament. The Irish, on the other hand, maintained that the nation was the creation of a treaty between Great Britain and Ireland which was then ratified by the competent legislative assemblies in both countries, ie Westminster and the Dail.<sup>(113)</sup> The diverging interpretations reflected the different ways in which the British and Irish chose to sell the Treaty settlement to their

respective domestic audiences, and explain some of the subsequent skirmishes between the two governments on the international stage, e.g. the dispute over League registration of the Treaty and the unresolved role of the Judicial Committee of the Privy Council.

Writing from the vantage point of opposition in 1935, on the occasion of the eventual ending of the role of the Judicial Committee of the Privy Council as an imperial court of appeal, McGilligan paid tribute to the "foresight and faith" of Collins and Griffith, who had promised that the Treaty offered the prospect of the fullest sovereignty, and to the Cumann na nGaedheal governments who proved it in practice in the course of the following nine years.<sup>(114)</sup> There is no doubt that during that period the Irish Free State played a central role in imperial and international affairs, and that Ireland assisted in accelerating the transformation from Empire to Commonwealth. The Free State was careful to build alliances with other restless dominions, and progress on any individual point depended on support from other dominions. The fact that the other dominions did not share Irish concerns over the role of the Judicial Committee of the Privy Council explains the failure to resolve that question by the end of 1931. Ultimate progress was not made on this question until May 1933 when the Canadians, not the Irish, were the first to abolish appeals to the Judicial Committee of the Privy Council.<sup>(115)</sup>

To what extent did developments between the ratification of the Treaty in 1922, and the passing of the Statute of Westminster Bill in December 1931, confirm Collins' vision of the Treaty's potential? To what extent did his Cumann na nGaedheal heirs follow the direction he had mapped out on imperial affairs? I intend to use four criteria in coming to a conclusion on those questions:

First I want to return to the visionary memorandum on the development of imperial relations written by Collins in November 1921. There are as many as ten different points or proposals contained in the document but the three key points were:

- 1) That Ireland could only be satisfied with the de facto status which the dominions had secured, and not with the (then) current de jure status of the dominions.
- 2) That, following on from the above, the complete independence of the dominions had to be recognised.
- 3) That the implications of dominion independence for imperial relations and the relationship of Westminster with the dominion parliaments had to be addressed.<sup>(116)</sup>

Points one and two were addressed by the Imperial Conference of 1926 while point three was addressed by the 'expert committee' procedure of 1929, the Imperial Conference of 1930 and enshrined in the Statute of Westminster of December 1931. Taking Collins' own document as our first measuring tool, then, as his Cumann na nGaedheal successors argued, events had proved the Big Fella correct.<sup>(117)</sup> Calton Younger argues that Collins had been "fascinated" by the prospect of restructuring British imperial relations, while other biographers, O Broin and Forester, argue that Collins' memorandum of November of 1921 "foreshadowed" the Statute of Westminster.<sup>(118)</sup>

For my second criterion I want to plot the Treaty on a scale of rigidity/flexibility. De Valera and his Anti-Treaty followers argued in 1922 that the Treaty was a fixed device designed to constrain Irish national development. Collins argued that it would allow for the evolution to full independence on the international scene. This second measuring device again favours Collins and his heirs. One interpretation of developments following Fianna Fail's electoral victory in 1932 is that a strange role reversal appeared to take place. It was De Valera that argued that the Treaty, and the Statute of Westminster, empowered the Irish Government to unilaterally introduce further reforms affecting Irish status. Meanwhile those who had argued that the Treaty was a "stepping stone" argued that it presented a barrier against the intended reforms of the new government. I

deal with this development in detail in the next chapter.

My third criterion is the progress, or otherwise, in fulfilling the objective which Kevin O'Higgins and Collins clearly shared - the unification of the island. Collins believed that one of the most positive reasons for retaining the imperial connection was that it might provide the basis for the future re-unification of North and South. Kevin O'Higgins believed that the concept of a 'Kingdom of Ireland', could provide a basis for unity.<sup>(119)</sup> Even after the failure of the Boundary Commission exercise, O'Higgins believed that an Irish crown could reconcile the minority of ideological monarchists in the Unionist community, and guarantee the links with mainland kith and kin, and religious freedom, that concerned the great majority. O'Higgins was prepared to sacrifice some of the more 'republican' symbols of Free State's trappings, e.g. the Tricolour and the National Anthem, in return for a united, independent Ireland.<sup>(120)</sup>

The Free State leadership failed to realise the depth of Northern Unionist opposition to any kind of legislative union with the twenty six counties. The fact that Commonwealth membership provided some kind of link with Northern Ireland cautioned even the most ardent republicans in declaring a republic in the 26 counties. If progress towards national unity, through developments in imperial relationships, is taken as my third yardstick then Collins' heirs failed, although they must score points for effort.

My fourth and final criterion is the extent to which the successes on the imperial front secured popular support for the Treaty settlement. While the politicians of the governing Cumann na nGaedheal were buoyed by Irish successes in forcing the pace in imperial developments, that enthusiasm was not shared by the public at large. Cumann na nGaedheal lost the 1932 general election only six weeks after the Statute of Westminster, the high-water mark of the party's imperial endeavours, received royal assent.

Many of the milestones on the road to the Statute of Westminster, eg Merchant

Shipping legislation, Exequaturs etc., were simply too complex for the average voter to get excited about. Also the sight of Irish leaders 'hob-nobbing' with British Ministers, talking appreciatively about the Commonwealth link, and paying due reverence to imperial conventions, was not viewed positively by large sections of the Irish people. Whatever advances were achieved, and they were tangible, they could not compensate for the disappointment of the Boundary Commission debacle. Only some form of national unity built on the developing imperial model could have achieved that.<sup>(121)</sup> O'Higgins and company tried to achieve exactly that but it takes two to tango and Belfast was not interested. So taking the extent to which imperial developments consolidated support for the Treaty settlement as my fourth and final yardstick, attempts to realise Collins' ultimate aspirations failed in the longer run. Undoubted success on the imperial front was simply too remote to the majority of the Irish people to redress the domestic concerns that ushered Fianna Fail into power in 1932.

Collins' influence and vision dominated Irish endeavours in the field of imperial negotiations up until the defeat of Cumann na nGaedheal in 1932. His view of the Treaty as a "stepping stone", and his vision of how the Empire could develop, were proven correct, thanks to the effort and abilities of FitzGerald, O'Higgins and McGilligan in particular. Changes in the imperial relationship, and the de facto creation of a Kingdom of Ireland, failed, however, to make any progress towards the objective of national re-unification. Success on the imperial front failed to excite the Irish people, and also failed to consolidate a secure continuing majority for Cumann na nGaedheal.

Chapter 5. Notes and References

- 1) In June 1989 the Republic of Ireland's An Post and the Federal Republic of Germany's postal authority co-operated on a joint stamp issue commemorating the 1,300th anniversary of St. Kilian's martyrdom in Franconia. In April 1994 An Post co-operated in a joint stamp issue with Iceland and the Faroe Islands to commemorate St. Brendan's voyages on which he was believed to have 'discovered' the far northern islands.
- 2) Former President Mary Robinson speaking in the BBC Scotland television documentary 'Columba's Crossing', November 1997.
- 3) The group of military figures in the right foreground of Thomas Ryan's 1958 painting 'The Departure of O'Neill out of Ireland' are taken to represent the origins of the 'Wild Geese'. See Murray Smith 'Flight of the Earls? Changing views on O'Neill's departure from Ireland' in *History Ireland, Vol.4, No.1, Spring 1996*, p.20.
- 4) 'Wild Geese' commemorative stamp booklet issued by An Post in June 1995.
- 5) Kevin R. O'Shiel, *The Making of a Republic*, Talbot Press, Dublin, 1920, p.139.
- 6) Michael Kenny, *The Fenians*, National Museum of Ireland, 1994, p.11.
- 7) *ibid*, pp.39-40.
- 8) *ibid*, p.41.
- 9) D.W. Harkness, *The Restless Dominion: The Irish Free State and the British Commonwealth 1921-1931*, 1969, p.14.
- 10) Mary Cumpston, 'Some Early Indian Nationalists and their Allies' in *The English Historical Review Vol.LXXVI, 1961*, pp.284/285.
- 11) In her bid for the Irish Presidency in 1997, Collins' grandniece, Mary Banotti MEP, emphasised her experience as a nurse working in England, the United States, Canada and Kenya. Her daughter Tania, Collins' great grandniece, is currently working in the Palestinian Gaza Strip.
- 12) Dermot Keogh, *Ireland and Europe 1919-1948*, 1988, p.5.
- 13) Dail Department of Foreign Affairs Report dated 10 June 1921. Michael Hayes Papers P53/7 UCD.

- 14) Dermot Keogh, 'Profile of Joseph Walshe, Secretary, Department of Foreign Affairs 1922-1946' in *Irish Studies in International Affairs Vol.3, Number 2, 1990*, pp.62/63.
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- 16) Conor Cruise O'Brien, 'Ireland in International Affairs' in Owen Dudley Edwards (ed.) *Conor Cruise O'Brien Introduces Ireland*, 1969, pp.104/105.
- 17) Leon O Broin, *Michael Collins*, Gill's Irish Lives, Gill and Macmillan, Dublin, 1980, p.99.
- 18) T. Ryle Dwyer, *Michael Collins and the Treaty: His differences with De Valera*, 1988, p.47.
- 19) O Broin, *Michael Collins*, p.42.
- 20) The author in discussion with Garret FitzGerald and Nora Owen, June 1996.
- 21) Michael Collins, *The Path to Freedom*, Mercier Press edition, 1975, p.42.
- 22) *ibid*, pp.44/45.
- 23) Commemorative stamp booklet issued by An Post in April 1994 to mark the 75th anniversary of the First dail and the fourth set of direct elections to the European Parliament.
- 24) A delegation of Palestinian observers were active on the fringe of the Commonwealth Heads of Government Meeting in Edinburgh in October 1997.
- 25) F.E. Smith Second Earl of Birkenhead, *F.E., The Life of F.E. Smith, the First Earl of Birkenhead*, 1959, p.383.
- 26) Ryle Dwyer, *Michael Collins and the Treaty*, pp.75/76.
- 27) *ibid*.
- 28) Memorandum No.58 by Mr. Michael Collins on the International Aspects of the Anglo Irish Settlement, 23 November 1921, NAI DE2/304.
- 29) Conference on Ireland. Minutes of the meeting of sub-conference at the House of Lords, 24 November 1921 at 10.30am, NAI DE2/304.

- 30) *The Freeman's Journal*, 8 December 1921, p.4.
- 31) The significance of this point is dealt with in greater detail in Nicholas Mansergh 'Ireland and the British Commonwealth of Nations in Desmond Williams (ed.), *The Irish Struggle*, 1968, p.131.
- 32) Collins, *The Path to Freedom*, p.34.
- 33) For further detail on IRB discussions on the acceptability of the Oath see Sean O'Murthuile Memoir, Mulcahy papers P7a/209 UCD.
- 34) Vincent Grogan, 'Irish Constitutional Development' in *Studies Vol.XL, Number 160, December 1951*. pp.388/389.
- 35) Piaras Beaslai, *Michael Collins: Soldier and Statesman*, Talbot Press, Dublin and Cork, 1937, p.417.
- 36) O'Brien, *Ireland in International Affairs*, p.106.
- 37) Duffy to Fitzgerald quoted in Harkness, *The Restless Dominion*, p.35.
- 38) Keogh, *Ireland and Europe*, p10.
- 39) In his book *Ulster's Stand for Union*, John Murray, London, 1922, Ronald McNeil justifies Unionist armed resistance to Home Rule, describes Catholic teaching as "medieval" and firmly supports the executions carried out in the wake of the Easter Rising.
- 40) Memorandum from Kevin O'Shiel to members of the Executive Council, dated 20 February 1923. Desmond FitzGerald papers P80/517 UCD.
- 41) Memorandum from Kevin O'Shiel to members of the Executive Council, dated 14 March 1923. Desmond FitzGerald papers P80/517 UCD.
- 42) *Irish Independent*, 11 September 1923, p.8.
- 43) *ibid.*
- 44) FitzGerald to Johnson. Desmond FitzGerald papers P80/532 UCD.
- 45) As an example of this line of argument see Ged Martin 'The Irish Free State and the Evolution of the Commonwealth 1921-1949' in Ronald Hyam and Ged Martin (eds.), *Reappraisals in British Imperial History*, 1975, pp.201-223.
- 46) FitzGerald to President Cosgrave, dated 26 September 1923. Patrick McGilligan papers P35b/95 UCD.



- 47) Martin in Hyam and Martin (eds), *Reappraisals in British History*, pp.201-223.
- 48) *Irish Independent*, 12 November 1923, p.5.
- 49) MacWhite to FitzGerald, September 1923. Desmond FitzGerald papers P80/534 UCD.
- 50) O'Rahilly to President Cosgrave, dated 14 June 1924. Patrick McGilligan papers P35/204 UCD.
- 51) FitzGerald to members of the Executive Council, dated 26 June 1924. Patrick McGilligan papers P35/204 UCD.
- 52) O'Hegarty to members of Executive Council, dated 1 December 1924. Patrick McGilligan papers P35/204 UCD.
- 53) J.H. Thomas to Governor General Healy, dated 4 November 1924. Patrick McGilligan papers P35/204 UCD.
- 54) Amery to Healy, dated 9 March 1925. Patrick McGilligan papers P35/204 UCD.
- 55) *Morning Post*, 17 December 1924.
- 56) *ibid.*
- 57) Harkness, *The Restless Dominion*, p.63.
- 58) FitzGerald to Canadian Senator Belacourt, dated 13 August 1924. Desmond FitzGerald papers P89/424 UCD.
- 59) *ibid.*
- 60) Nicholas Mansergh, *The Unresolved Question. The Anglo-Irish Settlement and its Undoing 1912-1972*, 1991, p.271.
- 61) Grogan, *Irish Constitutional Development*, p.392.
- 62) Mansergh, *The Unresolved Question*, p.271.
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- 65) Imperial Conference 1926 'Summary of Proceedings'. Desmond FitzGerald papers P80/595 UCD.
- 66) *ibid.*
- 67) *The Round Table - A Quarterly Review of the Politics of the British Commonwealth*, Vol.XVII, Number 66, March 1927, p.341.
- 68) 'Existing Anomalies in the British Commonwealth of Nations' Memorandum by the Irish Free State Delegation to the 1926 Imperial Conference, dated 2 November 1926, E.(IR./26)3 CAB 32/56, PRO London.
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- 70) Statement by Desmond FitzGerald to the Dail on 14 December 1926 re. the outcome of the 1926 Imperial Conference. Desmond FitzGerald papers P80/592 UCD.
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- 72) Statement by Desmond FitzGerald to the Dail on 14 December 1926 re. the outcome of the 1926 Imperial Conference. Desmond FitzGerald papers P80/592 UCD.
- 73) Harkness, *The Restless Dominion*, pp.114/115.
- 74) New Year message from Desmond FitzGerald for publication in Dublin and provincial press, dated 18 December 1926. Desmond FitzGerald papers P80/1105 UCD.
- 75) Quoted in Terence De Vere White, *Kevin O'Higgins*, 1943, p.170.
- 76) *ibid* pp.225/226.
- 77) Sinead McCooile, *Hazel: A Life of Lady Lavery 1880-1935*, 1996, pp.112/113.
- 78) *Irish Times*, 22 November 1926, p.7.
- 79) See *Irish Times*, 25 and 30 November 1926.
- 80) Mansergh, *External Relations 1926-1939*, p.129.
- 81) De Vere White, *Kevin O'Higgins*, p.242.

- 82) James Matthews, *Voices: A Life of Frank O'Connor*, 1983, p.400 notes.
- 83) *Irish Times*, 21 January 1927, p.8.
- 84) Quoted in the *Irish Times*, 23 November 1926 p.7.
- 85) Harkness, *The Restless Dominion*, p.136.
- 86) Statement by Kevin O'Higgins to the Naval Disarmament Conference 1927. Patrick McGilligan papers P35c/160 UCD.
- 87) De Vere White, *Kevin O'Higgins*, p.237.
- 88) Harkness, *The Restless Dominion*, p.141.
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- 104) Hansard House of Commons Debates, Vol.259 5s. Cols. 1192-1195.
- 105) *ibid*, col.1196.
- 106) *Ibid*, cols,1244-1251.
- 107) *ibid*, cols.1231-1233.
- 108) President Cosgrave to Prime Minister MacDonald, 21 November 1931. Patrick McGilligan papers P35/174 UCD.
- 109) Secret despatch from Dulanty, Irish High Commissioner London, to the Secretary of the Department of External Affairs, dated 23 November 1931. Patrick McGilligan papers P35/174 UCD.
- 110) Hansard. House of Lords Debates, Vol.83 5s, cols.186-195.
- 111) *ibid*, col.189.
- 112) *Irish Independent*, 27 November 1931.
- 113) Department of External Affairs Paper, 'The Churchill Amendment and the Irish Free State.' Patrick McGilligan papers P35/174 UCD.
- 114) Article by Patrick McGilligan, June 1935. Patrick McGilligan papers P35d/21 UCD.
- 115) Mansergh, *External Relations 1926-1939*, p.132.
- 116) Memorandum No.58 by Mr. Michael Collins on the International Aspects of the Anglo Irish Settlement, 23 November 1921, NAI DE2/304.
- 117) New Year Message from FitzGerald for Dublin and provincial press, dated 18 December 1926. Desmond FitzGerald papers P80/1105 UCD.
- 118) Calton Younger, *A State of Disunion: Arthur Griffith, Michael Collins, James Craig, Eamon de Valera, Frederick Muller*, London, 1972, p.135. O Broin, *Michael Collins*, p.99
- 119) De Vere White, *Kevin O'Higgins*, pp.225/226.
- 120) *ibid*.

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**Chapter 6:**  
**Politics Through the Looking Glass?**  
**De Valera's Claim on the Collins Legacy**

## Introduction

" In time it would become apparent that Collins was right about the controversial aspects of the Treaty. It did provide the freedom for the Free State to achieve complete political independence. During the 1930s De Valera and his Fianna Fail government disestablished all aspects of the Treaty which he had criticised in December 1921.[SIC] He even managed to acquire for himself much of the credit for securing the country's independence, seeing that the successors of Collins and Griffith, blinded by bitterness over the role that he had played in formenting the Treaty split, opposed most of his efforts to dismantle the Treaty. Yet in the last analysis De Valera and his colleagues really demonstrated that the freedom to achieve the desired freedom already existed. In effect De Valera proved that Collins had been right."<sup>(1)</sup>

In previous chapters I have examined developments within the Pro-Treaty Cumann na nGaedheal party to determine how Collins' actions and political ideas, and the actions of his entourage, affected Ireland in the ten years following his death. I have considered the implications of Collins' death on the conduct of the Civil War, and the tensions which led to a crisis in the Free State Army as conflicting elites contended for the Collins' inheritance. I have considered the impact of Collins' death on the outcome Boundary Commission debacle and the extent to which his Cumann na nGaedheal inheritors failed to honour his legacy on the question of the border, but succeeded in bringing about the changes in the Commonwealth which Collins believed would guarantee Irish independence, and enhance the Free State's status in international affairs.

In this Chapter, however, I turn my attention to the ranks of those who had opposed the Treaty, and test the hypothesis, suggested by T. Ryle Dwyer in the above quotation, that by 1932 De Valera's Fianna Fail had wrestled Collins' banner from a flagging Cumann na nGaedheal, and was using the "freedom to achieve freedom" to progress Ireland's route to complete independence across Collins' fabled "stepping stones".

### The Formation of Fianna Fail

It has been argued that the Cosgrave administration did Eamon de Valera a great favour when it ordered his arrest as he campaigned in his Clare constituency in August 1923. His incarceration ensured that he would be returned again for the 'banner county' with a massive majority, and guaranteed his personal safety against those in the Free State Army who would readily have 'removed him'.<sup>(2)</sup>

On his release in July 1924, De Valera, particularly following Liam Lynch's death, was the undoubted leader of the republican/anti-treaty movement. He was President of the 'Republican Government', which drew its authority from the Second Dail, and President of the Sinn Fein political party, which despite working under extremely difficult circumstances, had won 44 seats in the Free State Dail in the 1923 general election. In line with the party's abstentionist policy, however, their seats remained empty. In addition De Valera was also President of the estimated 12,000 men and women of the Irish Republican Army, and was a member of its governing Army Council.<sup>(3)</sup>

Within months of his release De Valera sought to woo his movement away from its abstentionist non-recognition policy. As discussed in Chapter 3, a spate of by elections caused by the resignations of McGrath's dissident National Group occurred in March 1925. Despite the fact that the by elections had been caused by the resignation of Cumann na nGaedheal critics who accused their own government of selling out the national cause, Sinn Fein made limited headway. This experience prompted De Valera to write to Irish American leader Joseph McGarrity that the Sinn Fein programme was "too high, too sweeping" but the proposal to abolish the Dail Oath of Allegiance to the British king was "a definite objective within reasonable striking distance."<sup>(4)</sup>

The letter to McGarrity is an early indication that De Valera and other pragmatists in the movement, including as his lieutenants Sean Lemass and Frank Aiken, had concluded that the IRA had neither the resources nor the required



degree of public support to sustain any meaningful military strategy, and that Sinn Fein was isolating itself from the mainstream of Irish political life. Such doubts, however, were anathema to hard-core republican militants, and uproar broke out at the IRA Convention on 17 November 1925 when it became known that leading figures were considering a new strategy. An overwhelming majority of those present backed a resolution by which the Army renounced allegiance to the 'Republican Government' and broke with Sinn Fein.<sup>(5)</sup> In doing so the Irregular IRA was reverting to the organisational/political structure of the pre-1919 Irish Volunteers. The IRA was revoking the allegiance to untrustworthy politicians, swearing loyalty only to its own Executive and Army Council. The Sinn Fein Ard Fheis met three days later and carried a compromise resolution, presented in the names of Lemass and Countess Markiewicz. It ruled out any immediate change in strategy but sanctioned internal discussions on the way forward, concluding that any changes would be subject to agreement by a special Ard Fheis.<sup>(6)</sup> No sooner had the Sinn Feiners concluded their business than the Cosgrave administration did De Valera another favour.

As discussed in Chapter 4, the 'Morning Post' leaked much of the detail of the proposed findings of the Boundary Commission on 7 November 1925. The revelation that large areas of the Six Counties would not be joining the Free State, but that Free State territory in East Donegal was in danger of being transferred to Northern Ireland, was greeted with public outcry. The political campaign against the deal agreed by the Dublin, Belfast and London governments brought Sinn Fein together with the constitutional political opposition including the Labour Party and disaffected elements in Cumann na nGaedheal. These were the first steps in a political alliance which would become important later.<sup>(7)</sup> Labour called on Sinn Fein to take their seats in the Dail to help defeat the Boundary deal. There was no way that De Valera could change the abstention policy unilaterally, but the developing political situation furthered his side of the argument within Sinn Fein. De Valera appeared with Labour leaders on a joint platform at a massive protest rally in the Rotunda on 10 December. The heights of De Valera's rhetoric on that evening betray a lack of

understanding as to the realities of contemporary Northern Ireland.

" It is hard to be calm when one remembers that it is our fairest province that is being cut off. The Ulster that the Irishman of every province loves best next to his own. The Ulster of Cuchulain, the Ulster of the Red Branch Knights. The Ulster of the O'Neills and the O'Donnells. The Ulster of the Benburb and the Yellow Ford. The Ulster in whose sacred sod rests the bones of Patrick, Columcille and Brian of the Tributes."<sup>(8)</sup>

Early in 1926 De Valera triggered the special Ard Fheis allowed for in the Lemass/Markiewicz resolution carried the previous November. The Sinn Fein national organisation assembled in the Rotunda on 9 March, and the following day debated a strategic resolution proposed by De Valera behind closed doors.<sup>(9)</sup> De Valera elaborated on the sentiments he had expressed when writing to McGarrity in November 1924, and focussed tightly on the issue of the Oath. De Valera argued that if the Oath were removed, or more accurately oaths as the new strategy was also intended to apply to the Northern Parliament, then the question of elected representatives taking up their seats was a matter " not of principle but of policy."<sup>(10)</sup> In future successful Sinn Fein candidates should assert their right to take their places, and indeed do so as long as it did not require them " to deny publicly the national faith."<sup>(11)</sup>

Among De Valera's vociferously vocal critics were Mary MacSwiney and the man Lemass called "the self-appointed pope of the republican movement ", Father Michael O'Flanagan.<sup>(12)</sup> Given her record in the movement, it is no surprise to learn that the formidable Miss MacSwiney opposed any retreat from republican orthodoxy. Father O'Flanagan was the same political priest, however, who as Vice President of Sinn Fein in December 1920 launched his own peace initiative which was interpreted by the British as a sign of weakening resolve, causing them to disengage from the tentative talks about a truce following the terrible events of the month of November 1920.<sup>(13)</sup>

At the end of a day of debate De Valera's resolution was defeated by the narrow margin of 223 to 218. According to the 'Times' correspondent covering the in-

camera proceedings of the Ard Fheis, the direct negative to De Valera's motion was also defeated, by a margin of 2 votes. The Thunderer's man in Dublin, probably 'Irish Times' editor John Healy, represented it as a victory for the managerial skills of the Sinn Fein "wire-pullers" who sought to deny either side victory in an attempt to head off a split.<sup>(14)</sup> If this was the case then their longer term judgement was not as accurate as their conference calculations. On the morning of 11 March De Valera announced his resignation to the Ard Fheis. The excluded British press were unsure as to fine detail of De Valera's intentions. The 'Glasgow Herald' told its readers that De Valera had resigned the presidency of the Ard Fheis, but not the presidency of the party.<sup>(15)</sup> De Valera would continue to use his authority in Sinn Fein in the internal negotiations that lay ahead.

Consultations with political confidants continued for a month, giving rise to all sorts of speculation. One rumour was that De Valera and his followers would join Clann Eireann, which, as discussed in Chapter 4, had broken away from Cumann na nGaedheal over the outcome of the Boundary Commission and the national question generally.<sup>(16)</sup> That idea was quashed on 13 April when De Valera gave a syndicated interview in which he made it clear that he would launch a new political party - Fianna Fail.<sup>(17)</sup>

The objectives of the new party set out by De Valera in that interview were a mixture of the republican ideal and national unification along with Gaelic revivalism, a social system based on Catholic values and Sinn Fein-style agrarian self-sufficiency.<sup>(18)</sup> More immediate party objectives were outlined by De Valera when he addressed the launch rally in Dublin's La Scala Theatre on 16 May 1926. The Fianna Fail 'promise' concentrated on partition and the question of the Oath of Allegiance which, they argued, effectively disenfranchised a section of the population.<sup>(19)</sup> The political priorities had been relatively easy to agree in comparison to the party name. Lemass, who would emerge as the organisational driving force, favoured the name Republican Party.<sup>(20)</sup> As part of a compromise, Lemass' preferred formulation was adopted as an English language 'strapline'

while De Valera insisted on a symbolic Irish language title which would claim a continuity of tradition between the new party and earlier times. *Fianna Fail*, literally 'Warriors of Destiny', was the name given to the heroes who had fought alongside the legendary Fionn MacCool. It was also an alternative Irish language title for the Irish Volunteers, the more common translation being *Oglaigh na hEireann*.<sup>(21)</sup> Both Irish terms had been incorporated in the design of the Volunteer cap badge, which in turn was adopted by the Irish Free State Army and is still used today by the Defence Forces of the Irish Republic. The party name usurped the Fenian identity, and few of those attending the *Fianna Fail* launch in May 1926 can fail to have noticed that they were meeting a few yards from the General Post Office where on another spring day ten years earlier the Republic had been proclaimed and its flag first raised. Nor was it an accident that the inaugural Ard Fheis of *Fianna Fail* was held on 24 November 1926, the fourth anniversary of the execution of Erskine Childers. De Valera also sought what Owen Dudley Edwards calls 'the matriarchal blessing', the endorsement of those women, mainly relatives of the dead of Easter Week and the War of Independence, who were regarded as the keepers of the republican flame.<sup>(22)</sup> Mrs. Pearse, Mrs Clarke and Countess Markiewicz endorsed the new party while Mary MacSwiney and Hannah Sheehy Skeffington were among the prominent women who remained with Sinn Fein. It was precisely this garnering of symbolism that led Tim Pat Coogan to write of De Valera having "made off with Sinn Fein's republican, emotional baggage."<sup>(23)</sup>

If De Valera's political instinct and experience gave him an insight into the importance of symbolism, it also taught him the importance of money, and the potential of Irish America as a source of financial and political support. De Valera campaigned for his new *Fianna Fail* in America throughout March and April 1927, from December 27 to February 1928 and from November 1929 to May 1930.<sup>(24)</sup> If De Valera's absence in the United States in 1919/1920 was one of the factors that led to Collins emerging as the paramount leader of the movement during the War of Independence, then his absence in America during the early days of *Fianna Fail* demanded that Sean Lemass take on the role of

constructing the organisational foundations of the new party.

De Valera's presence in America during the summer of 1927 had a very specific purpose. He was seeking to block legal attempts by the Free State government to take possession of what remained of the money raised during the War of Independence on 'republican government' bond certificates.<sup>(25)</sup> De Valera appeared in the American courts to argue the case that the Free State government could not be regarded as the legitimate successor of the wartime government. The American jurists eventually decided that the money should be returned to those who had subscribed it.

#### The General Elections of 1927, and the Question of an 'Empty Formula'

The first electoral test for De Valera's Fianna Fail occurred on 9 June 1927 with the general election to the Free State Dail. It was with a degree of shock that the British press reported the advances made by Fianna Fail in its first electoral outing. The number of Cumann na nGaedheal deputies was reduced from 63 to 47, only three seats ahead of Fianna Fail's 44. Sinn Fein held on to five seats, while a further 2 were won by Independent Republicans.<sup>(26)</sup> It was therefore possible to argue that avowed republicans had out-pollled the government party by a margin of four seats. Kevin O'Higgins countered that the total number of successful Pro-Treaty candidates outnumbered the republicans by a margin of 2-1.<sup>(27)</sup> In sustaining this argument, O'Higgins assumed that the successful Labour, Independent and National League deputies would support the government on the question of the constitution. The National League was another newcomer, founded in September 1926 by Captain William Redmond, son of the old Irish Parliamentary Party Leader. It stood for a co-operative attitude towards Britain and Northern Ireland and was supported by British ex-servicemen and former supporters of the IPP.<sup>(28)</sup>

While O'Higgins welcomed the support the sectional interests, independents and the National League, he could not conceal his anger that their "irresponsibility"

was responsible for the disappointing result. Quoted in the 'Scotsman', the Vice President accused them of vilifying the Government to such an extent that;

" on their elimination the preferences of those who supported them did not pass to the Government candidate."<sup>(29)</sup>

Writing in the context of a proportional electoral system, O'Higgins was accusing the Pro-Treaty opposition of attacking Cumann na nGaedheal to such an extent that their supporters were prepared to give their second, or lower, preferences to Anti-Treaty candidates.

In line with Fianna Fail strategy, De Valera and his followers attempted to enter the new Dail when it convened on 23 June. De Valera arrived to take his seat armed with three different legal opinions to the effect that there was no authority under the Constitution or Treaty for excluding deputies from taking their seats.<sup>(30)</sup> On being rebuffed, Lemass initiated legal proceedings against his exclusion, while De Valera launched a petition calling for a plebiscite on the Oath of Allegiance. Under Clause 48 of the Constitution, a petition signed by 75,000 people could trigger a referendum. Within a fortnight, however, De Valera's carefully plotted Fianna Fail strategy was blown off course by a shocking event.

As discussed in the previous chapter, Kevin O'Higgins, Vice President and Minister of Justice, the 'hardman' of the Irish Free State, was shot on Sunday 10 July 1927 while walking to Mass in the Dublin suburb of Blackrock. He was brought down in a hail of bullets fired by three men in a car. The noise of the gunfire brought Patrick McGilligan, Patrick Hogan and former minister Eoin MacNeill to the scene. O'Higgins lingered until 5pm, losing consciousness just half an hour before his death. The 'Glasgow Herald' reported his last words as;

" I die for my country. I am dying at peace with my enemies. I go to join Michael Collins."<sup>(31)</sup>

Republican detractors have consistently accused O'Higgins of betraying Collins' legacy, while O'Higgins maintained that he was following the 'Big Fella's'

wishes in providing the State with strong domestic foundations while working methodically in the Commonwealth to further Ireland's complete independence and re-unification. O'Higgins had lost his father and infant son in tragic circumstances, and we now know that he was involved in an affair with Hazel, Lady Lavery, but according to those who were present his final thoughts were of Michael Collins.<sup>(32)</sup> Despite the enmity between them, De Valera did not hesitate in condemning the attack on O'Higgins as murder, although his confidence "that no republican organisation was responsible" was misplaced.<sup>(33)</sup> The murderers were definitely members of the IRA but whether or not their actions were sanctioned at a senior level in the organisation remains a matter of dispute.<sup>(34)</sup>

The response of the Executive Council to the assassination of one of its most influential members was swift and decisive. Firstly, new Public Safety legislation was passed which sanctioned the use of military courts against organisations involved in treasonable activities. Secondly, an Electoral Amendment Bill required all would-be candidates for election to sign an affidavit that, if elected, they would take their seat and take the Oath. Thirdly, the initiative and referendum clauses in the Constitution were abolished.<sup>(35)</sup> The Government's response closed down De Valera's strategy completely. In future he would not be able to present candidates for election without confronting the issue of the Oath, and his strategy for removing the Oath was now blocked. The emerging reality was that Fianna Fail would have to take the Oath to abolish the Oath, a factor recognised by one of De Valera's more colourful deputies, the man who claimed to have sworn Collins into the IRB.<sup>(36)</sup> Paddy Belton responded to the Government's actions by immediately agreeing to take the Oath. De Valera expelled him from Fianna Fail for his precipitous action but the writing was on the wall.<sup>(37)</sup>

The 'Glasgow Herald' of 11 August 1927 reported that Fianna Fail deputies had held a long meeting the previous evening, the conclusion of which was a unanimous decision to take their seats, and the Oath. The report also revealed that the Fianna Fail decision was linked to a plan to immediately replace the

Cumann na nGaedeheal administration with a Labour Government.<sup>(38)</sup>

This double pronged attack, the introduction of the Electoral Amendment Act and the abolition of the Clause 48 provisions, threatened to squeeze Fianna Fail out of electoral politics. Using the links that had been established with Labour during the outcry against the Boundary Commission, De Valera came up with an alternative strategy. Fianna Fail deputies would take their seats, thereby removing the Government's majority. The Cosgrave administration would fall to a 'no confidence' motion led by Labour, and would be replaced by a coalition government consisting of Labour and National League members, supported by Fianna Fail. In return for this support, the new government would reverse the Public Safety and Clause 48 legislation, and suspend the Electoral Amendment Act pending a referendum of the Irish people on the abolition of the Oath. The keystone of this carefully constructed political edifice, however, was persuading Fianna Fail deputies to take the Oath so that they could take their seats.

The Glasgow Herald's description of the Fianna Fail parliamentary caucus meeting on the evening of 10 August as "lengthy" was certainly accurate. The meeting convened at 6pm and the deputies dispersed with an agreed statement at 12.20am on the morning of the 11th. The Oath had been central to the Anti-Treaty party's opposition to the Treaty, and it was the determining issue that led many leading Pre-Truce veterans to take up arms against the embryonic Irish state. It was no slight matter, and required deft footwork on the part of De Valera. The new logic was enshrined in the statement issued by the Fianna Fail parliamentary party just after midnight on 11 August;

" It has, however, been repeatedly stated, and is not uncommonly believed that the required declaration is not an oath, that the signing of it implies no constitutional obligation, and that it has no binding significance in conscience or in law; that, in short, it is merely an empty political formula which deputies could conscientiously sign without becoming involved, or without involving their nation, in obligation of loyalty to the English crown.

The Fianna Fail deputies would certainly not wish to have the feeling that



they are allowing themselves to be debarred by nothing more than an empty formula from exercising their functions as public representatives, particularly at a moment like this.

They intend therefore to present themselves at the Clerk's office of the Free State Dail for the purpose of complying with the provisions of Article 17 of the Constitution, by inscribing their names in the book kept for the purpose, among other signatures appended to the required formula.

But so that there can be no doubt as to their attitude, and no misunderstanding of their action, the Fianna Fail deputies hereby give public notice in advance to the Irish people and to all whom it may concern, that they propose to regard the declaration as an empty formality and repeat that their allegiance is to the Irish nation and that it will be given to no other power or authority."<sup>(39)</sup>

It is impossible to know the private thoughts of each of the Fianna Fail deputies as they lined up to sign the above statement.<sup>(40)</sup> Among others, Sean Lemass and Gerry Boland had lost brothers in the Civil War. Had Noel Lemass and Harry Boland really lost their lives over " an empty formality"? Four years following the cessation of hostilities, Lemass and Boland minor were wedded to an electoralist/constitutional strategy. They now stood on the verge of a breakthrough and they were not prepared to squander it, even if it meant implicitly accepting that Collins had been correct when he argued that he had negotiated an Oath by which Irish legislators swore primary allegiance to the Irish Free State, and simply acknowledged the British crown as the symbolic head of the association of nations, the Commonwealth, which the Free State was joining. It would not be the last such admission.

Later on the 11th, De Valera called at the office of the Clerk to the Dail. Following a statement in Irish that he was not taking any oath, he inscribed his name in the book and covered the text of the Oath, under which he was signing, having first removed a copy of the Bible to another part of the room.<sup>(41)</sup> He was followed by his deputies, and on 12 August they took their seats in Dail Eireann.

Writing in 1928/29 Collins' biographer and friend was probably thinking about the Boundary commission when he wrote;

"...opposition and fair criticism in the Dail would not have weakened but strengthened our power to use the Treaty for the fulfillment of those national aspirations upon the promotion of which we had hitherto been united. It was not the wish of Michael Collins to see all the Irish people, through their representatives, supporting the Treaty as the last word in Irish Independence. A left wing in the Dail in constitutional opposition would have strengthened his hand."<sup>(42)</sup>

Cosgrave regarded this step towards constitutionalism as a victory. With the arrival of Fianna Fail, however, the Dail arithmetic looked ominous for his administration in the face of Labour's no confidence motion. The combined number of Fianna Fail, Labour and National League deputies outgunned Cumann na nGaedheal, the Farmers and the Independents by a margin of three. Throughout the affair one of the National League deputies, Vincent Rice, expressed his intention to oppose the no confidence motion.<sup>(43)</sup> Serious as Labour Leader Johnson was in his intentions he was not prepared to order the return of one of his Labour deputies who was attending a conference in Canada.<sup>(44)</sup> The Government's bacon, however, was saved by another National Leaguer, John Jinks of Sligo. According to Tim Pat Coogan, Jinks was persuaded over a few drinks by fellow Sligo men, Independent TD Bryan Cooper and 'Irish Times' editor Bertie Smyllie, that the British ex-servicemen in his constituency did not elect him to ditch Cosgrave for De Valera.<sup>(45)</sup> The tired and emotional Jinks headed back for Sligo as the Dail debated the no confidence motion.

In moving no confidence in the Government, Johnson argued that the Public Safety Act and the Electoral Amendment Act, which had already received royal assent at the hand of the Governor General, should be repealed. With the entry of 43 Fianna Fail deputies, there was no longer a democratic mandate for those pieces of legislation in the Dail.<sup>(46)</sup> The debate raged for five hours but Sean T. O'Kelly was the only Fianna Fail deputy to intervene.<sup>(47)</sup> At the conclusion of the debate, the vote was tied 71 in favour, 71 against. In line with established practice the Ceann Comhairle voted in line with the Government.

Within little more than a week the Cosgrave administration was thrown another

political lifeline when his Cumann na nGaedheal party won two by elections on 24 August. Gearoid O'Sullivan former Adjutant General of the IRA and Irish National Army, key player in the Army Mutiny escapade and cousin and would-have-been brother-in-law of Michael Collins was elected to the seat vacated in Dublin County by the murder of O'Higgins. As I pointed out in Chapter 3, Mulcahy regarded O'Sullivan's selection and election as the ultimate rehabilitation of the four man Army Council whose resignations were sought as a result of the Army mutiny. Thomas Hennessy 'gained' a seat in Dublin South left vacant by the death of Countess Markiewicz.<sup>(48)</sup> Under the Free State Constitution the Oireachtas could not be dissolved on the advice of an administration that had lost its majority. The double victory in the by elections restored Cosgrave's majority, and with it control over his own fate.<sup>(49)</sup> Cosgrave decided to go for a snap election, calling polling day for 15 September. Operating in an age before political opinion polls, Cosgrave believed that he had a real chance of bettering his position at the expense of Labour and the National League some of whose supporters were alienated by the apparent readiness of the Labour and National League leaderships to put the Treaty settlement at risk in return for political office. On polling day Cosgrave told journalists that Cumann na nGaedheal would win 61 seats.<sup>(50)</sup> His forecasts proved to be completely accurate.

Cumann na nGaedheal increased its representation by 15 seats, from 46 to 61, while Fianna Fail added an extra 13 seats taking its representation to 57. Although the two main parties gained a combined total of 28 seats, only one seat, the third member for the National University, changed between them. The remaining 27 seats were won at the expense of the smaller parties and independents.<sup>(51)</sup> Five of Fianna Fail's gains came from Sinn Fein while the remaining 8 were gained from Labour. Labour lost a ninth seat, its leader Thomas Johnson going down to the radical Labour leader Jim Larkin in Dublin North.<sup>(52)</sup> Cumann na nGaedheal's additional seats came from the National League, which was reduced to just 2 seats, the Farmers' party, independents and the one direct gain from Fianna Fail in the National University. Jinks' abstention

in the crucial 'no confidence' vote was not enough to save him from the verdict of constituents who did not expect the party of closer, better relations with Britain, the party of Redmond, to threaten the Treaty settlement.<sup>(53)</sup> The new Cumann na nGaedheal parliamentary party included the only woman elected to the sixth Dail, Margaret O'Driscoll Collins, the Big Fella's sister.<sup>(54)</sup>

The results of the election of September 1927 pre-figured the future of Cumann na nGaedheal and its successor Fine Gael. While it is true that from January 1922 the Pro-Treaty party attracted support from the 'stakeholders' in Irish society, it had started life as a faction of the Sinn Fein movement and included the majority of Sinn Fein deputies, the majority of the senior, veteran ranks of the IRA and the leadership of the Irish Republican Brotherhood. While former Unionists and supporters of the Irish Parliamentary Party would back Cumann na nGaedheal against the Anti-Treaty element, the abstentionist strategy of the latter afforded them the luxury of seeking their own channels of political representation through independent candidates, sectional parties or the National League. The entry of Fianna Fail into the Dail sharpened the focus of the national debate. The number of independent deputies would be fewer in future as they joined the governing party, and former IPP figures would also find a place in Cumann na nGaedheal. If Tobin and his would-be mutineers had grounds for arguing in 1924 the Army had ceased to be the Pro-Treaty IRA, then there were certainly grounds for arguing that by 1927 Cumann na nGaedheal was something other than Pro-Treaty Sinn Fein.<sup>(55)</sup>

The developments inside Cumann na nGaedheal, signposted by the results of the September 1927 election, would be a significant factor in the debates that lay ahead, and in the transfer of power to Fianna Fail.

### The 1932 Election and the Transfer of Power

In the years between 1927 and 1932 Fianna Fail worked at developing its grass roots organisation, and continued with fundraising in America. It was success on the fundraising front which led to the launch of the 'Irish Press' in the autumn of 1931.<sup>(56)</sup> The bias of the press was a regular complaint voiced by De Valera. Commenting on a statement by Blythe in March 1929, that the Free State was happy with its existing position in the Commonwealth and sought only the removal of a few anomalies, De Valera wrote to T.J. Ryan;

" If we had a daily paper at the moment I believe that Blythe's statement could be used to wake up the nation, but the daily press that we have slurs it over and pretends that nothing has been said. The English press of course are broadcasting it whenever they can. This is natural enough, for it is Britain's final victory over what remained of the Collins mentality and policy."<sup>(57)</sup>

De Valera's complaint not only reflected his desire for a daily paper of his own, but his recognition that the ranks of Cumann na nGaedheal were divided between those who adhered to Collins' "stepping stone" policy and those happy with the state's constitutional position. In recognising a "Collins' mentality" separate from the orthodoxy of the Executive Council majority, he was probably seeking to win over those whose adherence to their concept of the Collins' legacy had led them to break away from Cumann na nGaedheal or to adopt a position on its dissident wing.

The 1927-32 Cumann na nGaedheal Government, Cosgrave's fourth administration, was beset by problems as it tried to cope with the international economic crisis. The Government's response was to increase both indirect and direct taxation and to hold down the wages of public sector workers. These policies were unlikely to result in electoral popularity, but the Cosgrave governments, probably as the result of their Civil War experiences, believed that resolute action would be rewarded. That strategy may have worked when its most potent opposition excluded itself from the democratic process but it began to

appear an increasingly unattractive alternative to a 'constitutionalised' Fianna Fail. Cumann na nGaedheal was also suffering from the fact that by 1932 it had effectively been in power for ten years and the electorate was ready for a change of personnel. When it came to personalities, there is a view that neither Cosgrave, nor any of his surviving Executive Council colleagues, could compete with De Valera in the charisma stakes.<sup>(58)</sup> Indeed Maurice Manning, political scientist and senior Fine Gael senator, believes that the history of Cumann na nGaedheal/Fine Gael in the thirty years following 1932 was the story of its failure to find a leader who could match the charisma and authority of Eamon de Valera.<sup>(59)</sup>

While Cosgrave's chances of re-election appeared difficult, it was not the doomed or lame duck administration that some commentators have claimed. Cornelius O'Leary cites a run of poor by election results as one of the factors predicting doom for Cosgrave.<sup>(60)</sup> Close scrutiny of the details, however, does not sustain that particular assertion. There was a total of 7 by elections during the lifetime of the 1927-32 government. Cumann na nGaedheal held two of the contested seats and gained three others, including a gain in Dublin North from the debarred Larkin, who still refused to take the Oath, and in Leitrim-Sligo where General Sean MacEoin, 'the Blacksmith of Ballinalee', gained a seat from Fianna Fail. Fianna Fail won the remaining two, holding a seat in Longford/Westmeath and making a gain from Labour in Kildare.<sup>(61)</sup>

Cosgrave decided to go to the country on 16 February 1932. He could have delayed as until November, and it was widely anticipated that he would hold on until after the Eucharistic Congress in June, and take full advantage from Government figures being photographed with church dignitaries. It has been argued, however, that Cosgrave called the election precisely because he wanted to avoid politicising the Congress. If that was the case then it would be accurate to describe Cosgrave as the last of Ireland's 'pre-stroke' politicians. In the course of the election campaign Cumann na nGaedheal was portrayed as standing for the status quo and economic austerity while Fianna Fail promised constitutional and

economic change.<sup>(62)</sup> On the constitutional front the Oath and the question of Land Annuities took pride of place, while Fianna Fail re-hashed old-style Sinn Fein self-sufficiency as the answer to unemployment and associated problems. De Valera's priority programme was completed by a populist promise to cut the salaries of senior state officials, and a commitment to the promotion of the Irish language.<sup>(63)</sup> Cumann na nGaedheal attempted to depict Fianna Fail as communist, but De Valera's public adherence to religious forms made it difficult for accusations of atheistic communism to stick. More effective was Fianna Fail's populist jibe that Cumann na nGaedheal was the "top hats and knee briches party". It was an effective way of attacking the outgoing government's adherence to royal or imperial forms. In tone, it was very similar to Sinn Fein attacks on the Irish Parliamentary Party back in 1918.<sup>(64)</sup>

As the electors of the 26 counties went to the polls on 16 February 1932, the 'Scotsman' predicted little change in the Dail. While its Dublin correspondent conceded that De Valera might emerge as the leader of the largest single party, he predicted a continuing Pro-Treaty majority in the Dail.<sup>(65)</sup> By 20 February, however, both the 'Scotsman' and the 'Glasgow Herald' had to report that a victorious Fianna Fail trend was emerging. Indeed the Glasgow Herald informed its readers that the course of the election had completely changed in the course of "a few hours". The Herald greeted the failure of two government-supporting Rugby stars, as an important turning point in the long declaration of results. It told its readers;

" At Murrayfield next Saturday old friends will not have to face a Free State TD."<sup>(66)</sup>

Scots commentators also regarded a Fianna Fail victory in the National University, and the party's defeat of Labour Leader T. J. O'Connell in Mayo, as clear indications that De Valera would emerge victorious.<sup>(67)</sup>

The final election result was not known until 7 March, as the election in Sligo-Leitrim had been delayed due to the non-political murder of one of the

candidates. Cumann na nGaedheal held 55 seats and could rely on the support of 13 of the 15 independent deputies. Fianna Fail had won 77, five short of an overall majority. De Valera could rely on the 7 Labour deputies to support a change of government and the priority elements of his programme. He could also rely on the 2 Independent Labour deputies and a couple of independents in the vote for President of the Executive Council, but they would not support him on the Oath and other elements of the Fianna Fail programme.<sup>(68)</sup>

The new Dail was scheduled to meet on 9 March, and De Valera used the days in between the declaration of results and the election of a new administration to reassure opinion in Pro-Treaty Ireland, Britain and internationally. In a planned, syndicated interview with John Steele of the 'Chicago Tribune' he sought to establish a number of points:

He would restrict his changes in the Constitution/Treaty to those for which he has sought a clear mandate in the election, e.g. the abolition of the Oath of Allegiance. In an attempt to cloak himself in 'reasonableness', De Valera argued that his main motivation for getting rid of the Oath was that it undermined universal acceptance of the law among the section of the population that found it objectionable. On the wider question of declaring a republic and leaving the Commonwealth, De Valera made it clear that, while that remained his longer term goal, he readily accepted that he had not sought a mandate for such action.

On the question of wider relations with Britain, he indicated that the Free State would be represented at the forthcoming Ottawa Economic Conference. He made it clear that he fully understood that Britain and Ireland were each other's best customer, and that he wanted to negotiate mutually advantageous trade agreements. On the question of the North, he was ready to negotiate reunification should the opportunity present itself.

On the question of the treatment of those who had served under Cumann na nGaedheal, De Valera promised that there would be no more changes in the



senior ranks of the public service than would normally be associated with the constitutional change over of Executives in any democracy. On the specific issue of the future of Free State Army pensions, which had been raised during the election, De Valera promised an inquiry into the situation with the aim of offering work opportunities as an alternative to pensions.<sup>(69)</sup>

The other issue which was much speculated upon in the course of the two weeks running up to the meeting of the new Dail was whether or not elements in Cumann na Gaedheal, the Free State Army and the Garda would attempt to prevent Fianna Fail coming to office by staging some kind of military coup. Eoin O'Duffy, by then Garda Commissioner, did sound out Army Chief of Staff Michael Brennan and Dave Neligan, Head of the Garda Special Branch. All three men had illustrious War of Independence records and each had been highly valued by Collins. Relations between Brennan and Collins had soured in early March of 1922 when the latter, anxious to prevent the internecine hostilities, had been party to a negotiated compromise ending a stand off in Limerick between Brennan's Pro-Treaty troops and Ernie O'Malley's Anti-Treaty units. Brennan and Neligan rebuffed O'Duffy, Brennan going as far as to transfer out of harm's way any officer who might have been tempted to join a putsch.<sup>(70)</sup> In refusing to obstruct the democratic alteration of power, they were upholding the traditions of a professional army subject to civilian political control. As I argue in Chapter 3, there is substantial evidence to suggest that Collins intended that it should develop in that direction. The outcome of the Crisis of March 1925 ensured that it did.

Any serious attempt at a military coup was scotched by Cosgrave. The outgoing President attacked an Irish Press story of a potential coup involving Free State Army pensioners as;

" so grotesquely untrue that I find it difficult to discover the motive which prompted its publication. The article is clearly mischievous. Its origin can only be explained by a disordered imagination or a guilty political conscience. The Ministers and the Army pensioners have given the best years of their lives to vindicating the right of the Irish people to

choose their own government."<sup>(71)</sup>

Despite Cosgrave's guarantee, several Fianna Fail deputies confessed to having arrived at the Dail on 9 March with revolvers in their pockets.<sup>(72)</sup>

It was at twenty six minutes past four on the afternoon of Wednesday 9 March 1932, that the Cosgrave Government, which had governed the Free State since independence, departed office and Fianna Fail took over. The first election was that for Ceann Comhairle, the Speaker of Dail Eireann, in which the Fianna Fail nominee, Frank Fahy, defeated the incumbent Michael Hayes by 78 votes to 71.<sup>(73)</sup> The margin of De Valera's election as President was wider, 81 votes to 68, an indication of his personal authority. Following De Valera's election the Dail adjourned to allow the new President to receive his commission from the Governor General. Most De Valera biographers are agreed that Governor General James MacNeill made the journey from Phoenix Park to Leinster House to minimise De Valera's discomfort at seeking the sanction of a constitutional mechanism which he was pledged to overthrow.<sup>(74)</sup> Interestingly, this gesture on the part of MacNeill was completely overlooked by Mary Bromage in her biography of De Valera. According to her account of the transfer of power, the Dail adjourned to allow De Valera to travel to the Vice Regal Lodge to have his appointment confirmed by MacNeill.<sup>(75)</sup>

His business with MacNeill complete, De Valera announced his ministry. The Vice Presidency, along with Local Government and Public Health portfolios went to Sean T. O'Kelly, and there were Cabinet posts for his old allies Rutledge and MacEntee. Sean Lemass, the architect of the new party, was awarded the important Industry and Commerce brief. Frank Aiken, who had been IRA Chief of Staff from 1923 until being replaced by Moss Twomey in 1927, was appointed Minister for Defence.<sup>(76)</sup> Not all of De Valera's appointments were so potentially controversial. The sensitive post of Minister of Justice was allocated to former Treaty supporter James Geoghegan.<sup>(77)</sup>

The reflections of the pro-Fianna Fail 'Irish Press' correspondent on the transfer of power are illuminating:

" No doubt where the mastery lies and it is the mastery of youth over middle age. A curious thing is the youngness of the outgoing Ministry, with behind them a middle aged, even elderly, Cumann na nGaedheal Party, while opposite is a party with hardly a white head, leaders and led all of one era, one time, one thought. The whole political situation is summarised in that - a Ministry which once belonged to a young idealistic movement, and, breaking away, tried to lead old age."<sup>(78)</sup>

The observation was certainly accurate. Cosgrave was only 52, Mulcahy 46, Blythe and Desmond FitzGerald both 43. If Collins had lived he would have been just 41. The process that had been taking place within Cumann na nGaedheal is captured in that parliamentary snapshot. As we have already discussed in the course of this study, only the outgoing Executive Council and an inner-circle of backbenchers could be described as the former Pro-Treaty wing of Sinn Fein. Increasingly, the party was providing a political home for former Unionists, supporters of the Irish Parliamentary Party, and wealthier farmers. To those observing events from a Fianna Fail point of view, this was ultimate proof of guilt. To those observing from the opposite point of view it would be greeted with quiet satisfaction that Cumann na nGaedheal had proved to be a 'synthesising' force which had harnessed the allegiance and talents of those not traditionally associated with Irish nationalism for the new state. That is probably why the lasting memory of the 'Irish Times' correspondent witnessing the same events as his 'Irish Press' colleague was not the age profile of the Cumann na nGaedheal benches but;

" a weary ironic smile from Cosgrave....as De Valera took his seat as President at the front of the Government bench."<sup>(79)</sup>

Not only had Cosgrave succeeded in synthesising potentially disparate forces in the ranks of Cumann na nGaedheal but he had brought De Valera into constitutional politics, to the extent that it was now possible to transfer power in a democratic fashion. This is the point underlined by Professor Joe Lee when he wrote;

" Nothing so became Cosgrave in office as his manner of leaving it."<sup>(80)</sup>

Cosgrave could not have been happy, however, about Aiken's actions later that day. In the company of the respectable Geoghegan, the former Chief of Staff of the IRA visited republican prisoners at Arbour Hill where, among other things, he ordered an improvement in food and heating pending the release of all those detained for political offences. The following day 20 prisoners were released.<sup>(81)</sup>

If Fianna Fail's attitude to republican prisoners raised concerns about the party's attempts to govern constitutionally, concerns about its treatment of senior public officials proved largely groundless. The new government forged good working relationships with the senior civil service corps, and civil servants and staff appeared to find De Valera charming and disarming. An insight into Fianna Fail's attitude to the public servants it inherited is the case of Collins' brother Sean who held a part-time government job, and feared for it at the transfer of power. On the contrary De Valera confirmed the post.<sup>(82)</sup> It is widely believed that Mrs De Valera played a role in that particular decision. It may be that she remembered a Sunday in 1919 or 1920 when Collins would travel to Greystones to bring her news of her husband, money for her family and the adult male company that her children looked forward to. For her the confirmation of Sean Collins employment may have been more about a favour honored than the constitutional alteration of power.

The Army remained absolutely loyal. Any doubts about its role in relation to the elected Government had been resolved in 1924.<sup>(83)</sup> As far as the Garda was concerned, Commissioner O'Duffy and Special Branch chief Dave Neligan were the only two senior officers to be removed by the new government. However, Tim Pat Coogan, whose father had been O'Duffy's deputy, claims that while removals were rare, replacements and promotions proliferated.<sup>(84)</sup>

Collins had told Batt O'Connor at one stage that he regarded O'Duffy as his successor.<sup>(85)</sup> It has been noted that in the early days of March 1932 O'Duffy did

take soundings on a possible coup to prevent the transfer of power, and he was central to the later development of the Blueshirt movement. Over the decades Republican detractors have argued that had Collins lived he would have emerged as a potential military dictator determined to hold on to power at all costs. Was the disciple only trying to implement what the master would have decreed? Would Collins have accepted defeat at the polls, and handed over the stewardship of the state to those who he believed had tried to strangle it at birth?

It is impossible to answer such 'what ifs?'. The best we can do is to evaluate the available evidence and consult the insights of those who have made a detailed study of the events concerned, or are connected with them in some way.

Someone with just such a connection is former Taoiseach Dr. Garret FitzGerald who was kind enough to grant me an interview in June 1996. I was interested to learn what insights Desmond FitzGerald - 1916 veteran, Director of Publicity on the Volunteer GHQ Provisional Government minister, had passed on to his son. Dr. FitzGerald takes the view that those who argue that Collins would have become a potential Irish Mussolini are overlooking the complexity of Collins' character. Collins had waged war against his former comrades for the principle of civilian control of the Army, and it is therefore unlikely that he would have supported any notion of a military junta. While Dr. FitzGerald was ready to admit that Collins had a considerable ego, he also liked to deflate those inflated with a sense of their own importance, and he would have had little time for anyone posing as a 'duce-type' figure.<sup>(86)</sup>

The same issue arose in discussion with Michael Laffan of the Department of Modern Irish History at University College Dublin. Laffan's view is that, the assassination of Sir Henry Wilson aside, the evidence points to the post-Truce Collins developing into a democratic, constitutional politician, and therefore unlikely to be drawn into any military coup. Like FitzGerald, Laffan also takes the view that Collins' personality would have mitigated against such an anti-democratic development.<sup>(87)</sup>

Senator Maurice Manning is on the staff of the Politics Department at UCD but when we met in June 1996 he was also Fine Gael leader in Seanad Eireann. As a leading authority on O'Duffy and the Blueshirts, I was keen to quiz Senator Manning on his assessment as to whether or not Collins would have gone on to be hailed as the Irish Mussolini? Manning was emphatic in his response. Collins would not have obstructed the transfer of power in 1932, and there would have been no Blueshirt movement if he had survived the events at Beal na Blath. Manning holds to the theory that a central factor in Cumann na nGaedheal's defeat in 1932 was 'charisma deficiency'. Cosgrave, nor any of his Executive Council colleagues could match De Valera's standing and authority. It was this crisis of leadership that caused Cumann na nGaedheal grandees to cast around for an alternative and to come up with O'Duffy, a decision they soon came to regret. If Collins had lived, he would have matched De Valera in the charisma stakes, and without recourse to a blueshirt. Manning echoed FitzGerald and Laffan in adding that he believed that something in Collins' personality and character would have rejected 'duce-like' illusions as "tomfoolery".<sup>(88)</sup>

Collins' comments to Batt O'Connor regarding O'Duffy were made on his return from London on December 1921 when, confronted with De Valera's opposition, he contemplated defeat. If the Treaty was rejected he would return to West Cork to serve as an ordinary Volunteer in renewed hostilities with Britain. His place in Dublin could be taken by O'Duffy whom he described as the "coming man".<sup>(89)</sup> This was hardly the anointment of an heir. Collins rated O'Duffy's War of Independence record, but might well have taken a different attitude to the peacetime O'Duffy. As I argue in Chapter 3, I believe that the professionalism of the army and police, and the democratic alteration of power are important components of the Collins legacy.

### Abolishing the Oath

De Valera wasted no time in introducing his first constitutional revision - the abolition of the Oath of Allegiance. Within a week of coming to office, he

broadcast to the nation and to the United States setting out his intentions.<sup>(90)</sup> He set out his arguments clearly and reasonably. He argued that the existence of the Oath excluded a section of the population from the democratic process and interfered with a general compliance with the rule of law. If the Oath was removed "the IRA would go quiet" putting an end to the unrest which had disturbed the nation since birth.<sup>(91)</sup> De Valera was careful to stress the limited scope of his initiative, which did not interfere with the Free State's membership of the Commonwealth.<sup>(92)</sup> De Valera was also clear and clever about the detailed mechanisms that would be used to get rid of the Oath. His abolition Bill consisted of three steps. The principle argument was that the Oath could not be regarded as obligatory under the terms of the Treaty. What counted was what was stipulated in the Irish Free State Constitution. To that end he proposed the deletion of Article 17 of the Constitution that made it obligatory for elected members of the Dail to subscribe to the Oath in order to take their seats. The second step was the removal of section 2 of the Irish Free State Constitution Act, which stated that the Constitution was subordinate to the Articles of Agreement. It was extraordinary, argued De Valera, that a Treaty between two countries should be regarded as part of the constitutional law of one of the countries involved. The third step was a tidying up of Article 50 of the Constitution, which like section 2 of the Irish Free State Constitution Act constrained the Constitution "within the terms of the scheduled Treaty."<sup>(93)</sup>

De Valera went on to argue that the right of the Dail to make the proposed changes had been secured by the advances in Dominion status, in no small part due to the efforts of past Cumann na nGaedheal administrations. The Statute of Westminster of 1931 had established a legal equality of status between the United Kingdom and the Dominions which gave the Dail the right to amend the Free State Constitution without reference to London. In attempting to disarm Cumann na nGaedheal, De Valera paraphrased Collins, and laid claim to his legacy when he told the Dail during the substantive Second Reading of the Bill;

" When the Treaty was being put before the old Dail, one of the arguments put forward in favour of it was that it gave freedom to achieve freedom. Are those who acted on that policy now going to say that there is to be a barrier and a perpetual barrier to advancement?"<sup>(94)</sup>

A month or so later De Valera made further concessions to his former Treaty opponents. Speaking in the Senate on 2 June 1932, when the upper house was considering the Bill, he argued that the Irish had the right to amend their own constitution because;

" The Twenty Six Counties here, as a result of the 1926 and 1930 conferences, had practically got into the position - with the sole exception that instead of being a republic it was a monarchy - that I was aiming for in 1921 for the whole of Ireland."<sup>(95)</sup>

This recognition of the advances in dominion status wrought by O'Higgins, McGilligan and co. was seized upon by Senator Sean Milroy.

As noted earlier in this study, Milroy was a veteran of the nationalist movement who had been particularly close to Arthur Griffith. His mentor gone, Milroy was one of the 'nationalist' tendency within Cumann na nGaedheal who believed that the party was not following the strategy envisaged by Collins. Milroy resigned his Dail seat at the time of the Army Mutiny, and then broke with the party completely over the outcome of the Boundary Commission. Unlike other Cumann na nGaedheal dissidents and those associated with the National Group and/or Clann Eireann, who made the full political journey to Fianna Fail, eg Padraic O Maille and Gibbons, Milroy resolved his differences with Cumann na nGaedheal and by 1932 he was representing the party in the Senate.

While Milroy had his differences with people in Cumann na nGaedheal, he had been a strong supporter of the Treaty, and held De Valera as responsible for fueling the crisis which had robbed Ireland of her two great leaders. He interrupted the President to underline that the progress that De Valera had conceded was " as a result of the Treaty."<sup>(96)</sup>



De Valera responded;

" I am quite willing to give to Senator Milroy or anybody else, any credit that can be got for the policy they aimed at, and I am prepared to confess that there have been advances made that I did not believe would be made at the time."<sup>(97)</sup>

These particular passages from De Valera's Dail and Senate speeches on the Bill to remove the Oath amount to a staggering admission in which he accepted that under the detested Treaty, against which he contributed to the dividing of a movement and a nation, the Free State had reached the kind of constitutional position that he himself had argued for back in 1921.

Needless to say, there was method in De Valera's confession. He was now seeking to outflank Cumann na nGaedheal by arguing that their opposition to his legislation was a denial of the status that the Free State had already obtained as a result of their own efforts. If it was accepted on both sides that the Irish had the right to get rid of the Oath, then any opposition to its abolition must be on the basis of a political preference that it remain in place. What was Cumann na nGaedheal's response to De Valera's move to abolish the Oath?

The amendment submitted by Cosgrave argued that the Abolition of the Oath could jeopardise the " economic freedom and privileges " assured by the Treaty and therefore sought to deny the Bill a Second Reading until negotiations had taken place on the issues involved between the British and Irish governments.<sup>(98)</sup> The issues in the debate over the Removal of Oath Bill were set out by the Cumann na nGaedheal, Farmer and Independent opposition whose speakers contributed in greater numbers than the Fianna Fail and Labour proponents of abolition. Opposition speakers concentrated on a dozen or so arguments, some of which reflected the nuances within Cumann na nGaedheal.

One of the basic arguments marshalled by the opposition was that Fianna Fail, and their Labour Party allies, did not have a mandate for their actions. This

particular line of argument was introduced by Cosgrave in moving his amendment when he pointed that Fianna Fail were 200,000 votes short of a popular majority in the preceding election, and that the Labour TDs who supported the Bill has failed to make their position clear and were perceived by the electorate as supportive of the Treaty settlement.<sup>(99)</sup> Gearoid O'Sullivan in his contribution to the debate echoed many other opposition speakers when he argued that it had been Fianna Fail's promises on unemployment and land annuities that had been central to their electoral success, not the abolition of the Oath.<sup>(100)</sup> Labour's mandate to support the Bill came under heavy fire from Cumann na nGaedheal and also from Independent Labour TDs. Daniel Morrissey of Tipperary accused his former comrades of reversing their position and betraying the economic and social priorities of Labour supporters.<sup>(101)</sup>

In moving the Second Reading of the Bill, De Valera sought to deal decisively with the mandate issue, and he was completely correct in arguing that abolition of the Oath had been presented during the election as Fianna Fail's number one priority.<sup>(102)</sup> Labour's new leader William Norton defended the consistency of his party's position by quoting his predecessor, Johnson, who had argued back in 1922 that Labour TDs would take the Oath but that in the future they would not stand in the way of its abolition. Norton, among a number of pro-Government speakers, deployed the effective debating point that the opposition were on weak ground arguing about mandates given that they had closed the door on the most direct way of measuring public opinion on the Oath, a referendum.<sup>(103)</sup>

The constitutional and legal basis for the Government's proposal had been set out in detail by De Valera, but very few Fianna Fail speakers sought to tread on that particular ground. The only other Fianna Fail speaker, other than Sean Lamass, to deal with these legalistic arguments was Attorney General Conor Maguire.<sup>(104)</sup> Maguire's contribution did not come till late in the debate, and the apparent reluctance of Ministers and Government legal officers to debate this fundamental point was attacked by senior opposition speakers such as FitzGerald, Fitzgerald-Kenny, Hayes, Blythe and MacEoin.

Legal arguments aside, several Cumann na nGaedheal speakers argued that unilateral Irish action to reform the Treaty settlement represented a breach of faith. Daniel McMenemy from Donegal echoed Cosgrave and FitzGerald in arguing that the proposal to abolish the Oath questioned the honour of Irish nationalism, and the honour of the men who signed the Treaty as a bilateral agreement that should not be broken unilaterally.<sup>(105)</sup> The accusation of breach of faith brought several Fianna Fail TDs, most notably Sean MacEntee, to their feet to argue that Britain had broken the Treaty over the Boundary Commission.<sup>(106)</sup>

Another central argument deployed in favour of the Bill was that the existence of the Oath denied representation to a section of the population and that it bred alienation from the rule of law. The opposition benches, however, derided De Valera's suggestion that the IRA "would go quiet" if the Oath was abolished. Desmond FitzGerald asked whether the Dail should take a step which it believed was damaging to the Free State because;

" the man who murdered Kevin O'Higgins is too noble a soul to agree that he should be represented in an assembly in which an oath of fidelity is taken to the Constitution of the first Irish state internationally recognised in a thousand years, and to the head of that state? "<sup>(107)</sup>

Blythe argued that the rump of the IRA would not be satisfied by the removal of the Oath as it was;

" now attached to a new propaganda and a new doctrine which have grown up in all the world since 1917. "<sup>(108)</sup>

In rebutting the claim that the abolition of the Oath would result in the end of paramilitary violence, George Cecil Bennett, a Cumann na nGaedheal TD for Limerick, quoted a recent statement by Mary MacSwiney. While she supported the removal of the Oath she would urge her supporters not to recognise the state and to stick to their arms until there was only one army - the army of the republic.<sup>(109)</sup>

Central to Cosgrave's amendment was the call for negotiations with the British over the future of the Oath. As James Coburn, the Independent TD from Louth put it;

" The Government claims dropping the Oath is not a breach of the Treaty. The British claim that it does. Surely negotiations are the best way of resolving matters?"<sup>(110)</sup>

No less an opposition figure than Sean MacEoin went as far as promising De Valera his support if were to seek negotiations with the British on the issue.<sup>(111)</sup>

De Valera had sought to pre-empt the call for negotiations by arguing, while moving the Bill's Second Reading, that agreeing to talks would be tantamount to accepting that the British had a role to play in domestic Irish affairs. Weeks later Sean MacEntee returned to the same point, towards the end of the debate on the Fifth Reading;

" Why are we to restore the suggestion of British domination here by asking permission to determine for ourselves what is a purely domestic issue?"<sup>(112)</sup>

Throughout the debate opposition TDs argued that unilateral action by the Free State would result in British economic retaliation that would damage the material well-being of the Irish people. It was an argument returned to repeatedly by Independent Labour and Farmer TDs. It was also a theme taken up by Collins' own sister, Margaret Collins-O'Driscoll, the Cumann na nGaedheal TD for Dublin North. She told the Dail that she could support a Second Reading of the Bill "if I could only be assured that the people would not be the sufferers."<sup>(113)</sup>

The other main argument deployed by the opposition was the likely negative impact of the abolition of the Oath on the prospects for re-unification. The question of the Six Counties received a greater airing in the debate over the Oath, than in the debate over the Treaty ten years earlier, as opposition speakers warned that a unilateral breach of an allegiance shared by North and South could

only widen divisions.

In moving his amendment, Cosgrave cautioned any action which;

" would divorce, perhaps finally, a large and important section of this country from the rest of the State."<sup>(114)</sup>

Sean MacEoin reconciled his republicanism with his opposition to the Bill on this very point;

" I would rather accept much less and have a united Ireland than a complete Republic of the Twenty Six Counties."<sup>(115)</sup>

The Fianna Fail proponents of abolition shied clear of this particular argument, restricting their few jibes to Cosgrave's handling of the Boundary Commission. Sean MacEntee explored a more novel line of argument when he suggested;

" That in terms of history and tradition the Republican form of Government should be an inducement to the Presbyterian descendants of those who fought and died for the Republican cause in 1798."<sup>(116)</sup>

Belfast-born MacEntee was grasping at historical straws in arguing that because the forefathers of the Northern Presbyterians had rallied to Tone's United Irishmen, they should be more readily reconciled to a republican solution. In doing so he was denying the reality of the intervening 120 years of history, and in particular the events of the preceding 20 years. It was a point not missed by Mulcahy when he contributed later in the debate.<sup>(117)</sup>

The different emphasis deployed by different Cumann na nGaedheal speakers reflected the strands of opinion within the party. Former ministers Blythe and Hogan both made strong arguments for remaining within the Commonwealth, a status endangered by De Valera's unilateral action on the Oath. The Ulsterman Blythe argued the merits in favour of remaining in "this great association of nations (the Commonwealth)", as opposed to being " an isolated Republic."<sup>(118)</sup>

Hogan agreed with his colleague that the attempt to remove the Oath could threaten the Free State's membership of the Commonwealth, something which he believed would be a "backward step."<sup>(119)</sup> Two Cumann na nGaedheal TDs Dennis Gorey, Carlow-Kilkenny, and Seumas Bourke, Tipperary, went as far as to critically attack the very principle of the republican form of government.<sup>(120)</sup>

Self-confessed republican General Sean MacEoin, the 'Blacksmith of Ballinalee', however, argued that his disagreement with De Valera was not over the removal of the Oath but the manner in which the President was going about it. Shrugging off Fianna Fail heckles that Cumann na nGaedheal was a pro-British party, MacEoin stated that there was agreement that the right to abolish the Oath, or to secede from the Commonwealth, had been established by Cosgrave, Griffith, O'Higgins and Collins, and that it should be "common ground" on which the divided wings of the old Sinn Fein could meet. MacEoin argued for engaging the British in negotiations and presenting a Bill to secede from the Commonwealth. MacEoin described that as the "manly way" to deal with the matter. He also argued that the other dominions would support such honest action on the part of the Irish. MacEoin concluded by explaining that he would not support the legislation as he believed that it would further complicate any prospect of national unity and lead to British economic retaliation. He was not prepared to put his own republican principles before the unity of Ireland and the material well-being of her people.<sup>(121)</sup>

Margaret Collins O'Driscoll argued that it would have "given pleasure" to her brother and the other plenipotentiaries if they had been able to omit the Oath back in 1921/22, but "they saw things as they were, not as they wished them to be. Cumann na nGaedheal stands with regard to the Oath today just as they (the plenipotentiaries) did when the Treaty was ratified. They did not stand for the Oath qua Oath."<sup>(122)</sup> She went on to conclude that she could support the Second Reading if she did not believe that it would result in economic retaliation, while failing to reconcile those who remained outwith constitutional politics.<sup>(123)</sup>

Mulcahy in his contribution to the debate chastised the 'johnny come lately'

Fianna Fail as always being "too late". "Too late" to have had any impact on the Boundary Commission, "too late" to have had a positive impact on the shaping of the Free State Constitution in 1922, and "too late" to avoid "the civil strife that lost us Collins and Lynch, and the young men from Donegal to Kerry and thirty to thirty five millions of pounds."<sup>(124)</sup>

To recap, the Government benches argued that the Oath was not obligatory in the Treaty as domestic constitutional law took precedence over external treaties, and it had now been established by the Statute of Westminster that the Irish had the right to amend their own Constitution. In arguing this, De Valera acknowledged that the potential for progress had existed in the Treaty settlement and that Cumann na nGaedheal governments had indeed made progress. The new Government had a clear mandate for its actions, and as the Irish had the right to abolish the Oath it would assign too much influence to Britain over Irish affairs to concede negotiations on the question. The existence of the Oath deprived a section of the population of political representation, and bred alienation from the rule of law. Its abolition would bring an end to para-military unrest.

The opposition, led by Cumann na nGaedheal, questioned De Valera's legal interpretation of the obligatory nature of the Oath. Right or wrong they believed that unilateral action by the Free State was at least a breach of faith which jeopardised the Treaty settlement, including the Free State's place in the Commonwealth, and would be likely to result in British economic retaliation. The opposition questioned the Government's mandate, and feared that abolishing the Oath would underline partition. They simply did not believe that the abolition of the Oath would lead to the end of IRA violence, especially against themselves.

The British reaction to De Valera's move to abolish the Oath was succinctly summed up by Dominion Secretary J.H. Thomas when he told the House of Commons at the end of the Irish legislative process that the Irish actions were in direct conflict with their obligations under the Treaty and the proof was in the

fact that De Valera had to repeal provisions of the Constituent Act and of the Constitution. The British did not regard the removal of the Oath as affecting the duty of allegiance to the King or amounting to an act of secession.<sup>(125)</sup>

De Valera refused to be drawn into negotiations, but on 5 April 1932 he wrote to Thomas that it was not important whether or not the Oath was an integral part of the Treaty. The people had voted to get rid of the Oath, and the Statute of Westminster provided the authority by which the Irish could remove it from their own constitution.<sup>(126)</sup> 'Jimmy' Thomas may have been disarmed in his dealings with the new Government by the fact that he found the new ministers "genial" and regarded Sean T. O'Kelly as "a most cordial and happy companion"<sup>(127)</sup> In De Valera, Thomas faced a slippery opponent who seemed to possess impeccable political timing as far as British politics were concerned. The launch of Fianna Fail was under-reported in a British press just returning to production following the General Strike. De Valera introduced the legislation to remove the Oath in a week when Britain was distracted by the debate around one of the country's most important budgets ever. Four years on he would use the cover of the abdication crisis to remove the Crown from the Constitution.

The Constitution (Removal of Oath) Bill 1932, to give the legislation its full title, received its 'in principle' Second Reading in the Dail by a margin of 77 to 71 on 29 April 1932. It then cleared its Dail Committee and Report stages before receiving its final, Fifth, Dail Reading on 19 May. The Bill then transferred to the Senate from whence it returned at the end of June with a string of amendments.<sup>(128)</sup> Under Article 38a of the Free State Constitution, the clause governing the inter-relationship between the two houses of the Oireachtas, the Bill could have been delayed as long as January 1934.<sup>(129)</sup> De Valera called an election for January 1933, and the returning Fianna Fail administration sent the Bill back to the Senate in March, and it returned to the Dail later the same month. In the new circumstances, the Bill reverted to the definitive control of the Dail following sixty days from the Bill being sent to the Senate for a second time. The legislation was therefore deemed to have cleared its various



parliamentary hurdles on 3 May 1933.<sup>(130)</sup>

### De Valera and the Collins Legacy

" Instead of getting help from directions in which we had expected it, we have miserable politics, miserable politics indulged in by people who hope that by the defeat of the Government they are going to bring back some of their friends."<sup>(131)</sup>

In this remark, made during the Senate debate on the Oath, De Valera lamented the opposition of those who for ten years had stood for the Treaty as a "stepping stone" to complete sovereignty. He sought to portray them as people ready to abandon principle, and the national cause, for partisan advantage. Were those who claimed to be followers of Collins so blinkered by their hostility to De Valera, and the role he played between 1922 and 1924, that they opposed all that he proposed? In reacting as they did to his removal of the Oath, did they abandon Collins' legacy to De Valera?

The fact that De Valera and his colleagues were able to succeed in abolishing the Oath, and in dismantling the other trappings of the imperial connection, proved that Collins had been correct in his "stepping stone" interpretation of the Treaty. I would therefore argue that De Valera and his supporters have a credible claim on the Collins' legacy. Revising his official biography of Collins five years after Fianna Fail came to power, Beaslai, who had served on the Volunteer Executive with Collins, sided with him in the Treaty rupture, and served in arms against those now serving in government, put it as follows;

" The foundations laid by Collins and Griffith have weathered all storms and those who had opposed and striven to wreck their work are now trying to build on their foundations."<sup>(132)</sup>

While recognising that De Valera has claim to the Collins' legacy, it does not necessarily mean that Collins would have supported De Valera, or indeed pre-empted him, in seeking to remove the Oath.

One clue as to how Collins might have acted is to examine the actions of his fellow plenipotentiaries who signed the Articles of Agreement. Griffith, like Collins, was dead. Barton had gone Anti-Treaty and Duffy, never genuinely reconciled with the Pro-Treaty position, had abandoned active politics. That left Eamonn Duggan. During the debate on the Bill to remove the Oath, Duggan argued that getting rid of the Oath was not worth putting the entire Treaty settlement at risk. Duggan argued that he did not see the great significance of the Oath, given the small number of people who were required to take it. Duggan's view seems to have been in line with many other Cumann na nGaedheal colleagues. If the Oath could be removed without undermining the Treaty settlement generally, and without inviting British retaliation, then he would support it, otherwise no.<sup>(133)</sup>

For further evidence, let us turn to Collins own writings. One of the main conclusions that I have come to as a result of this study is that Collins, more so than his colleagues, cared deeply about the position of the Six Counties, even if concern did not always equate with understanding. If the Treaty settlement represented unfinished business for Collins, the exclusion of the Six Counties was his major concern. I believe that Collins' concept of "complete freedom" was an independent Ireland encompassing all 32 counties, rather than a specific form of government. If Collins had lived, I believe that he would have supported initiatives which he believed would assist in achieving unification, and would have opposed those which threatened to obstruct it. Several opposition speakers stated during the Dail debate, that abolishing the Oath would further estrange the Belfast government from Dublin. In the long hours of debate only Sean MacEntee, tongue in cheek, attempted to suggest that abolition of the Oath could assist unification.<sup>(134)</sup>

I would point anyone questioning the priority Collins ascribed to national unity to 'The Path To Freedom'. Many books have been written about the life and death of Michael Collins, but 'The Path To Freedom' is the only book he wrote himself. In the section 'Partition Act's Failure: Unity As A Means To Full

Freedom', Collins' wrote;

" In acquiescing in a peace which involved some post-ponement of the fulfilment of our national sentiment, by agreeing to some association of our Irish nation with the British nations, we went a long way towards meeting the sentiment of the North-East in its supposed attachment to Great Britain. With such association Britain will have no ground (nor power) for interference, and the North-East no genuine cause for complaint.

Had we been able to establish a Republic at once (we are all agreed now that this was not possible), we would have had to use our resources to coerce North-East Ulster into submission. Will anyone contend that such coercion, if it had succeeded, would have had the lasting affects which conversion on our side and acquiescence on theirs will produce?

The North-East has to be nationalised. Union must come first, unity first as a means to full freedom. Our freedom will then be built on the unshakable foundation of a united people, united in every way, in economic co-operation and in national outlook.

I have emphasised our desire for national unity above all things. I have stated our desire to win the North-East for Ireland. We mean to do our best in a peaceful way, and if we fail the fault will not be ours."<sup>(135)</sup>

These comments made by Collins in 1922 could easily have come from the pages of the Dail debates on The Constitution (Removal of Oath) Bill in 1932. While it is impossible to state with certainty how Collins would have reacted in the circumstances of 1932, I would argue that the available evidence suggests that he would have been cautious in pressing for any 'advance' in the national position which threatened to make the ultimate goal of unification more difficult to achieve.

Five years later, in 1937, many of the 43.5% of the 26 county electorate who voted against De Valera's new constitution did so because they believed it would make a united Ireland more difficult to achieve. Sixteen years later, in 1948, Eamon de Valera himself would warn against the danger of enshrining partition, when criticising a Fine Gael Taoiseach for declaring Ireland a republic.<sup>(136)</sup>

Chapter 6. Notes and References

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- 3) Peter Tynan O'Mahony, *Eamon de Valera 1882-1975*, 1976, p.54.
- 4) De Valera to McGarrity. Quoted Tim Pat Coogan, *De Valera: Long Fellow, Long Shadow*, Hutchinson, London, 1993, p.384.
- 5) Tim Pat Coogan, *The IRA*, Pall Mall, London, 1990, p.75.
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- 9) *The Times*, 11 March 1926, p.16
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- 12) Dick Walsh, *The Party Inside Fianna Fail*, Gill & Macmillan, Dublin, 1986, p.9.
- 13) See Chapter 1.
- 14) *The Times*, 12 March 1926, p.9.
- 15) *Glasgow Herald*, 12 March 1926, p.8.
- 16) See Chapter 4.
- 17) The Earl of Longford and Thomas P. O'Neill, *Eamon de Valera*, Gill and Macmillan, Dublin, (1970), p.245.
- 18) Coogan, *De Valera*, p.386.
- 19) Rosaleen Bohan-Long, *Fianna Fail - Past, Present & ????*, 1992, p.59.
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- 23) Coogan, *De Valera*, p.387.
- 24) Edwards, *Eamon de Valera*, p.114.
- 25) Longford and O'Neill, *Eamon De Valera*, p.250.
- 26) Brian M. Walker, *Parliamentary Election Results in Ireland 1918-1992*, Royal Irish Academy, Dublin, 1992.
- 27) *Scotsman*, 15 June 1927, p.9.
- 28) D.J. Hickey and J.E. Doherty (editors), *A Dictionary of Irish History 1800-1980*, Gill & Macmillan, 1987, p.390.
- 29) *Scotsman*, 15 June 1927, p.9.
- 30) Coogan, *De Valera*, p.399.
- 31) *Glasgow Herald*, 11 July 1927, p.10.
- 32) The publication of a biography of Hazel Lady Lavery, *Hazel: A Life of Lady Lavery 1880-1935* by Sinead McCooile in September 1996 led to Una O'Higgins O'Malley, the daughter of Kevin O'Higgins, to make the following statement;
- " Just over one year ago, I discovered the full nature of the relationship between my father and Lady Lavery. Prior to that I had understood, as had my mother, that their feelings were only of friendship and of shared concern for the future of this country. I regret that in his biography of my father (1948), Terence De Vere White mistakenly conveyed that Lady Lavery herself had inserted romantic passages into letters which she received from admirers. People whom he consulted at that time believed this to be so, but clearly in the case of my father (not then known about) this is not true. I am aware of the pain experienced by Lady Lavery's daughter and family arising from this misapprehension and I regret the pain caused."
- Sunday Independent*, 8 September 1996, p.1.
- 33) Longford and O'Neill, *Eamon de Valera*, p.253.
- 34) It has been established the killers were members of the IRA but that the murder was an opportunistic attack, not a planned operation. Hickey and Doherty, *Dictionary of Irish Biography*, p.439.

- 35) Coogan, *De Valera*, pp.401/402.
- 36) See Chapter 1.
- 37) Coogan, *De Valera*, p.402.
- 38) *Glasgow Herald*, 11 August 1927, p.9.
- 39) Statement issued by Fianna Fail parliamentary party at 12.20am on 11 August 1927. NAI S2768.
- 40) The statement was signed by all members of the Fiann Fail parliamentary party with the exception of Seumas Ua Colbaird who was absent from the meeting. NAI S2768.
- 41) Longford and O'Neill, *Eamon De Valera*, p.256.
- 42) Batt O'Connor, *With Michael Collins in the Fight for Irish Independence*, Peter Davies, London, 1929, pp.184/185.
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- 52) *Glasgow Herald*, 19 September 1927, p.11.
- 53) *ibid.*
- 54) *ibid.*
- 55) See Chapter 3.

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- 57) De Valera to T.J. Ryan. Quoted in Longford and O'Neil, *De Valera*, p.270.
- 58) Maurice Manning in conversation with the author, June 1996.
- 59) *ibid.*
- 60) O'Leary, *Irish Elections*, p.25.
- 61) Walker, *Election Results in Ireland*.
- 62) T. Ryle Dwyer, *De Valera: The Man and the Myths*, 1995, p.156.
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- 64) Edwards, *Eamon de Valera*, p.115.
- 65) *Scotsman*, 15 February 1932, p.18.
- 66) *Glasgow Herald*, 20 February 1932, p.9.
- 67) *Scotsman*, 23 February 1932, p.9.
- 68) *Glasgow Herald*, 7 March, 1932 p.11.
- 69) Steele interview carried in *Irish Press*, 23 February 1932, p.1.
- 70) Dwyer, *De Valera*, p.160.
- 71) *Irish Times*, 27 February 1932, p.9.
- 72) Dwyer, *De Valera*, p.160.
- 73) *Irish Times*, 10 March 1932, p.7.
- 74) Dwyer, *De Valera*, p.160.
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- 76) Hickey and Doherty (eds.), *Dictionary of Irish History*, p.574.
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- 78) *Irish Press*, 10 March 1932, p.1.
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- 80) J.J. Lee, *Ireland 1912-1985: Politics and Society*, Cambridge University Press, Cambridge, 1992, p.175.
- 81) *Irish Press*, 11 March 1932, p.1.
- 82) Dwyer, *De Valera*, p.161.
- 83) See Chapter 3.
- 84) Coogan, *De Valera*, p.435.
- 85) O'Connor, *With Michael Collins in the Fight for Irish Independence*, pp.181/182.
- 86) Dr. Garret FitzGerald in conversation with the author, June 1996.
- 87) Michael Laffan in conversation with the author, June 1996.
- 88) Maurice Manning in conversation with the author, June 1996.
- 89) O'Connor, *With Michael Collins in the Fight for Irish Independence*, pp.181/182.
- 90) Text of radio broadcast by De Valera, 17 March 1932. In Maurice Moynihan (editor), *Speeches and Statements by Eamon De Valera 1917-1973*, 1980
- 91) *Glasgow Herald*, 19 March 1932, p.11.
- 92) Frank Munger 'The Legitimacy of Opposition: The Change of Government in Ireland in 1932, in *Sage Professional Papers in Contemporary Political Sociology*, 1975, p.17.
- 93) De Valera moving the Second Reading of the Constitution (Removal of Oath) Bill 1932, 27 April 1932, in Moynihan (ed.), *Speeches and Statements*, pp.197-200.
- 94) Dail Eireann Parliamentary Debates, Official Report. Vol. XLI, 9 March to 25 May 1932. Col.572.
- 95) Seanad Eireann Debates Vol.15, 9 December 1931-10 August 1932. Col.937.



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- 105) Dail Debates Vol. XLI, Col.656.
- 106) Dail Debates Vol. XLI, Col.529.
- 107) Dail Debates Vol. XLI, Col.617.
- 108) Dail Debates Vol. XLIII, Col.697.
- 109) Dail Debates Vol. XLI, Col.736.
- 110) Dail Debates Vol. XLI, Col.1074.
- 111) Dail Debates Vol. XLI, Col.830.
- 112) Dail Debates Vol. XLIII, Col.710
- 113) Dail Debates Vol. XLI, Col.978.
- 114) Dail Debates Vol. XLI, Col.584.
- 115) Dail Debates Vol. XLI, Col.827.
- 116) Dail Debates Vol. XLI, Col.594.
- 117) Dail Debates Vol. XLI, Col.941.
- 118) Dail Debates Vol. XLI, Col.757.
- 119) Dail Debates Vol. XLI, Col.1025.

- 120) Dail Debates Vol. XLI, Cols.792 and 955
- 121) Dail Debates Vol. XLI, Cols.824-830.
- 122) Dail Debates Vol. XLI, Col.797.
- 123) Dail Debates Vol. XLI, Col.798.
- 124) Dail Debates Vol. XLI, Col.949.
- 125) *Irish Press*, 5 May 1933, p.1.
- 126) De Valera to Thomas, 5 April 1932, NAI T/S6298.
- 127) Rt. Hon. J.H. Thomas, *My Story*, 1937, p.180.
- 128) Progress of the Constitution (Removal of Oath) Bill 1932 through the Oireachtas. NAI S4469/18.
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- 132) Piaras Beaslai, *Michael Collins, Soldier and Statesman*, Talbot Press, Dublin, 1937, p.xii.
- 133) *Irish Times*, 23 March 1932, p.7.
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**Chapter 7:  
Michael Collins:  
Fine Gael Icon or National Hero?**

## Introduction

Having dealt in earlier Chapters with those contenders for the Collins' legacy who split from Cumann na nGaedheal in the years after 1922, I turn in this final Chapter to the would-be keepers of the flame who remained within the party. I look at how Cumann na nGaedheal developed in the period 1922 to 1932, and argue that there is evidence to suggest that Collins would have encouraged the "synthesising process" which alarmed many of his former lieutenants

I then revisit the debate as to whether or not the anchoring of democracy and the peaceful alteration of power are part of the Collins' legacy? I look at the evidence for and against the suggestion that Collins would have ended up as an Irish duce at the head of the Blueshirts, and argue that such a movement would never have gained the significance that it did if Collins had lived.

In this chapter I also look at the role of Collins' biographers, and the authors of other associated literature, in interpreting and re-interpreting their subject. I set out how Collins was viewed by those writing from both sides of the Treaty divide, by those approaching from a British perspective, by those defending a sanitised image of their "lost leader", and those who have presented a more rounded Collins, warts and all. En route, I look at the role of the Collins literature in a battle of reputations, and at the attempts to remove Collins from his rightful place in the pantheon of the Irish Revolution.

Finally, I discuss the reasons behind the revival of Collins' cult in the late 1980s and 1990s both North and South of the border. In doing so, I examine whether the leadership of the 1990s Provisional Sinn Fein has a claim to the Collins legacy, return once again to the perceived gulf between Collins' and De Valera's respective visions for Ireland's future and question whether it is as great as some of their heirs would tend to suggest.

Collins and the continuing tensions within Cumann na nGaedheal 1922-1932

Following the massive outpouring of public grief at Collins' death in August 1922, his Pro-Treaty Sinn Fein colleagues in the Provisional Government adopted the "lost leader" as a symbol of their authority. They carried the icon of the dead Collins with them through the process of transformation into the Government of the Irish Free State in December 1922, and into the creation of a new political party, Cumann na nGaedheal, during the early months of 1923. Their motivation for clinging to Collins was obvious. Of all the leading Pro-Treaty figures, Collins was the most charismatic. In Chapter 1, I have sought to summarise just how that charisma was expressed and the reactions it provoked in those around Collins. In Chapter 6 I have argued that the mis-match in the charisma stakes, with Collins gone, was one of the factors that led to the rapid progress made by De Valera following the formation of Fianna Fail in 1926. Later in this chapter I will argue that this 'charisma deficiency', partly explains future directions taken by Cumann na nGaedheal/Fine Gael.

Given the chronological proximity of Collins' and Griffith's deaths, the month of August became the focus for a commemorative rally organised by the newly formed Cumann na nGaedheal. Addressing the 1924 gathering, President Cosgrave described Collins as a "stupendous figure in Ireland's story" and sought to establish himself as Collins' heir, promising the departed leader;

" the unbroken progress of your work, the steadfastness of your successors."<sup>(1)</sup>

This associating of government and party with the dead Collins continued throughout the life-time of the Cosgrave administrations, not least at election times. An entire chapter in the briefing notes prepared for Cumann na nGaedheal candidates and platform speakers was devoted to evoking the Collins legacy.<sup>(2)</sup>

While the public face of Cumann na nGaedheal was that of a party at ease with the Michael Collins' legacy, the reality behind the scenes was very different. As I

argue in Chapter 3 on the Army Mutiny and Chapter 4 on the Boundary Commission, unhappiness with the way the Executive Council handled both situations was not confined to the National Group or Clann Eireann breakaways, and many of the internal dissidents who remained based their critique on a perceived failure to fulfil the Collins legacy.

The strained relations between the Executive Council, and the Cumann na nGaedheal party were not only due to specific policy concerns, e.g. Army demobilisation or the ultimate financial settlement, but were also due in part to the fact that Cumann na nGaedheal was a 'top down' creation, an attempt to bolt on a national party organisation to an already existing governing elite. As I will illustrate in this Chapter, that process led to government ministers resenting the 'interference' of party officers. Another cause for division, which I will deal with presently, was the way in which Cumann na nGaedheal came to attract former Unionists, supporters of the old Irish Parliamentary Party and other whose 'support' for the Treaty was relative. This development was greeted with alarm by some among the former Sinn Fein element, the 'Pro-Treaty Republicans', who regarded themselves as the guardians of Collins' 'stepping stone' approach to the Treaty.

In Chapter 3 I stated that one of the outcomes of the Army Mutiny crisis was a crystallising of the dissent that lingered in Cumann na nGaedheal, which led to the Executive of the party publishing its 'October Manifesto', a list of criticisms of the government's performance, in October 1924. That broadside led to a meeting of the Policy Committee of Cumann na nGaedheal with those ministers responsible for different aspects of economic policy - Ernest Blythe (Finance), Patrick McGilligan (Industry and Commerce) and Patrick Hogan (Lands and Agriculture). It appears that the meeting was something of a disaster with the ministers, most notably Blythe, refusing to discuss certain matters they regarded as the exclusive business of government.<sup>(3)</sup> Divisions arose again at a meeting of the Cumann na nGaedheal parliamentary party on 24 November. Looking ahead to the 'mini-general election' created by the resignation of McGrath and his

National Group from their Dail seats, several ministers, most interestingly, J.J. Walsh, the Minister for Posts and Telegraphs, had little confidence in the party machine to run an effective campaign.<sup>(4)</sup> As noted in Chapter 3, Mulcahy and others managed to broker a compromise around the creation of a joint ministerial/party organising committee which delivered a good result, winning seven out of nine seats when the by elections were eventually held in March 1925.<sup>(5)</sup> The other source of division at the parliamentary party meeting of 24 November was the appointment of Mulcahy's replacement as Minister for Defence, a role which Cosgrave had fulfilled himself since Mulcahy's enforced resignation in March 1924. Cosgrave nominated Patrick Hughes for the post, a move which was opposed immediately by Mulcahy, Collins' sister Mrs. Collins-O'Driscoll and the semi-detached Padraic O Maille.<sup>(6)</sup> Until this point the Minister for Defence had been regarded as both the government's representative on the Army Council and the Army's representative on the Executive Council. Those who regarded themselves as guardians of the Collins' legacy clearly viewed the Army as the jewel in that bequest and believed that the Army should be in the hands of those who had worked closely with Collins, and had seen service with the pre-truce Volunteers. It was Hughes' lack of pedigree that Margaret Collins-O'Driscoll was clearly referring to when she objected to his appointment on the grounds that he lacked the "necessary education".<sup>(7)</sup> The position of the Army mattered so much to Mulcahy that he braved the obvious awkwardness of the situation to suggest that at a time of change in the Army, i.e. the massive de-mobilisation which had been a factor in the Mutiny, was not the moment to appoint someone "not familiar with the Army" to the post.<sup>(8)</sup> The meeting concluded with Vice President O'Higgins agreeing to report the reservations raised to the absent Cosgrave. The matter did not end there. No less than 17 members of the Cumann na nGaedheal parliamentary party signed a letter of protest to President Cosgrave. It was signed by a number of 'stepping stone dissidents' that have already been introduced in the course of this study, e.g. Louis Dalton, C.M. Byrne, Padraic O Maille, Margaret Collins-O'Driscoll. The list also included others who had seen service in the War of Independence, and would have regarded themselves as loyal to the Collins' legacy, e.g. Dick

O'Connell who had been O/C the Mid-Limerick Flying Column and Martin Nally who had sat as a District Justice in the Republican Courts.<sup>(9)</sup>

An interesting insight into the thinking of Mulcahy in the months following the report of the Committee of Inquiry into the Mutiny, and into the views of the internal Cumann na nGaedheal dissidents more generally, is revealed in his account of a conversation he had with Sean O'Murthuile on 30 November 1924. O'Murthuile, who at that point was clearly more alienated from the Executive Council than Mulcahy, argues that the party's policy should not be to stand for the Treaty but how to make "national progress" beyond it. He argued that simply supporting the Treaty as endorsed in January 1922 was attracting "too many conservative elements" to Cumann na nGaedheal. While harbouring animosity towards certain members of the Executive Council, O'Murthuile conceded that the fall of the governing party would mean the fall of the Treaty and he therefore rules out any attempt to split Cumann na nGaedheal. O'Murthuile speculated, however, that an issue might arise with the capability of uniting "nationally-minded people" on both sides of the Treaty debate, although he despaired that any substantial section of Republican thinking could be persuaded to recognise the benefits inherent in the Treaty and to work for them.<sup>(10)</sup>

As discussed in Chapter 5, the Boundary Commission debacle was an issue that could have united people on both sides of the Treaty debate. Outwith the limited ranks of those who quit to form Clann Eireann, the 'nationalist wing' of Cumann na nGaedheal bit the bullet on the ultimate financial settlement, fearing the anarchy that could result from the collapse of the government. In Chapter 6, when dealing with the question of the Oath, I highlighted how De Valera acknowledged the advances made on the Treaty settlement but that Cumann na nGaedheal, whether fearing British economic retaliation, or concerned about further underlining partition, held together in opposing the abolition of the Oath. Interestingly, the National Group and Clann Eireann aside, the most significant retreat on policy grounds was that of J.J. Walsh, the same minister who in late 1924 was the greatest critic of the "carping" Cumann na nGaedheal organisation!



Walsh retired from the Executive Council, and active politics, in 1927 on the grounds that the government had abandoned Griffith's legacy and the old Sinn Fein touchstone of protectionism.<sup>(11)</sup>

From the formation of Cumann na nGaedheal, Cosgrave sought to make the party a political home for all those who supported the Treaty, whatever their previous political affiliation.<sup>(12)</sup> By 1932 he had gone a long way to achieving that goal. In Chapter 6 I pointed to the news reports of the transfer of power from Cumann na nGaedheal to Fianna Fail, and how the observers in the press gallery remarked on the differing age and social composition of the Cumann na nGaedheal frontbench compared with its backbenchers. Their point was that the outgoing government was still largely composed the relatively young men of the revolutionary generation, the Pro-Treaty remnants of Sinn Fein, while their supporters behind them contained a scattering of representatives of older political traditions. The involvement of former Unionists, and supporters of the Irish Parliamentary Party, was a running irritant to those on the government backbenches that had come from the Sinn Fein tradition. Suspicion of those without a national record had been a factor in the Army Mutiny. In Chapter 3 I questioned whether these fears were genuine, and the extent to which the Army really was becoming dominated by those who had taken no part in the War of Independence or had served in the British Army. Here I want to examine the extent to which those with previous, non-Sinn Fein, affiliations became active in Cumann na nGaedheal, and to test the assumption that Collins would have opposed this 'synthesising', i.e. uniting disparate political forces within the Pro-Treaty party?

There are a number of notable examples of political figures who had opposed Sinn Fein prior to December 1921, but went on to find a political home in Cumann na nGaedheal or its Fine Gael successor. As an example of this 'synthesising', former Taoiseach Garret FitzGerald pointed me in the direction of Sir Maurice Edward Dockrell.<sup>(13)</sup> The Unionist Sir Maurice successfully fought off Sinn Fein in the Rathmines division of Dublin in 1918. His family adjusted

to the new order, found a political home in Cumann na nGaedheal/Fine Gael and his sons and grandson went on to serve in Dail Eireann into the 1970s.<sup>(14)</sup> Another former Unionist, Major Brian Cooper, joined Cumann na nGaedheal in 1927, having sat in Dail Eireann as an independent since the foundation of the state. In a 1976 research paper, Michael Gallagher takes the case of Cooper to argue the thesis that although the political luminary had 'synthesised', his supporters in Dublin County were not so keen and had switched their votes to other independent candidates following Cooper's linking up with Cumann na nGaedheal.<sup>(15)</sup> Personally, I consider the fact the Redmondite National League polled nearly 4,000 votes in the constituency in the election of June '27, Cooper's last as an independent, but did not field a candidate in September '27, following his joining Cumann na nGaedheal, renders the comparison between the two elections more complex.<sup>(16)</sup> Another notable defector was James Dillon, son of Irish Parliamentary Party Leader, John Dillon. James Dillon represented Donegal as an Independent in Dail Eireann, before he created the National Centre Party with which he merged into Fine Gael in 1933. Always independently minded, Dillon spent from 1942 to 1951 as an Independent before returning to the Fine Gael fold, eventually being elected as Leader in 1959.<sup>(17)</sup> While these recruits were obviously significant, it is not the case that the Cumann na nGaedheal parliamentary party was taken over by former Unionists or Home Rulers. Many of the new recruits could best be described as 'local notables', 'stakeholders' in Irish society who had everything to gain from a return to political stability.

Would Collins have welcomed these recruits? In his essay 'Advance and Use our Liberties' he wrote as follows;

" Whatever form of free government we had, it would be the Government of the Irish Nation. All the other elements, Old Unionists, Home Rulers, Devolutionists, would have to be allowed freedom and self-expression. The only way to build the nation solid and Irish is to effect these elements in a friendly national way - by attraction, not by compulsion, making them feel themselves welcomed into the Irish Nation, in which they can join and become absorbed, as long ago the Geraldines and the de Burgos became absorbed."<sup>(18)</sup>

The references at the end of the paragraph reflect Collins' belief in the power of native Gaelic culture to absorb foreign influences, a point of view we will return to later in this chapter, but the thrust of the paragraph is clear. Collins would have supported, rather than feared the 'synthesising' possibilities of Cumann na nGaedheal. Support for this view comes from Maurice Manning who argues that Collins put an emphasis on reconciliation and welcoming different traditions This is not surprising view from a Fine Gael historian who has two political portraits hanging in his office - John Redmond and Richard Mulcahy.<sup>(19)</sup> The image of Collins as reconciler was reinforced in discussion with Dr. FitzGerald.<sup>(20)</sup> Rather than leading hostility to new recruits, Professor Tom Garvin also takes the view that Collins positively wanted to "suck in" former Unionists and Redmondites.<sup>(21)</sup>

Mulcahy appears to have been inconsistent regarding recruiting from different political traditions. As a member of the special joint organising committee established to run the by elections arising from National Group resignations, Mulcahy sought support from interesting sources. According to a diary entry for 4 December 1924 he accompanied J.J. Walsh to a meeting with P.J. Brady, an "unrepentant Redmondite" to discuss the latter's participation on the organising committee. The following day he accompanied Walsh to a meeting with the management of Clery's department store to seek support, presumably financial, for the forthcoming elections. There are also further diary references of approaches to "Eason and Jacob".<sup>(22)</sup> While acting as something of a political 'agony aunt' to those in Cumann na nGaedheal lamenting the subverting of their party, Mulcahy was simultaneously seeking political and financial support from the remnants of the Hibernian organisation and Dublin money.

### The Blueshirt Episode

In Chapter 6 I discussed the question as to how Collins would have reacted to the transfer of power to Fianna Fail in 1932. Batt O'Connor tells us in his biography of Collins that the Big Fella had talked of Eoin O'Duffy as his "the coming man".<sup>(23)</sup> Given O'Duffy had toyed with the idea of a coup, would

Collins have entertained the same thoughts? In the previous chapter I quote evidence to support the view that Collins would have regarded the peaceful transfer of power as a positive development.

The Collins/O'Duffy connection has been seized upon by generations of Collins critics to substantiate the accusation that the leader would have led where the disciple sought to tread, and that if Collins had lived he would have emerged as an Irish 'duce' at the head of a native quasi-fascist movement. This was certainly the mainstream republican movement critique of Collins until at least 1962.<sup>(24)</sup>

In the dying days of the Cosgrave Government the Army Comrades Association (A.C.A.) was formed as a benevolent society working for the rights of ex-Army people who had been demobilised in the massive 'down-sizing' that took place following the Civil war, pre-figuring a concern that known Treaty supporters, and former Army people in particular, might be discriminated against by an incoming Fianna Fail Government.<sup>(25)</sup> Following a release of IRA supporters by the new government, the A.C.A. began to adopt a harder edge as it took on the role of stewarding Cumann na nGaedheal gatherings, and meetings of the recently formed National Centre Party, against disruption by the IRA. In March 1933 the organisation adopted a blueshirt and black-tie as a form of uniform, and in July 1933 O'Duffy was elected leader of what by that time was known as the 'National Guard'. The merging of Cumann na Gaedheal, the National Centre Party and the National Guard led to O'Duffy being elected as leader of the new Fine Gael party.<sup>(26)</sup>

O'Duffy proved to be vain, histrionic and, at times of stress, excitable to the point of hysteria. In the summer of 1934 he called on farmers not to pay land annuities to the government as part of a protest against the 'Economic War', which had resulted from the Fianna Fail government withholding the annuities from the British in contravention of the Treaty obligations. Unsettled by O'Duffy's behaviour, the three Vice Presidents of the party, including Cosgrave, initiated a move against him which was carried through by the party executive.<sup>(27)</sup>

Cosgrave succeeded O'Duffy, who went on to lead a splinter organisation which managed to send a small brigade to Spain in 1936 to fight on Franco's side in the Spanish Civil War. In the remainder of this sub-chapter I want to briefly discuss whether or not the Blueshirts were really a fascist organisation, and to compare the conflicting evidence for and against the accusation that Collins would have taken the fascist road had he lived?

Maurice Manning argues strongly that if Collins had lived there would have been no Blueshirt episode. From the moment Collins died the most senior remaining figures in Cumann na nGaedheal could no longer compete with De Valera in the charisma premier league. It was the search for political glamour that allowed wiser heads to endorse the Blueshirts, and to accept O'Duffy as leader of Fine Gael. The Manning thesis is clear. If Collins had lived there would have been no need for a Blueshirt movement.<sup>(28)</sup> Ronan Fanning has argued that Cumann na nGaedheal/Fine Gael's inability to compete with Fianna Fail was due to the fact that De Valera was allowed to monopolise the 'green card' in Irish politics, and, not unlike Manning, he views the Blueshirt episode as a desperate response. If Collins had lived it would have been more difficult for De Valera to corner the nationalist market, so it's unlikely that O'Duffy would have been tolerated.<sup>(29)</sup>

When I asked Garret FitzGerald for his opinion as to whether or not a surviving Collins would have flirted with fascism in the 1930s, it was clear that the suggestion irked the former Fine Gael leader. Dr. FitzGerald takes the view that those who suggest such a scenario ignore the complexity of Collins' character. Collins had argued and fought with old comrades and friends for the principle of civilian control of the government and Army. It was therefore unlikely that he would have had any time for a fascist military junta. While FitzGerald readily admits that Collins had a considerable ego, he also had little time for those he considered to be filled with a sense of their own importance and would have been contemptuous of any would-be 'duce'.<sup>(30)</sup> Support for that view is forthcoming from Michael Laffan of University College Dublin. Laffan takes the view that, the Wilson assassination aside, Collins was developing into a

considerable democratic politician who would have rejected any such development.<sup>(31)</sup>

On the other side of the debate, commentator Fintan O'Toole has faced a robust public reaction to his revelations concerning the anti-semitic views of Arthur Griffith. While there is no suggestion that Collins shared Griffith's anti-semitic views, he has left us some thoughts on the superiority of native Gaelic culture. Inaccurately, Collins claimed that until the nineteenth century native Irish civilisation had remained unchanged, absorbing and incorporating all foreign influences that came into contact with it. He claimed that this was due, in antiquity, to the fact that;

" It (Irish civilisation) had advanced far past the primitive social state of the Britons of other of the North European peoples."<sup>(32)</sup>

Taking those views together with Cumann na nGaedheal's/Fine Gael's timid clericalism, Collins' undoubted ego and sense of self-image, and his noted tendency for learning from foreign examples, O'Toole argues that there is a case to be argued that Collins could have fostered an Irish fascism.<sup>(33)</sup>

Much of what Collins wrote or said about the superiority of Gaelic culture was directed at the Treaty debates. One of Collins' key arguments in favour of ratification was that the Treaty allowed for the restoration of a Gaelic Ireland. That possibility was far more important than continual debates around an abstract constitutional model, which was not part of Gaelic Irish tradition. As I have already argued in Chapter 6, I do not think that too much store should be put in Collins' identifying O'Duffy as his heir. Whatever O'Duffy went on to do, his War of Independence record is notable. Collins' commendation was directed at O'Duffy the successful brigade commander who rose to Deputy Chief of Staff, via Director of Organisation by the time of the Truce in July 1921.

Writing in 'Magill' magazine in the early 1980s, Conor Cruise O'Brien suggests that the folly of the Blueshirt episode was not in preventing political meetings

from being broken up, but in aping the symbolism of European fascism. O'Brien uses the relatively gentle term "folly" to describe the episode and underlines that the Blueshirts did not take any lives. The great irony of this flirtation was that it allowed Fianna Fail to seize the mantle as defenders of democratic government. As Dr. O'Brien put it in the Magill article;

" So the men who had once fought against an elected Irish Government became identified with Irish democracy. The men who had been that elected government, and had proved the genuineness of their democratic commitment by allowing their civil war foes to take over from them in free elections - came to be seen as a democratic security risk."<sup>(34)</sup>

### Collins in Fianna Fail's Ireland

To the winners in civil conflict goes the right to impose their version of history. Given De Valera's almost unbroken domination of power between 1932 and 1975, at the head of Fianna Fail in a predominant party system, he had ample opportunity to write his side of the story into the official record.<sup>(35)</sup> It was a view of history that concluded with the events of 1916, from which De Valera drew his authority as the senior surviving commandant. It tended to gloss over the details of the War of Independence, which would have otherwise revealed too much of Collins' role, and avoided the Civil War which threatened to raise too many questions as to De Valera's actions.

In his 1990 biography of Collins, Tim Pat Coogan sets out several instances of the efforts of De Valera and his heirs to minimise Collins' role in bringing about an independent Ireland. They include the four year struggle on the part of the Collins family, and Joe McGrath, in the 1930s to have a non-controversial memorial stone placed over his resting place in Glasnevin; the omission of Collins from the 1965 edition of the official publication 'Facts About Ireland'; De Valera's refusal of the loyal McGrath's 1964 invitation to join the trustees of his Michael Collins Foundation and the refusal of Fianna Fail governments, until 1972, to allow the Irish Army to appear at the annual Beal na mBlath

commemoration.<sup>(36)</sup>

In the course of my research I have uncovered a number of other examples of the attempt to air-brush Collins from the official picture. In 1950 Senator Michael Hayes drew to the attention of Sean MacBride, Minister for External Affairs in the Interparty Government, that 'Ireland An Introduction', produced (presumably by civil servants working under the previous Fianna Fail administration) for delegates to the Inter Parliamentary Union Conference held in Ireland in September 1950, omitted any reference to Collins and Mulcahy in the section dealing with the underground Dail Government.<sup>(37)</sup> While the 1969 edition of 'Facts About Ireland' rectified the 1965 omission of Collins from the gallery of ministers in the Dail Cabinet, there was still no reference to his efforts in the sections dealing with the Easter Rising, the War of Independence, and the Treaty negotiations!<sup>(38)</sup>

In discussion with Tim Pat Coogan he referred to an anecdote he had heard from sources in the American Democratic Party in the late 1960s of a crack that appeared in De Valera's stoic "no comment" on the subject of Collins. According to Coogan an American Congressman Fogarty was visiting Dublin in 1966 for the 50th anniversary of the Easter Rising. Fogarty took the opportunity to question De Valera on his attitude to, and knowledge of, the circumstances in which Collins met his fate.<sup>(39)</sup> Exasperated by the American's persistence, De Valera is reported to have replied along the lines of;

" Whatever happened to that fellow he had it coming to him."<sup>(40)</sup>

While the Fianna Fail government may have relented in allowing the Army to be represented at the Beal na mBlath commemoration in 1972, it quashed another obvious mark of respect to commemorate the 50th anniversary of the death of Collins. To many in Ireland, not just supporters of Fine Gael, August of 1972 would have been the obvious moment at which to produce a commemorative stamp, or stamps, to mark the 50th anniversary of the death of Collins, and



Griffith, and their contribution to Irish independence. By this point stamps had already been issued commemorating each of the seven signatories of the 1916 Proclamation, Casement, Countess Markievicz, Kevin Barry, Terence MacSwiney, Thomas MacCurtain and a second issue for Tom Clarke, James Connolly and Pearse.<sup>(41)</sup> The decision taken by the government, in the summer of 1971, not to include a Collins/Griffith commemorative in the 1972 stamp issuing programme was heavily criticised.<sup>(42)</sup> It also resulted in the production of a postal label by supporters of a Collins/Griffith stamp for sticking on their mail alongside regular stamps. The design, in black and orange, featured the profile of both men, and their signatures, against a background of the portico of the GPO with the tricolour flying overhead and the strapline 1922-1972. A commemorative cover, featuring a photographic portrait of Collins was also privately produced in June 1972 for use with 'The Patriot Dead' (i.e. Civil War) issue of June 1972. De Valera, MacDiarmada, for a second time, Ashe, Griffith, Brugha, Cosgrave and Sean T. O'Kelly were all remembered in stamps before a Fine Gael/Labour coalition government, in 1986, agreed to commemorate the centenary of Collins' birth in 1990.<sup>(43)</sup>

While Coogan was concluding his biography of Collins in 1990, controversy broke out over the commemoration of the centenary of Collins birth, which was held at his Woodfield birth place, which had been transformed into an interpretive centre. The Irish Times front page headline in 9 July proclaimed;

" Hillery faces Government ban on attendance at Collins ceremony."<sup>(44)</sup>

According to the 'Irish Times', President Hillery had earlier accepted the Collins family's invitation to attend the ceremony but had later informed Liam Collins, Mick's nephew, that he could not attend. The Irish Times saw the hand of the Taoiseach's Office, and Charles Haughey personally, in bringing about the President's apparent u-turn. The following day, 10 July, it was clarified that the President would attend after all but that it was too far ahead of the October event to confirm whether the Taoiseach and Taniste (Haughey and Brian Lenihan)

would be in attendance.<sup>(45)</sup> One week before the Woodfield commemoration Haughey confirmed that he would not be attending. In a press statement the Taoiseach described his absence as "not in anyway significant", suggesting that the event was "more of an occasion for the President than the Taoiseach".<sup>(46)</sup> The same day's newspaper carried a picture of Haughey and Lenihan laying a wreath at the grave of Wolfe Tone at Bodenstone a couple of days earlier.<sup>(47)</sup> Presumably that was deemed a more suitable occasion for a Taoiseach to attend.

In the next section of this chapter, I look at Collins' biographers and, among other questions, how the publication of successive biographies has been seized upon by protagonists on one side or another in the battle for Collins' reputation. One spectacular example was the reaction aroused by reviews of Rex Taylor's biography. The reaction was such that it belongs in this section dealing with the attempts of those around De Valera to do down Collins' reputation.

When Taylor's book was published in December 1958 General Sean MacEoin reviewed it for both the Fine Gael-supporting 'National Observer', and the 'Sunday Independent', which was serialising the book. MacEoin rejected a conventional review but took the opportunity to put a number of his own, more controversial recollections on the record. The central revelation was that MacEoin had been summoned to Dublin in March 1921 by Minister for Defence, Cathal Brugha, to be told that he was to lead a unit to London to assassinate members of the British Cabinet. Following his meeting with Brugha, MacEoin claims that he met with Collins, and later with Chief of Staff Mulcahy, both of whom were unaware of the plan and exploded with anger. Collins was bitterly opposed to the plan as believed that would yield no advantage but serve to alienate British and international public opinion. He was also apparently furious that the plan had not been discussed by the Dail Cabinet or the Volunteer GHQ. MacEoin claimed Collins ordered him to return to his command in Longford and cancelled the plan. It was when journeying home that MacEoin was wounded, captured by Crown forces and condemned to death. MacEoin went on in his articles to claim that it was Collins who insisted that De Valera should not agree to the Truce in

July 1921 unless the British released MacEoin, the one prisoner they were most unwilling to set free.<sup>(48)</sup>

The Fianna Fail reaction to MacEoin's claims is revealed in a letter from M. Feehan, editor of the De Valera-owned 'Sunday Press', to the veteran Florrie O'Donoghue. Feehan claims in his letter that MacEoin's objective was to sanitise the records of Collins, Mulcahy and himself, to represent Brugha and those who opposed the Treaty as ruthless assassins and to boost MacEoin's bid for the presidency.<sup>(49)</sup> Feehan concluded by commissioning O'Donoghue to write an article countering the points made by MacEoin.<sup>(50)</sup> Within a day O'Donoghue had replied to Feehan agreeing to accept the commission. He had read MacEoin's articles and concluded that;

" this whole business of the build up of Collins and his associates has passed all bounds of decency."<sup>(51)</sup>

He informed Feehan that he had got down to work already and had contacted Brugha's son Ruaidhri and former IRA Chief of Staff Moss Twomey.<sup>(52)</sup> Twomey was an interesting contact. He had been Chief of Staff of the IRA until his arrest in 1936, a full ten years after the formation of Fianna Fail. Following his release in 1938 he re-joined in para-military activity, although he opposed Sean Russell's bombing campaign in Britain during World War II. Responding to O'Donoghue, Feehan defended any plan to assassinate members of the British cabinet as legitimate in the context of the time. He went on to argue that;

" This cult of Collins is really getting out of hand, and is no accident. I suspect that General Mulcahy is behind it."<sup>(53)</sup>

Twomey wrote to O'Donoghue on New Year's Day 1959 telling him that he had spoken to several of his old contacts and that none of them could recall a definite order to assassinate the British Cabinet. He went on to state that if there had been such a plan it would have been organised through the Adjutant General's department, not by Brugha personally. His letter continued;

" Allegations such as McKeon's hurt my feelings because they represent the Army of that period as just organised mobs operating at the whim of individuals...pursuing their own objectives."<sup>(54)</sup>

Ruaidhri Brugha responded to O'Donoghue that his father would never have hatched such a plan without full discussion at the Dail Cabinet, and therefore if there ever was such a plan Collins and Mulcahy would have been aware of it.

O'Donoghue's rebuttal article appeared in the Sunday Press of 25 January 1959. He concentrated on three main points.

- 1) He actually welcomed MacEoin's attack on complex conspiracy theories that Collins death was the result of anything other than an opportunistic ambush.
- 2) He questioned MacEoin's assessment of the influence of the IRB, both in the 1916 Rising and the subsequent War of Independence, and the authority it conferred on Collins as its President.
- 3) He challenged the very existence of a plan to 'hit' the British Cabinet, and, if it did, Collins' authority to countermand it.<sup>(55)</sup>

Feehan thanked O'Donoghue for his efforts, confident that it would "record the fact that they (the Sunday Independent) are true to their tradition - smearing Irish Leaders."<sup>(56)</sup> O'Donoghue was paid a bounty of ten guineas for his article, instead of the standard Sunday Press fee of six guineas.<sup>(57)</sup>

One of the most significant questions arising from this trail of correspondence is whether or not it was sanctioned, or actively encouraged by De Valera himself, or was carried through by De Valera's heirs and entourage who believed that such behaviour was expected from them? In examining the correspondence on the 'Sunday Press stationary the strapline " Eamon De Valera, Controlling

Director. Vivion De Valera, Managing Director" leaps off the page. Proof of De Valera's annoyance at MacEoin's revelations is provided by a small postscript to the affair.

On 4th February 1964 the 1958/59 controversy was revisited when MacEoin repeated his claims in a *Telefis Eireann* interview with Terence de Vere White. The following week De Valera and MacEoin both attended a requiem mass for Pat McCrea, one of Collins' 'Squad', and the driver of the armoured car in the failed attempt to free the condemned MacEoin in 1921. At the conclusion of the service De Valera confronted MacEoin and was heard to say "I have three crows to pluck with you". They were the claim that Brugha had ever issued such an assassination order, the implication that Collins' IRB position gave him the authority to unilaterally cancel such a mission and the suggestion that Collins had to insist that De Valera hold out for MacEoin's release before agreeing to the Truce.<sup>(58)</sup> This confrontation proves just how sensitive De Valera was in the 1960s to the standing of Collins' reputation. It was a sensitivity he took to the grave. The use of the term "I have three crows to pluck", however, suggests a certain intimacy. It may have been that De Valera's major concern was the accusation that in July 1921 he would have been prepared to see MacEoin hang.

Were the rival visions for the future of Ireland held by Collins and De Valera so radically different as to warrant this long-running animosity? This is a question that I will return to later in this chapter.

### Dispatches from the Front: The Early Collins' Biographers and Other Formative Literature

Calton Younger described the attempt to air-brush Michael Collins from the official history as turning "the light away from him, resenting the persistent ambience of his great personality".<sup>(59)</sup> This did not result, however, in any dearth of Collins-related literature. By my calculation the Collins biographies, published prior to the veritable 'industry' that has sprung up since the pre-publicity started

for Neil Jordan's feature film in the summer of 1996, outnumber those of De Valera. Looking round the Dail Cabinet table of December 1921 then, Collins and De Valera apart, there has been very little written about them. Griffith has fared a little better than some of his colleagues but the major gap, given the role he played in the foundation of the state, remains Cosgrave.

From the Truce in July 1921 Collins received offers to write his story, with literary agents on both sides of the Atlantic convinced that the memoirs of the 'Irish Pimpernel' would be a best seller. The demands of building the new state, the Civil War and a bullet at Beal na mBlath put an end to any possibilities of an autobiography in August 1922. From that time on would-be Collins biographers have faced a number of problems in addressing their subject. Essentially Collins operated in a world of secrecy, and penetrating the clandestine world of the IRB and the Volunteer Intelligence Division proved difficult, particularly as the obvious guides to that terrain were often reluctant to offer their services.

#### *Hayden Talbot - Collins as Irish Pimpernel*

Hayden Talbot, an American journalist working in Europe for a range of newspapers, claimed to have arrived in Dublin on the same boat-train that brought the plenipotentiaries home following the signing of the Articles of Agreement, and to have been among the 110 correspondents covering "the first public session" of Dail Eireann.<sup>(60)</sup> Although "unconversant" with the Irish situation, Talbot apparently recognised Collins as "by far and away the most interesting figure in all that remarkable parliament", and succeeded in interviewing him that same evening.<sup>(61)</sup> Ten interviews later, and Talbot claimed to be under pressure for a book from both American and British sources. The pressing claims on Collins' time ruled out an autobiography, so the two men agreed that Collins would answer a series of questions provided by Talbot, and that a book would be produced in that manner.<sup>(62)</sup>

From the moment newspaper extracts appeared of the as yet unpublished book,

shortly after Collins' death, Talbot came under attack over inaccuracies and for suggesting that Collins had agreed to cooperate with him on a book. Among the most ferocious critics was Collins' loyal lieutenant Joe O'Reilly who pointed to errors in a book that portrayed the dead Collins as the dashing 'Irish Pimpernel'. 'Michael Collins Own Story' concentrates on Collins' adventures and close escapes while on the run, but offers its readers little in the way of biographical detail, or insight into Collins' complex personality. O'Reilly questioned dates on which various events were meant to have happened and the composition of the Crown forces involved in particular incidents, e.g. confusing Black and Tans, Auxiliaries, RIC and British Army. In addition to the obvious mistakes I have already listed in footnotes, I have noted a number of other errors in Talbot's script, e.g. the suggestion that the most bitter exchanges in the Dail debate on the Treaty took place on 4 March 1922!

Another critic, Piaras Beaslai, dismissed Talbot's work as a "deliberate forgery", and even threatened legal action.<sup>(63)</sup> Talbot struck back and sought to defend his reputation by producing his correspondence with Collins, drafts annotated with Collins' handwriting, and the person of Sean McGarry, whom Collins had apparently authorised to provide Talbot with background on the Howth incident and the Easter Rising.<sup>(64)</sup> Talbot sought to excuse O'Reilly's criticisms as coming from a man suffering such grief at the loss of his leader that he found the slightest inaccuracy concerning his dead boss deeply resentful. He dismissed Beaslai's criticisms as the petty jealousy of someone planning his own Collins biography. Following the publication of his book, Talbot reversed an earlier decision to settle in Ireland, and headed for America, claiming that Collins' assassination had changed his perception of the Irish.<sup>(65)</sup> His departure may also have been prompted by concern as to how Joe O'Reilly might manifest his criticisms in the future.

*Beaslai Part One - Collins the Official Biography*

Talbot was accurate about Beaslai's involvement in a book of his own. Within two days of Collins' funeral, his brother Sean contacted President Cosgrave to tell him that the family wished to see Beaslai appointed as their brother's official biographer.<sup>(66)</sup> Beaslai (Pierce Beasley) was born in Liverpool in 1881 and did not move to Ireland until 1904. An Irish language enthusiast, he joined the Gaelic League and became editor of its journal 'An Fiance'. He joined the Irish Volunteers on their formation and fought at the North Dublin Union as second in command to Ned Daly. On his release from prison he became editor of the Volunteer journal 'An t-Oglach' in 1917, and in December 1918 he was elected for East Kerry. When the Volunteer GHQ was formed in 1918, Beaslai joined as Director of Propaganda and acted as liaison between GHQ and the Dail Publicity Department. Beaslai followed Collins in supporting the Treaty, rising to the rank of Major General in the National Army.<sup>(67)</sup> Even an official biographer with Beaslai's background, and appointed on the wishes of the Collins family, was to encounter a lack of cooperation and a series of obstacles.

From the outset Beaslai encountered hostility from such senior Collins' intimates as Gearoid O'Sullivan, Diarmuid O'Hegarty and Mulcahy. They resented Beaslai's claim to have unparalleled "intimate knowledge" of his subject.<sup>(68)</sup> Writing some forty years later, Mulcahy argued that the nature of Beaslai's work during the War of Independence was such that he had limited knowledge of matters outwith his own portfolio.<sup>(69)</sup> If Beaslai encountered problems with the Army Council, he also encountered hostility from the Executive Council that had commissioned him. They wanted Beaslai to submit draft chapters to a scrutinising committee, but with the determined backing of Sean Collins he successfully rejected such restrictions.<sup>(70)</sup> In Chapter 3 I pointed out that Beaslai was among those who had a degree of sympathy for McGrath and his National Group. He quit the Dail in 1923 and in 1924 resigned his military commission. These were clearly the "restrictions" that Beaslai referred to when he wrote in the preface to his 'Michael Collins and the Making of a New Ireland' that he had



refused to "quickly produce a propagandist biography" intended to bolster Cumman na nGaedheal, and delayed until he was free from official censorship.<sup>(71)</sup>

If Talbot had given readers the 'Irish Pimpernel, what kind of Collins did Beaslai portray in the pages of his two volume epic? Writing during the years 1924 to 1926, Beaslai despaired that the cynicism wrought by the Civil War had overshadowed the achievements of 1916 to 1921. Beaslai sought to revive that earlier idealism with a Collins who was the embodiment of the Irish-Ireland ideals of a united Irish-speaking Ireland free from English influence in the social, intellectual, economic or cultural spheres. Whatever the degree of contact between Collins and Beaslai, the latter described the biography as a "labour of love". The Executive Council received Beaslai's book with relief. They were delighted by his criticisms of De Valera, but less impressed by Beaslai's suggestion that Collins' legacy had not been carried through on a number of fronts, most notably in relation to the North.

Reviewers welcomed 'Michael Collins and the Making of a New Ireland' as the most comprehensive account of Collins to date. While the 'New Statesman' recognised the energy and drive of Beaslai's Collins, their reviewer also cited Collins' embracing of republicanism and his association with the campaign of violence as key factors in enshrining partition despite Collins' "own fetish for Irish unity".<sup>(72)</sup> P.S. O'Hegarty, reviewing for the 'Irish Statesman' differed with Beaslai's account on three points: Firstly, the Dail did not, as Beaslai claimed, support the military campaign "from the outset". O'Hegarty recalls Dublin being full of indignant deputies during the days following the Soloheadbeg incident. Secondly, O'Hegarty questions if the key Dail Cabinet meeting of 3 December 1921 clearly left the plenipotentiaries with a free hand? Thirdly, O'Hegarty argues that the reasons which led up to the attack on the Four Courts were more complex than just the kidnapping of O'Connell.<sup>(73)</sup>

In Beaslai's portrait of a driven Collins, there is little room for personal distractions, and Collins' fiancée, Kitty Kiernan, does not feature. The

publication of the book did cast light of the state of another relationship, that between Collins and Griffith in the weeks prior to their deaths. Griffith's widow, Maud, an otherwise anonymous figure, wrote to Beaslai following the publication of the book expressing her loathing for Collins who she believed had betrayed her husband in concluding the pact with De Valera. She also resented Beaslai's suggestion that Griffith had been to the fore in arguing for the attack on the Four Courts.<sup>(74)</sup>

*Batt O'Connor - Homage to a Friend*

Batt O'Connor, a native of County Kerry, spent five years developing his building mason's skills in the United States before returning to Ireland and joining the revolutionary movement, being sworn into the IRB in 1909. Although O'Connor and Collins probably joined the Organisation in the same year, there was an age gap of twenty years between them. According to O'Connor it was this age difference which accounted for the fact that, while aware of the younger Collins, he never got to know him while interned together in Frongoch.<sup>(75)</sup> One of Collins' great abilities was in utilising the skills of those around him, and it was in the summer of 1918 that the 'on the run' Collins came to value the assistance and friendship of Batt O'Connor, the owner of various Dublin properties, and a mason capable of creating hidden passages, hiding holes and escape hatches.<sup>(76)</sup>

As with Talbot and Beaslai, the bulk of O'Connor's book deals with the period prior to the Truce. O'Connor, however, presents us with an important insight into Collins' attitude towards being included in the Irish Treaty delegation, and to his reaction on returning to learn of De Valera's opposition to what had been signed. O'Connor was convinced that the Collins he urged to go to London had a clear idea of what could and could not be achieved before he had set foot in Downing Street.<sup>(77)</sup>

In both Chapter 1 and in Chapter 6, I have already referred to the passage in Batt O'Connor's 'With Michael Collins in the Fight for Irish Independence', in which the author suggests that Collins had identified Eoin O'Duffy as his political heir. Given O'Duffy's later dalliances with fascism, this supposed endorsement is the source of doubts over Collins' commitment to democracy had he lived. As I have already argued, Collins reference to O'Duffy as "the coming man" came in a conversation in which a depressed Collins speculated about returning to West Cork as an ordinary Volunteer should the Treaty be rejected by the Dail and hostilities with the British recommence. In Collins' absence, O'Duffy might well have been the man to take over his responsibilities. Collins' assessment of O'Duffy was based on fighting abilities and not his political judgement or personal ideology. Too much can be made of this 'en passant' comment recalled by O'Connor.<sup>(78)</sup>

The Collins that Batt O'Connor knew was a man who displayed amazing courage along with a calculating mind and an amazing ability to keep his own council.<sup>(79)</sup> These were the qualities required to run an intelligence operation, administer a massive loan and run a Finance Department, and all from the back of a bicycle while travelling between his many offices and hide outs, most of which had been adapted by Batt O'Connor.

British reviewers noted with interest O'Connor's assessment of the real strength of the Volunteers at the time of the Truce.<sup>(80)</sup> This raises the obvious question of whether or not the British would have sought talks if they had known just how poorly equipped the IRA was in the summer of 1921. It also provides an insight as to one of the pressures compelling Collins to return from London with a result.

#### *Desmond Ryan - Collins as Mythic Hero*

The fourth biography to appear in the decade following Collins' death took a different approach. Desmond Ryan's 'The Invisible Army', written as a novel,

was originally published in 1932. It has been re-published several times with later editions re-titled as 'Michael Collins'. It takes the form of an adventure yarn in which all names, with the exception of Collins and a few other senior figures have been changed. The journalist Harding, through whose eyes we witness events is obviously Ryan. Like Beaslai and Batt O'Connor before him, Ryan spent formative years away from Ireland, having been born in London in 1893, the son of a pioneering socialist journalist. The family returned to Dublin in 1905 and Desmond attended Pearse's St. Edna's School. The relationship between master and student blossomed and Ryan became Pearse's Secretary. Ryan fought in the GPO during Easter Week and ended up with Collins in Frongoch. Following his release Ryan found a job with the Nationalist 'Freeman's Journal' throughout the War of Independence. Unlike many on the Left of the nationalist movement he supported the Treaty, partly on the logic "if it's good enough for Mick...". Following Collins' death Ryan became disillusioned with the Civil War and quit Ireland for a period.<sup>(81)</sup>

In reviewing the 1969 paperback edition of Ryan's book, Leon O Broin, himself a Collins biographer, argued that its narrative has a stamp of authority that comes from writing from first hand experiences, so much so that it should be treated as a primary resource.<sup>(82)</sup> Using 'Harding' as his cypher, Ryan introduces us to the horror that Collins encountered in the GPO, an experience which influenced his attitude to military strategy and to his developing of the concept of guerilla war. Harding/Ryan outlines the importance of the Frongoch network, and introduced us to a Collins that worked eighteen hours a day on every aspect of the struggle yet could not completely prevent atrocities carried out by his own men.<sup>(83)</sup> Ryan's Collins is a heroic figure who he compares to Bedach an Chota Lachtna - The Churl of the Drab Coat - the mysterious warrior who comes to the aid of the fabled Gaels of old when the King of Thessaly's son demanded tribute and overlordship. Harding/Ryan recalls that there was something about Collins' shadow that reminded him of the hero who revealed himself to Fionn and his warriors as Manannan MacLir, Fairy Phantom of Rathcroghan.<sup>(84)</sup>

The socialist Ryan mixes allusions to Celtic mythology on the one hand with sympathetic British characters on the other. There are the Dublin detectives who attempt to shield Harding during the screening process following Easter Week, the ordinary Tommies who 'play daft' when asked to identify detainees from the week's fighting, and the socialist Sergeant Jolly who had drilled the Volunteers in the past. This reasoned even handedness demonstrates the dilemma in Ryan's own mind as he projects onto Harding the conflict between his own socialist pacifism and the demands of the militarists.<sup>(85)</sup> If Neil Jordan had emulated Ryan in this regard, he would have pre-empted some of the criticism of his 1996 film.

With the exception of the journalist Talbot, the literature discussed so far has emanated from those on the 'Irish side' of the conflict. What impression of Collins was bequeathed by contemporary British figures writing from first hand experience of dealing with him?

#### *Collins - Some British Views*

Writing as early as 1923, Lloyd George confessed to having acquired great affection for both Collins and Griffith. In 'Is It Peace?', the former British Prime Minister described Collins as "full of fascination and charm", but also possessing "dangerous fire".<sup>(86)</sup> In 'The Aftermath', Churchill concurred with Beaslai that Collins had been driven from childhood, although the British statesman described Collins' passion as a "hatred of England", brought about by a narrow upbringing. Churchill argued that Collins' contact with British politicians during and after the Treaty negotiations had led to a transition in the Irish leader's views. According to Churchill, Collins, by the time of his death, had developed twin-loyalties - to Irish Independence, and the undertakings he had given in the Treaty.<sup>(87)</sup> Writing in 1929, I do not think that this represents Churchill's considered view but is rather an attempt to claim the legacy of Collins for the imperial connection. If Churchill was so confident of Collins' good faith, as defined from the British perspective, why did he find it necessary to threaten and cajole him through the spring of 1922, while denying him the armaments he required to such a point

that Lloyd George himself accused Churchill of undermining Collins' authority? Also, would a Collins' increasingly thirled to British political figures have continued to support IRA activity in Northern Ireland, attempted to push through a republican-sounding Constitution or allowed the Wilson assassination to have gone ahead?<sup>(88)</sup>

Among Collins' British military adversaries, Sir General Nevil Macready was first into print with his Irish recollections. Macready, commander of the British forces from 1920 to 1923, did not meet Collins until he arrived in London in October '21 as part of the Irish delegation. Like most of those who have left us their personal impressions of Collins, Macready found him full of life and humour with an ability to impose his will on others. Despite limited contact, Macready was the first to suggest in print that Collins was a great "admirer of the other sex".<sup>(89)</sup> Brigadier-General Crozier, who commanded the Auxiliaries until resigning over their indiscipline in February 1921, concluded in his 'Ireland For Ever' that Collins possessed qualities that would have seen him rise to the rank of colonel in the British Army. Apart from an earlier five minute meeting, Crozier only talked to Collins on one occasion, for about half an hour in mid-June 1922. Crozier made sure that he got the most out of his time by preparing a series of questions which covered the more controversial episodes of the War of Independence, e.g. Bloody Sunday and the extent to which the Volunteer GHQ had been able to control the actions of its men in the south west etc..<sup>(90)</sup>

In 'The Aftermath', Churchill observed that Griffith had come to rely on Austen Chamberlain, while Collins had "been deeply impressed by the personality of Lord Birkenhead".<sup>(91)</sup> It was Birkenhead's eldest daughter, Elizabeth Smith, that first suggested to the young Frank Pakenham (Lord Longford) that he should write a study of the Anglo/Irish negotiations which resulted in the Treaty of December 1921. The early Collins biographies tended to concentrate on the period prior to the Truce declared in July 1921. The situation was transformed by the appearance of the first edition of Pakenham's 'Peace By Ordeal' in 1935.

*Frank Pakenham - Collins' Political Skills Questioned*

Frank Pakenham was born into the Irish Ascendancy at his family seat of Tullyally Castle in County Westmeath in 1905. At the age of nine he was sent off to a succession of schools in England but always retained his sense of Irishness.<sup>(92)</sup> He was working with the Conservative Research Department when Lady Smith suggested the book. Given Pakenham's position and contacts he had ready access to the surviving members of the British delegation. He also had access to Hazel, Lady Lavery and Moya Llewelyn Davies, and to Desmond FitzGerald who he was introduced to by his brother Edward. Edward, the then Lord Longford, had been appointed to the Irish Senate by De Valera in recognition of his contribution to the Irish theatre. It was Edward that introduced Frank to De Valera in 1932. Writing about that first meeting with De Valera, in an introduction to the 1992 edition of 'Peace By Ordeal', Pakenham refers to De Valera in glowing terms, describing him as the "greatest statesman I have ever met".<sup>(93)</sup> It was the Irish leader who introduced Pakenham to Robert Barton, one of the surviving members of the Irish delegation. Writing in 1994 Pakenham stated that his book "owed most of all to Robert Barton".<sup>(94)</sup>

FitzGerald and Llewelyn Davies both regretted their cooperation in a book that depicted an Irish delegation conned by Lloyd George, an Arthur Griffith that had betrayed De Valera and a Michael Collins who considered himself a soldier, not a politician, and was completely out of his depth when confronted by the experience of the British side. Pakenham did concede, however, that because of the secrecy with which Collins shrouded so much of his activity, there were problems in describing the complete Collins.<sup>(95)</sup> Writing in 1992 Pakenham stated that there is little in the original 1935 edition that he would want to change. Seventy years after the events concerned he claimed to be "even more convinced" that Lloyd George had called the Irish bluff, and "even clearer" that De Valera had been let down by Griffith.<sup>(96)</sup>

In an introduction to the 1992 Pimlico edition of 'Peace By Ordeal', Tim Pat Coogan notes that Pakenham had fallen under the spell of De Valera at their first meeting. It was to be a life-long fascination that led to Pakenham's religious and political conversion, and to his being invited to co-author De Valera's official biography. While I agree with Coogan's assessment, I concur with Pakenham when he acknowledges that his portrait of Collins and the other Irish plenipotentiaries was heavily influenced by Barton. The Barton who signed the Treaty, voted for it in the Dail and opposed it in the Civil War spent his long life trying to reconcile his actions. In his 'Sunday Press' interviews with John Murdoch, and elsewhere, Barton claimed to have signed the Treaty, or as he preferred to call it "The Articles of Agreement", under the threat of renewed all-out war. Barton always claimed to been persuaded by Collins, whose own decision to sign was motivated by military considerations rather than any political judgement as to what was achievable.<sup>(97)</sup> Whether or not Pakenham realised it, 'Peace By Ordeal' was the opening shot in a battle of reputations.

#### *Beaslai Part Two - Collins' Statesmanship Defended*

In introducing his revised biography of Collins in 1937, Piaras Beaslai lamented that the "history of sixteen years ago cannot be discussed and recorded in a calm and candid manner".<sup>(98)</sup> The very title, 'Michael Collins: Soldier and Statesman', refuted the picture painted by Pakenham. Beaslai argued that acceptance that North East Ulster could not be coerced, and that the London negotiations were about a political settlement based on something less than a republic, had already been conceded by De Valera in the course of the long correspondence that preceded the London talks.<sup>(99)</sup>

Beaslai criticised Pakenham's sources. Why had he not interviewed the Pro-Treaty Duggan, the other surviving member of the Irish delegation?<sup>(100)</sup> Beaslai also attacked Pakenham's portrait of Collins as a considerable soldier but a naive and inexperienced politician. Beaslai points to Collins' work in building Sinn Fein, and the running of by elections, in early 1917, while the incarcerated De



Valera was not yet convinced of the electoral/abstentionist strategy. He also points to Collins' role as Minister of Finance, organiser of the republican loan, his period as acting *Priomh Aire* while De Valera was still in America and Griffith in prison. All of this, argued Beaslai, was proof of Collins' record as politician of considerable experience.<sup>(101)</sup>

*Leon O Broin - Collins as State Builder*

This was the theme driven home by another Collins biographer writing forty years later from within the Pro-Treaty tradition. As a young Sinn Fein activist Leon O Broin acted as a messenger during the Easter Rising, was active in the 1918 general election, was an observer at the first meeting of the First Dail, and was arrested in one of the many round ups in the weeks following Bloody Sunday.<sup>(102)</sup> Following a spell in the National Army, O Broin went on to serve both *Cumann na nGaedheal* and *Fianna Fail* governments as a distinguished public servant, rising to the position of Secretary of Post and Telegrams with a special responsibility for Irish broadcasting. Like most Irish people, O Broin never spoke with Collins, and saw him just twice on public occasions. For most of the Dublin population their first glimpse of the mercurial Collins was at Griffith's funeral. Two weeks later they waited in their hundreds of thousands to pay their respects to someone they had seldom, if ever, seen but knew instinctively had achieved so much and had promised so much more. This sentiment is caught in a verse from 'The Tomb of Michael Collins' by Scots-born Denis Devlin, who, like O Broin, went on to serve the Irish state, in his case as a distinguished diplomat;

" The newsboys knew and the apple and orange women  
Where was his shifty lodging Tuesday night;  
No one betrayed him to the foreigner,  
No Protestant or Catholic broke and ran  
But murmured in their heart: here was a man!"<sup>(103)</sup>

O Broin may never have conversed with Michael Collins but he did become a close friend of Sean Collins and the rest of the family. He was an acknowledged

authority on the history of the IRB, and was chosen to edit 'In Great Haste', the collection of correspondence between Collins and Kitty Kiernan.<sup>(104)</sup>

As a state builder himself, O Broin emphasised the role of the Collins as a statesman of vision. In his 1980 biography, 'Michael Collins', O Broin argued, as I point out in Chapter 5, that Collins approached the Treaty negotiations with a thought-out position on Dominion status, and was far from being the politically naive soldier who Pakenham argues was outwitted by Lloyd George.<sup>(105)</sup> While I agree with O Broin on this central point, I have already pointed out in Chapter 1 that his assessment of Collins relationship with Lady Lavery, and with women generally, requires revision in the light of recently disclosed evidence.<sup>(106)</sup>

#### *Frank O'Connor - A Human Collins*

Another biography written by one of the generation who had lived through the events of the Easter Rising, War of Independence and Civil War is 'The Big Fellow', written by Frank O'Connor, and first published in 1937. O'Connor, real name Michael O'Donovan, was born in Cork in 1903. As a sixteen year old he joined the Volunteers, and later claimed that he was so caught up in the glamour of the experience that he did not want it to end and therefore he supported the Anti-Treaty side in the Civil War. Given his journalistic promise O'Connor worked on 'An Poblacht' with Childers and witnessed his reaction to the news of Collins' death before being captured and interned.<sup>(107)</sup> Given his youthful support for the Republicans, O'Connor was apparently guilt-ridden over Collins' death and 'The Big Fellow' was intended as "an act of reparation".<sup>(107)</sup> O'Connor sought to fill out the many facets of Collins' personality, and his book was criticised by both sides of the Civil War divide. Those who had taken an Anti-Treaty position disliked the fact that O'Connor cast Collins as tragic hero while Collins' followers feared that it made him all too human, being the first biography to spell out the detail of the darker, at times destructive, side of Collins' boisterous personality. In working on the original 1937 edition, O'Connor interviewed senior Collins aides such as Tobin, Frank Thornton and

Joe O'Reilly. All three later denied their participation, and Joe Reilly went as far as threatening to shoot O'Connor.<sup>(109)</sup> The reaction to the 1937 edition from within the Collins camp does not seem to have been uniform. Writing to O'Connor almost thirty years later, in connection with the planned second edition, Mulcahy argued that the 1937 edition presented the fullest picture of Collins that was then available, and that it revealed the qualities which had enabled Mulcahy to work with Collins in "perfect harmony and understanding".<sup>(110)</sup> When asked by the publishers for his comments on the draft of what became the 1965 edition, however, Mulcahy refused on the grounds that;

" they (the changes from the 1937 edition) constitute a definite trend to sully, demeaning and disparaging the characters of both Griffith and Collins."<sup>(111)</sup>

So what were the changes that Mulcahy felt so strongly about? In the foreword to the 1965 edition, O'Connor states clearly that he was not presenting a "re-write", but restricts himself to additional footnotes on Collins' suspicions of De Valera's motivation in including him in the Treaty delegation.<sup>(112)</sup> Could the offending changes which Mulcahy noted in the second edition draft have been dropped before publication? I have closely scrutinised both editions and there is indeed one area which is significantly re-written in the second edition, namely the Wilson assassination affair.

In the 1937 edition O'Connor concludes that Collins might have been aware of the plan to assassinate Wilson, but might not have been directly involved. O'Connor also seeks to explain the assassination on the basis of Wilson's association with attacks on the minority community in Northern Ireland.<sup>(112)</sup> By the 1965 edition, O'Connor is clear about Collins' responsibility for the assassination, which he describes as "inexplicable". He accuses Collins of betraying his own Provisional Government, and the British Government with which he had signed a Treaty. He also accuses Collins of denying Dunne and Sullivan "that poor gleam of honour that has lit so many a lonely scaffold". He goes on to describe Collins as an "ordinary" and "conventional" man "who had

been deprived of his conventions". O'Connor suggests that killing had "become too easy" for Collins and compared him to American gangsters.<sup>(114)</sup> Old IRA men, Pro and Anti Treaty alike, always objected to the term 'gangster' or 'gangsterism' being applied to their actions.<sup>(115)</sup> If Collins was the 'god father' then Mulcahy must have been his senior 'enforcer'. It was a charge that the conventional and correct Mulcahy would have detested, and I have therefore come to the conclusion that it was the re-writing of the section on Wilson that Mulcahy so objected to in his correspondence with O'Connor.

*Barry to Behan. Republican Views of Collins*

Generally, those who turned Anti-Treaty, but had served as active Volunteers during the War of Independence - Tom Barry, Ernie O'Malley and Liam Deasy - retained an affection for Collins despite their differences of later days. In their own memoirs of those times they paint a positive picture of Collins as the outstanding figure in the political/military leadership, the man who could get things done. It was Collins who supplied them with arms and money, and with the valuable scraps of intelligence that helped them to survive against a more powerful adversary.

Liam Deasy in 'Towards Ireland Free' writes of three visits made from West Cork to GHQ in Dublin - in October 1919, July 1920 and March 1921. He tells of Collins working around the clock, but taking time off to treat his fellow Cork men to the Phoenix Park races, and a hackney cab ride to Sandyford for a refreshment at Lamb Doyle's pub.<sup>(116)</sup> Tom Barry captured the Irregular rank and file's respect for Collins when, on learning of his death some one thousand republican prisoners in Kilmainham Jail fell to their knees and recited the rosary out loud.<sup>(117)</sup> Writing from beyond the grave, an older and candid Ernie O'Malley acknowledged that no matter how hard Collins had worked to find a basis for halting the Civil War, there would always have been a section that would have fought on until exhausted, and, he confessed, he would probably have been one of them.<sup>(118)</sup> O'Malley's comments underline the point I make in Chapter 2 that

Irregular military resistance was motivated by something more complex than political differences over the Treaty.

Affection across the Treaty divide was inherited by later generations of republicans. Brendan Behan, who was active in the IRA in the late 1930s and 40s, wrote of a society in which Collins' vision of a Gaelic Ireland had been betrayed, not only by his Cumann na nGaedheal heirs but by their Fianna Fail successors.<sup>(119)</sup> Political criticism aside, the affection for Collins shone through in his 1958 *New Statesman* review of Rex Taylor's 'Michael Collins', which he concluded with a poetic tribute to Collins, 'The Laughing Boy'. The review was later re-worked for a section on Collins in 'Brendan Behan's Island' which was published in 1962.<sup>(120)</sup> Explaining his inspiration for 'The Laughing Boy', Behan quotes his mother, who had met Collins once when she sought financial assistance following the arrest of her then fiance, Stephen Behan.<sup>(121)</sup>

" A fine big handsome young man he was, and he had money to give the wife, or the mother of a prisoner, or a man on the run, or the family of one of the boys killed or wounded, shot or hanged, he would deliver it himself. The other head ones were very serious men, but we wives and mothers called Mick the laughing boy."<sup>(122)</sup>

That same sense of promise unfulfilled, which was felt on the other side of the Treaty divide at Collins' death, is captured in the closing lines of Behan's 'The Laughing Boy';

" For all you did, and would have done my enemies to destroy,  
I'll mourn your name, and praise your fame, forever my Laughing  
Boy."<sup>(123)</sup>

### *Rex Taylor - Collins from the Outside*

Other significant biographies, published since the period at the centre of this study, include Englishman Rex Taylor's 1958 'Michael Collins'. In this Chapter I have already illustrated how its publication was the occasion for fierce debate

between survivors of the period. Taylor was also credited with expanding our knowledge of the Treaty negotiations through the revelations in the 'O'Kane' correspondence' between Collins and a London-based friend. Despite Taylor's inability to produce the correspondence, and the failure of historians to find John O'Kane, subsequent biographers, from Margery Forester in 1971 through to my compatriot James MacKay in 1996, have continued to cite the material without qualification. To my knowledge, Tim Pat Coogan was the first to enter a caveat when in the notes to his 1990 biography he suggests that the correspondence is genuine but that the name O'Kane was a pseudonym.<sup>(124)</sup> According to Taylor, O'Kane was a businessman from County Galway who lived in Hampstead. Collins was supposedly a regular visitor to O'Kane's home, but when the pressures of the negotiations would not allow for that, Collins would unburden himself in letters to O'Kane. No one of the name John O'Kane can be found in business or residential directories of the time.<sup>(125)</sup> There is also no mention of him in the correspondence to Kitty Kiernan in which a veritable cast of characters appears.<sup>(126)</sup> The letters quoted by Taylor tell us nothing that was not otherwise known, but certainly put a gloss on known events. The letters also seem carefully composed, which is strange given that some of them were supposedly written at some of the most pressured points during the Treaty negotiations.

Taylor is credited with having written two books, 'Michael Collins' in 1958, with a second edition in 1961, and 'Assassination', about the shooting of Sir Henry Wilson, also published in 1961. In addition he contributed to an anthology of poems and was a contributor to 'Encounter' and 'Mystery' magazines, as well as the 'Irish Times' and 'Cork Examiner'.<sup>(127)</sup> Born in Brindle, Lancashire, in 1921, Taylor appears to have had no formal education above elementary level, and is variously described as a "civil engineer" or "labourer".<sup>(128)</sup> Taylor claimed that his life had been threatened when researching into the circumstances surrounding Collins' death.<sup>(129)</sup> This startling suggestion, along with disappearance of the doubtful O'Kane correspondence, and stories of other papers carried off by "men in bowler hats", suggest to me that Taylor's sources should be treated with caution.

*Eoin Neeson - Writing with a Dual Purpose*

Cork-born journalist Eoin Neeson made it very clear that his 1968 'The Life and Death of Michael Collins' had a dual purpose. Given that his original working title had been 'The Death of Michael Collins', one of the purposes was clearly to present the most detailed account to date of the events at Beal na mBlath. In this regard his book was very welcome. It was only in 1966, as they gathered for 1916 commemorative events, that the surviving members of the ambush party first talked openly about the events of 22 August 1922 from their perspective. Neeson also provides one of the earliest, and most detailed, accounts of the role played by John McPeak and his Scottish background.<sup>(130)</sup> Neeson went as far as including an appendix on the mechanics of the model of Vickers machine gun mounted on Slievenamon, coming to the conclusion that it was nearly impossible for the gun to "jam", and that whatever the problem with the gun its rectifying could not lead to the accidental firing of a single round as some had suggested.<sup>(131)</sup> In my view Neeson's account remained the most detailed investigation into the death of Collins until another RTE journalist, Colm Connolly, enlisted the Irish state's pathologist to cast a forensic spotlight on the shadows of Beal na mBlath (see 'Collins on Film').

While Neeson claimed to hold Collins in high esteem, and acknowledged that the Irish would have suffered at least a "mortal setback" if Collins had been killed or captured during the War of Independence, the other purpose of the book was to counter the cult of Collins as "demigod", which Neeson believed to be well underway by the late 1960s.<sup>(132)</sup>

Neeson's Collins is a tortured restless figure in a state of permanent rebellion against the circumstances he found himself in. According to Neeson this process began almost from birth with Collins "struggling to escape" his West Cork environment by joining the British post office in London.<sup>(133)</sup> From my own research I regard Collins' early years and background as one of the more stable influences in his life, equipping him with the 'common touch', particularly

among older people, that endeared him to so many (see Chapter 1). There was nothing surprising about the move to London. The Empire drew subjects from selected component parts to play particular roles in the grand design, and West Cork was the traditional recruiting ground for the British post office. In my discussions with Tim Pat Coogan he was at his most animated when explaining that in Collins country one of the expected responses when proud parents showed off a new arrival was to remark that he/she would make a great clerk or sorter in London.<sup>(134)</sup>

Neeson's Collins is at his most tortured, however, in the countdown to Civil War. Neeson concurs with Pakenham in portraying Collins as the simple soldier outwitted by the more experienced British negotiating team. Neeson, in an attempt to stake a claim for the Anti-Treaty tradition on the Collins legacy, describes him as an "opportunist republican". Standing apart from his Provisional Government colleagues, and his Anti-Treaty opponents, Neeson claims that Collins could not forge the national unity required to make the "stepping stone" strategy work.<sup>(135)</sup> Neeson suggests that Collins' frustration with that situation might have led to him establishing a military dictatorship if he had lived.<sup>(136)</sup>

In his first chapter, dealing with Collins' rise to prominence, Neeson goes back to the events of the late eighteenth century to explain the influences that shaped Collins. This survey of Irish history is punctuated with basic errors of fact, e.g. wrongly dating De Valera's return from the United States, and getting the arithmetic wrong on the Dail vote on the Treaty.<sup>(137)</sup> Disturbing errors of fact from a man once employed as the Director of Ireland's Government Information Bureau!<sup>(138)</sup>

The suggestion of haste in the production of 'The Life and Death of Michael Collins' may point to a third reason for its publication. The interest aroused by Neeson's earlier pioneering work on the Civil War may have persuaded Mercier Press proprietor, the late Captain John Feehan, that there was money to be made from a detailed account of the theories and counter-theories surrounding Collins'



death. Theories of conspiracies within the Pro-Treaty ranks are all the more plausible if one accepts the portrayal of the isolated Collins. The events at Beal na mBlath on 22 August 1922 seem to have had a genuine fascination for Feehan as he produced his own 'The Shooting of Michael Collins', first published in 1981 followed by a further five editions.

*Margery Forester - A Labour of Love?*

The fact that Margery Forester's publisher and literary agent describe the other books in her back catalogue as "romantic historical fiction", may go some way to explain why her 'Michael Collins - The Lost Leader' is widely regarded as a labour of love.<sup>(139)</sup> Alternatively, the suggestion of infatuation with her subject may have been an attempt by reviewers to explain her motivation. Why did a New Zealander, who had apparently never even heard of Michael Collins until age 25 in 1961, spend the best part of the next ten years writing her own biography of him?

Margery Forester was born in Auckland, New Zealand in 1936 and was educated at the Wellington Diocesan School for Girls, Nga Tawa. Like many young Australasians she travelled to Europe, arriving in the United Kingdom in 1957. Ms. Forester had a direct family connection with Ireland. Her great-grandmother had emigrated from County Derry to New Zealand in 1841, but passed-down family history maintained that the family was originally from County Cork.<sup>(140)</sup> It was when holidaying in that county in 1961, her first visit to Ireland, that she first heard of Michael Collins, when a tour guide pointed out the ambush site at Beal na mBlath.<sup>(141)</sup> From that point on Forester seems to have become fascinated by Collins. She threw herself into an intensive study of Irish history, and returned to Ireland to meet with Nancy O'Brien Collins, Mick's cousin and the second wife of his widowed brother Sean, who agreed to allow her access to family papers while researching her book.

Whatever her motivation, infatuation with Collins, or a need to confront her own Irish lineage, the result of her endeavours is no Barbara Cartland treatment of the 'Big Fella'. It has an important place in the expanding library of Collins literature.

Ms. Forester researched her book at a time when an increasing number of state papers were becoming available to researchers, and while many of the significant figures of the period were alive and lucid.<sup>(142)</sup> She interviewed Barton, Blythe, Ned Broy, Vinnie Byrne, former president Cosgrave, Michael Hayes, Alex McCabe, Sean McGrath, Sean MacEoin, Joe McGrath, Dave Neligan, Diarmuid O'Hegarty, Frank Thornton and many more. She also enjoyed the confidence and support of the Collins family. She was one of the first Collins biographers to argue that his rise to prominence was partly due to De Valera's absence campaigning in America, in 1919/20, and his own talent for eluding capture. This is a view I subscribe to, and have argued in Chapter 1. Credit is also due to Ms. Forester, or her editor, for the emotive strapline 'The Lost Leader' which succinctly encapsulates much of the fascination with Collins.

When the book first appeared in 1971 Lord Longford, Frank Pakenham as was, described it as the best Collins biography to date. Not that Ms. Forester concurred completely with the Collins depicted in 'Peace By Ordeal'. In dealing with the Treaty negotiations, Forester acknowledges Collins' relative inexperience when compared with the British team. She accuses him of "unwisdom" in failing to keep Barton and Gavin Duffy informed and on-side, and criticises him for not pressing Lloyd George for an unequivocal expression of the significant role envisaged for the Boundary Commission when they discussed it together on the morning of 5 December 1921.<sup>(143)</sup> On the other hand, however, Forester argues that Collins was an effective negotiator and that "no wiles of statecraft" on the part of the British could "avail" against him. I am at one with Ms Forester when she argues that Collins' paper on the "association of free states", circulated to the negotiating teams in late November 1921, was "a precedent for" the Statute of Westminster.<sup>(144)</sup> Forester's Collins is credited with greater political insight than

the Collins that emerges from the pages of Pakenham's 'Peace By Ordeal'. Perhaps Lord Longford's endorsement may have had something to do with the fact that he was Chairman of Forester's publishers, Sidgwick and Jackson, when the first edition of her book appeared.

### *Coogan - Towards a Complete Collins?*

Tim Pat Coogan's 'Michael Collins' is partly responsible for stimulating my own interest in Collins. Following four years of study, I still consider it to be the most complete single biography of Collins available. Its appearance in 1990, and its rise to the top of the best seller list, was central to the resurrection of Collins' cult. Born in County Dublin in 1935, Coogan drew on the information and contacts gathered in the course of more than thirty years as an investigative journalist in researching his Collins biography. For many years he worked as editor of the De Valera family-owned 'Irish Press' which had been founded to provide a pro-Fianna Fail voice among the popular Irish Press.

Coogan's pioneering 'Ireland Since the Rising', published in 1966, has been hailed as the first attempt by a writer born after independence to attempt a history of twentieth century Ireland, not as a partisan but as an heir. His book on the IRA, first published in 1970, has established him as an authority on the history of the para-military organisation.

Coogan's 'Michael Collins' was hailed by reviewers for the copious amount of primary detail contained throughout, and for the chapter dealing with Collins' continuing support for IRA operations in Northern Ireland during the first six months of 1922 which was regarded as being of contemporary interest.<sup>(145)</sup> Earlier books and articles had alluded to Collins' clandestine support for IRA activity in the Six Counties following the ratification of the Treaty, e.g. Eoin Neeson in 'The Life and Death of Michael Collins' in 1968 and Calton Younger in 'State of Disunion' in 1972. Coogan's account, however, is most detailed and best documented account to date, implicating both Mulcahy, Minister for Defence,

and O'Duffy, the Chief of Staff.<sup>(146)</sup> In doing so Coogan challenged the vision of Collins as state-builder, the icon worshipped by Fine Gael. Coogan's Collins was certainly more attractive to the Anti-Treaty tradition, and there is little doubt that the appearance of the book in 1990 facilitated the subsequent Republican re-interpretations of Collins which I discuss later in this chapter.

Coogan honestly addressed the fabled tales of Collins' relationships with women, and endorsed the account of events at Beal na mBlath set out in 1989 by Colm Connolly in his television documentary (see 'Collins on Film'). Coogan is not without his critics, however, and I note the reservations of reviewers who noted the irony of a former editor of the De Valera family-owned 'Irish Press' adopting an anti-De Valera line in his biography of Collins, and the frustration that some of his most interesting analysis is based on documents in his private possession which are not available for consultation by other researchers.<sup>(147)</sup>

### Collins on Film

Writing in the post Jordan-movie era, it would seem remiss not to briefly record that the lack of co-operation which the early Collins biographers encountered also bedeviled early attempts to tell the Collins story on the cinema screen. Collins' old comrades were concerned about their leader being given the full Hollywood treatment. Mulcahy, MacEoin, Breen, Neligan and Emmet Dalton did, however, agree to act as historical advisers to a 1967/8 proposal to film the story with Richard Harris in the leading role. The project failed to make it into production due to financial problems.<sup>(148)</sup> The 1930 'Beloved Enemy' attempted to get round prevailing sensitivities by changing the identity of its characters. Despite a disclaimer about characters "living or dead", it was quite clear that the tale of Irish rebel leader 'Reardon', played by Brian Aherne, persuaded by the English 'Helen Athleigh', played by Merle Oberon, to enter negotiations with the British authorities, only to be shot by former comrade 'O'Rourke', was a thinly veiled dramatisation of the Collins/Lady Lavery story. Interestingly, the ending of the film was changed, presumably by preview audience reaction in the United States.

Originally 'Reardon' died of his wounds but in the distributed version he survived to claim his lady and live happily ever after.<sup>(149)</sup>

Soldier, turned racing horse tipper, turned film maker, Emmet Dalton was involved in producing 'This Other Eden' in 1959. Rebel leaders 'Carberry' and 'Devereux' are en route to secret negotiations with British officers when they are ambushed by Black and Tans and Carberry killed. Thirty years later a statue is erected to Carberry in his native village square, an action which reaps the disillusionment and bitterness sown by the Civil War.<sup>(150)</sup>

And what about the Jordan movie? The film was thirteen years in the making and would never have received the big American studio financing required to beat rival projects headed by Michael Cimino and Kevin Costner but for the August 1994 IRA ceasefire. Asked to review the film for 'The Herald' newspaper, I found it a well made motion picture, and an excellent introduction to the Collins story. Obvious errors of detail aside, I stopped counting at fifty, Jordan can be excused for deploying composite characters and a compressed chronology to squeeze the story of six eventful years into just two hours and twenty seven minutes. By the standards by which Hollywood deals with historical figures, even American historical figures, it is remarkably historically accurate. I disagree with those commentators who interpret the film as suggesting that De Valera was directly implicated in Collins' death. On the contrary, I thought those same scenes underlined that De Valera was not in control of events in August 1922.<sup>(151)</sup>

On the screen documentary front, a homage to Collins written and narrated by Welsh actor and Irish Republican supporter Kenneth Griffiths in 1973, 'Hang Out Your Brightest Colours', was deemed too sensitive in the context of the Northern Irish situation by Sir Lew Grade's ATV. It did not get an airing on television until 1994 when it was screened by BBC2 as part of 'The 25 Years On' season.<sup>(152)</sup> By way of contrast, Colm Connolly's 1989 RTE documentary 'The Shadow of Beal na mBlath' achieved domestic and international acclaim.<sup>(153)</sup>

There was an equally warm response to the 1991 drama-documentary 'The Treaty', which recreated the October-December 1921 Treaty negotiations in meticulous detail, and may well have influenced Neil Jordan's decision to pass over that part of the Collins story in his 1996 movie.<sup>(154)</sup> I would argue that Colm Connolly documentary was part of the process that led to the resurrection of the cult of Michael Collins in the 1990s, a phenomenon I now want to examine in the concluding section to this chapter.

### A Collins for the '90s

" Respect for the corner stones of the State, the Irish Army and the Garda Siochana, and respect for the incorruptibility of those institutions."<sup>(155)</sup>

This was the quickfire response from Nora Owen, Collins' grandniece, senior Fine Gael TD and Minister of Justice in the previous 'Rainbow' Government, when I interviewed her in her St Stephen's Green Office in the summer of 1996, and asked what Michael Collins means to Fine Gael in the 1990s? As already discussed in Chapter 5, she was also of the view that Collins would have proved to be very pro-European. She concluded by stressing that Fine Gael, as the literal translation of the party name suggests, has a strong sense of family, and the strong belief that Michael Collins belongs to them. She had no shortage of anecdotes or instances of her encounters with more elderly supporters of the party in rural Ireland who were desperate to meet The Big Fella's niece as she travels about the country.<sup>(156)</sup>

This is the view of the state-building strand within Fine Gael which views itself as the party of the national interest, even when it is means taking politically difficult or unpopular decisions. The Collins legacy does not loom so large in the view of the liberal strand in Fine Gael, which traces its origins back to the 'social justice agenda' and the "re-invention" of the party in the 1960s. Other than agreeing with Nora Owen that Collins would have been among the founding fathers of the European vision, former Taoiseach Garret FitzGerald believes that Collins has little relevance to the modern day Fine Gael.<sup>(157)</sup> Despite his family

connections with Collins and the Cumann na nGaedheal governments, Garret FitzGerald came into active politics around the 'social justice agenda' debate. His vision for Fine Gael was demonstrated by his support in 1968 for an attempt to change the party name to the 'Social Democratic Party'.<sup>(158)</sup>

As I discuss in Chapter 5, Fine Gael's claim that a surviving Collins would have been pioneer in the cause of European co-operation is interesting. Fianna Fail could also stake a claim for De Valera's international credentials. While Collins was busy with the intelligence war and republican loan, De Valera was waging war in the theatre of international diplomacy. Later, when President of the Council of the League of Nations, De Valera was the first holder of that post to formulate coherent and honest objectives for that association of nations.<sup>(159)</sup>

Whatever the views of leading individuals, there is a wider view that the resurrection of the Collins cult in the course of this decade has worked to the advantage of Fine Gael. In analysing the results of the June 1997 general election, in which Fine Gael improved its share of the poll, and number of seats, while part of a losing coalition, commentators agree that the revived Collins, culminating in the Neil Jordan film, had managed to make Fine Gael "sexy".<sup>(160)</sup> One pundit was so precise as to suggest that the 'Collins factor' was worth four percentage points to Fine Gael.<sup>(161)</sup>

So why has there been such a resurrection in the cult of Collins in the course of the last decade?

Improvements in the Irish economy, coupled with Ireland's membership of the European Union, have led to a coming to terms with the identity of Ireland as a 26 county state. The Republic of Ireland has come of age as a legitimate state, rather than some transit camp on the road to a 32 county united Ireland. There is therefore a need for a heroic historic figure who stands for the legitimacy of the twenty six county state, and Collins fits the bill. Given the debunking of figures like Pearse and De Valera by modern Irish writers, there were very few 20th

century heroes left, and again Collins seemed to represent an alternative. This process found expression in cultural forms, and the poetry of Paul Durcan is widely interpreted as a metaphor for the process.<sup>(162)</sup> One early example is the poem written by Durcan to mark the death of Emmet Dalton in 1978, the first verse of which reads as follows;

" The gun-carriage bearing your coffin  
Trundled unnoticed through Dublin Streets;  
The mob, in tune with the mobsters,  
Disowned you, Emmet Dalton;  
Disremembering Michael Collins also  
Whom you held in your trembling arms  
As he lay dying at the Mouth of Flowers."<sup>(163)</sup>

The poem, in contravention of nationalist orthodoxy, goes on to acknowledge Dalton's role as an British officer in World War I.

" You were twenty, then, a moustachio'd young captain  
Dreaming of deeds of derring-do; instead, you had the privilege  
Of seeing Tom Kettle having his head blown off on the road to  
Guinchy."<sup>(164)</sup>

It concludes by evoking the image of Collins as the "dead King".

" What are we left with? At dusk, on the River Lee, a steamer  
Stems out to sea with a dead King's coffin on board,  
And, beside it, keeping guard, the dead King's young friend;  
Whose habit was truth, and whose style was courage."<sup>(165)</sup>

The image of an elderly, puritanical De Valera with decreasing relevance to the younger generation is portrayed in 'Making Love Outside Aras an Uachtarain' in which Durcan's narrator recalls making love to his girlfriend in Phoenix Park, near the Presidential residence. Imagining De Valera's disapproval of their activities, Durcan writes;

" I see him now in the heat-haze of the day  
Blindly stalking us down;  
And levelling an ancient rifle, he says 'Stop'  
Making love outside Aras an Uachtarain."<sup>(166)</sup>



Durcan was born in 1944, by which time De Valera was 62 years of age. By the time of De Valera's death in 1975, Durcan would have been just over 30. For generations of Irish people born in the late 40s, 50s, 60s, and since, their enduring image of De Valera is of an aging, increasingly blind and frail, remote figure. Collins by contrast will always be 31. He will remain forever young. Personally, I believe that Collins shares the charisma of Che Guevara, John F. Kennedy and others whose lives were taken when they were still young and beautiful. Thus Collins was available as a symbol for a younger Ireland emerging from sexual repression. The fact that he was reputed to have known a number of different women only added to his qualifications. Young and single, Collins stands in contrast to other leaders who presented themselves as the epitome of married fidelity but conducted affairs.<sup>(167)</sup> In discussion with social commentator Fintan O'Toole he argued that in rural Ireland there is a primitive, pre-Christian, concept that distinguished statesmanship equates with sexual prowess. Apparently, Daniel O'Connell was believed, despite no known evidence, to have "spread his seed widely" and O'Toole believes there is a resonance between the cult of Collins and O'Connell in this particular regard.

On a darker front Collins represents an ambiguity towards the historical use of violence for political ends, an acceptance of the general, revulsion at the particular. Collins is perceived as being ruthless when it was required, e.g. 'Bloody Sunday' but knew when to call a halt, e.g. the controversy around whether or not he personally vetoed plans to assassinate the British Cabinet. Knowing when to call it a day leads on to the importance of Collins to the evolving 'peace process' in Northern Ireland.

There are several contending interpretations of the lessons bequeathed by Collins to the current situation in the North. In my discussions with Democratic Left Leader, Proinsias De Rossa, and UCD Politics Professor, Tom Garvin, both expressed the view that it would have been impossible for the military wing of the Provisional Republican Movement to contemplate a negotiated settlement based on compromise without having first rehabilitated Michael Collins. While

generations of republicans have acknowledged Collins as a great military strategist and leader, they also remember him as the man who sold out on the republican ideal in the Treaty negotiations, and was responsible for the carnage of the Civil War and its bitter legacy.<sup>(168)</sup> This was the perspective underlined by the infamous graffiti that appeared on the Falls Road in December 1995, "Adams - Remember Collins 1922. IRA". Indeed reformed UVF terrorist, Popular Unionist Party leader and now New Assembly Member, David Ervine, has suggested that Collins' fate has cautioned would-be compromisers, Loyalist and Republican alike. He claimed in 1996 that there was a fear among Northern politicians of going too far ahead of their respective crowds lest they should be in danger of being "pushed off the pier".<sup>(169)</sup> Before Martin McGuinness and Gerry Adams could enter the peace talks the ghost of Michael Collins had to be considered.

Republican prisoners, like their loyalist counterparts, have been influential in bringing about the cease fires which led to the current peace process so it was not surprising that the required reappraisal came from that quarter. The summer 1994 edition of 'An Glor Gafa (Captive Voice), The Voice of Irish Republican Prisoners of War', carried an article by Tearlac O Conghalaigh, a prisoner in Long Kesh entitled 'Michael Collins: A Reappraisal'. It was significantly timed given the calling of the IRA ceasefire on 31 August 1994. O Conghalaigh revisits Collins' assassination to revive the possibility of a conspiracy against him from within the Pro-Treaty camp. O Conghalaigh goes on to point out that Collins' death was swiftly followed by a change of Northern policy, and by the waging of the Civil War with a "viciousness hitherto absent".<sup>(170)</sup> O Conghalaigh also argued that Collins would have brought an early end to the Civil War, and operated an energetic stepping-stone strategy in relation to the border.

If Michael Collins is the model for Irish revolutionaries prepared to make the transition from violence to political compromise, settling for something less than the ultimate goal, how accurate is it, as one Northern journalist has done, to describe Gerry Adams as the "virtual reincarnation" of Michael Collins?<sup>(171)</sup>

Support for the notion of such a continuum was expressed by Jim O'Keefe, the Fine Gael TD who represents Collins' native Cork South West, who greeted the result of the 22 May referendum on the Good Friday Agreement as the culmination of the work started by Michael Collins in the 1920s. O'Keefe went on to claim;

" Michael Collins would have voted Yes and would be smiling down from heaven at the result."<sup>(172)</sup>

So what are the grounds for arguing that Gerry Adams is an inheritor of the Collins legacy? It is clear that the time Adams spent in Long Kesh was important in the formation of his political ideas and strategy, just as Frongoch was a pivotal experience for Collins. This similarity, however, does not withstand detailed comparison. Adams emerged from prison in search of a peace strategy. Collins was released with his belief in the need for physical force undiminished, although he now advocated guerilla warfare as opposed to the grand failures characterised by 1916.

Another perceived similarity between them is the ability of both men to re-invent themselves, making the transformation from supporters or sponsors of terrorism to bringers of peace and order. Another associated comparison drawn between the Gerry Adams of the past few years and the post-truce Michael Collins, is the extent which both men have made the transition from revolutionary chieftain to international statesman exerting a fascination over the media. This similarity has been noted by Professor Tom Garvin while Professor Joe Lee has acknowledged Adams' development of Collins early appreciation of the importance of public relations.<sup>(173)</sup>

Another suggested similarity is the ability of both men to be ruthless. We know just how ruthless Collins could be. We know less about Gerry Adams' activities but the fact he has survived for fifteen years at the head of a very tough organisation suggests a certain durability. Allied to the quality of ruthlessness is the extent to which both men continued to harbour, or in the case of Adams

continue to harbour, an ambiguity towards the use of physical force. Whatever view one takes on whether or not Collins would have returned to supporting military action against the Northern authorities following the conclusion of the Civil War, the dual policy he operated in from January to June 1922, i.e. supplying the Northern IRA while engaging in the Craig/Collins process, could be claimed to be the model for the 'armalite or the ballot box', the term coined by Danny Morrison to describe strategy the modern Provisionals' dual strategy. In the debate that greeted the revelations in Coogan's 'Michael Collins', Conor Cruise O'Brien compared Collins' actions in the first six months of 1922 with the 'arms scandal' of 1970 which implicated senior Fianna Fail politicians, Charles Haughey and Neil Blaney, along with serving Irish Army officers in the process which gave birth to the Provisional IRA.<sup>(174)</sup>

The main argument deployed against close parallels between Collins and Adams is their respective levels of popular support and the democratic legitimacy that derives from it. Notwithstanding the imprecision of Sinn Fein's electoral support in 1918/1921, and the instances of intimidation that deprived many electors of alternative candidates, Collins is generally credited as one of the leaders of a popular national movement. Not so Gerry Adams. In 1996 the Northern Editor of the 'Sunday Tribune' described Adams "at best" as a "sectional leader" in a small part of Ireland.<sup>(175)</sup> Former European Commissioner, Peter Sutherland, struck a similar note in his 1990 Collins' Centenary oration at Woodfield. Sutherland denied any connection between Collins and the Provisionals, and described Collins as acting on behalf of "an alternative Sinn Fein state...supported by the vast majority of the people of Ireland".<sup>(176)</sup>

While commentators have tended to concentrate on similarities between Gerry Adams and Collins, I would suggest that comparisons between Collins and a composite Gerry Adams/ Martin McGuinness might be more accurate. Collins' authority partly stemmed from his perceived influence over the "gunmen". From what we know about Adams and McGuinness, it would appear that the latter has the more senior military record.

What does Adams make of the comparisons between himself and Collins? When asked by a caller to a BBC Radio Ulster phone-in programme in 1995 if he would have signed the 1921 Treaty, Adams praised Collins historical stature before replying ;

" I certainly don't think that I would have signed that type of a Treaty, but who's to know?"<sup>(177)</sup>

We can only speculate as to whether or not Collins would have accepted the existence of the entity of Northern Ireland, albeit with amended boundaries, if he had survived the Civil War and returned to his duties as Chairman of the Provisional Government, leading to the presidency of the Executive Council when the Free State came into being in December 1922. Would he have sponsored a "second round" of operations against the North, or completed the transition to a genuinely democratic politician? Likewise, only time will tell if Adams, McGuinness and co. are genuinely leading the mainstream of the Provisional republican movement to an exclusively democratic and constitutional future? The tragedy of the Omagh bombing of 15 August 1998, which occurred as this thesis was being completed, may prove to be a defining moment. The political reaction to Omagh may force Sinn Fein to end its prevarication over the decommissioning of arms and explosives, and bring an end to any significant remnant of republican ambivalence towards the use of physical force.

Returning briefly to the modern day images of Collins and De Valera, is it accurate to regard them as representing two vastly different visions for Ireland's future? In a number of key speeches throughout his long career, De Valera held out the vision of a rural, Gaelic Ireland. The best known example is probably the so called 'dream speech', radio broadcast on St Patrick's Day 1943. In addition to the Gaelic idyll with maidens dancing at the cross roads, De Valera also took the opportunity to argue that Ireland's Gaelic identity was a guarantee of the nation's sovereignty. Was Collins' vision all that different? Is it right to claim him as an icon of a more urban and secular Ireland? It was Collins that described the Irish as "the misfits of English civilisation", and pointed to life on the

isolated Achill Island as a "glimpse of what Ireland might be again".<sup>(178)</sup> He echoed De Valera's point on sovereignty when he wrote;

" The extent to which we become free in fact and secure our freedom will be the extent to which we become Gaels again."<sup>(179)</sup>

While De Valera and Collins have become symbols of diverging visions of Irish society, I believe that they had more in common than separated them. Writing in early 1922 Collins may have consciously exaggerated the importance of Gaelic forms over republican institutions, in guaranteeing sovereignty, as part of his campaign to sell the Treaty.

Finally, what does the performance of Collins' grandniece, Mary Banotti, in the presidential election of October 1997 tell us about the current political potency of the Collins legacy? The Irish political system is dominated by family dynasties, but the Collins family is not among them. Collins' sister, Margaret Collins-O'Driscoll, sat in Dail Eireann from 1923 to 1933 but their nephew, Sean Collins, was the only other member of the family to serve in the Dail until O'Mahoney sisters, Nora Owen and Mary Banotti, emerged on the national political scene in the 1980s. In the summer of 1997 both sisters were suggested as Fine Gael candidates for the position of President, but it was Mary Banotti who went forward to challenge. As a Member of the European Parliament she was more removed from the cut and thrust of party debate in the Dail, and therefore better qualified for the office of President.

As already mentioned in Chapter 3, Ms. Banotti launched her campaign on 24 September at Woodfield, the old family homestead in West Cork.<sup>(180)</sup> From there on to polling day her association with Collins was central to her political pitch. An example of her evoking Collins on the stump occurred while campaigning in Cavan/Monaghan on 3 October when local Fine Gael supporters on her platform recalled that former favourite son Eoin O'Duffy was a great friend of Collins.<sup>(181)</sup> An MRBI opinion poll published on 15 October 1997 suggested that Banotti was making headway after a slow start at that she had pulled to within 8% of Fianna

Fail favourite Mary McAleese.<sup>(182)</sup> Campaigning in Cork, on the 107th anniversary of Collins' birth, Banotti was particularly well-received by the electorate. The day began with former Fine Gael minister Peter Barry presenting Banotti with some of the original Collins/Kitty Kiernan correspondence purchased by his family in June of 1995. RTE Radio reporter Joe Duffy predicted on the 'Daily Record' news programme that it was the day when the Banotti campaign really took off.<sup>(183)</sup> Within days, however, the Banotti campaign started to lose momentum when Fine Gael leader John Bruton, and others associated with him, launched an attack on Ms. McAleese, arguing that as a Northern nationalist she was too divisive a figure to make an effective President. This produced a backlash which accelerated after 22nd October when it was revealed that a former junior Bruton aide had leaked to the press sensitive Foreign Affairs Department documents which contained Ms. McAleese's candid analysis of the situation on the North.<sup>(184)</sup> The impact on the Banotti campaign was reflected in the opinion polls and in the columns of Nuala O'Faolain and Mary Holland, both of whom continued to support the Banotti campaign while regretting the attacks on Ms. McAleese and recognising that they had backfired. The passion of Civil War loyalties was briefly re-kindled. The wider Fianna Fail family regarded John Bruton and the other McAleese detractors, most notably Eoghan Harris, as "a noisy little clique of anti-nationalists", and Banotti as "the partitionist candidate".<sup>(185)</sup>

The 29.3% of first preferences polled by Mary Banotti represented a good result by recent Fine Gael standards, and was the best first preference total polled by any Fine Gael candidate in any election for 16 years. This could not conceal the disappointment of a party that thought that with the grandniece of Michael Collins as their candidate then they could elect a candidate to the Presidency for the first time since the position was created in 1937. Mary Banotti did not seek to contradict the RTE reporter who put it to her at the election count in Dublin Castle that the intervention of Bruton et al had seriously damaged her campaign.<sup>(186)</sup> Her campaign manager Phil Hogan was more direct when he conceded to the 'Irish Times' that the Bruton intervention had consolidated

Fianna Fail support behind the wronged Mary McAleese. An unnamed Fine Gael backbencher put it even more bluntly;

" Bruton blew this. He completely misjudged it and lost the election for her."<sup>(187)</sup>

The problems that beset the Banotti campaign in the final ten days are outwith the scope of this study, and make it difficult to assess whether or not the Collins legacy was strong enough to carry his grandniece into Aras an Uachtarain 75 years after his death? Has the revival of the Collins cult, so obvious in the early 1990s, already started to wane? If the Northern peace process is to produce a result based on compromise and consensus, and North and South are to come to terms with new relationships, then the argument "if it was good enough for Mick" may yet have a role to play in bringing a stable and lasting peace to the island of Ireland.



Chapter 7. Notes and References

- 1) Address by Cosgrave to the Collins and Griffith Commemoration Rally held in Dublin on 17 August 1924. John Devoy papers Ms.18,124 NLI.
- 2) See 'Michael Collins on the Treaty' in 'Fighting Points for Cumann na nGaedheal Speakers and Workers'. Mulcahy papers P7/c/42 UCD.
- 3) Note of the meeting of the Policy Committee of Cumann na Gaedheal and Ministers responsible for Economic Policy, held on 20 October 1924. Mulcahy papers P7/c/99 UCD.
- 4) Note of the Cumann na nGaedheal Parliamentary Party meeting held 24 November 1924. Mulcahy papers P7/c/99 UCD.
- 5) Minutes of the Cumann na nGaedheal Choiste Gnotha and Parliamentary Party deputation, held on 27 November 1924. Cumann na Gaedheal/Fine Gael papers P39/Min/1 UCD.
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- 7) *ibid.*
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- 26) *ibid.*
- 27) Minutes of the Standing Committee of Fine Gael, held on 20 September 1934. Cumann na Gaedheal/Fine Gael papers P39/Min/1 UCD.
- 28) Manning interview.
- 29) Ronan Fanning 'De Valera Plays the Green Card'. *Fianna Fail 50th anniversary supplement, Irish Times, 19 May 1976.*
- 30) FitzGerald interview.
- 31) Interview with Michael Laffan, June 1996.
- 32) Collins, *The Path to Freedom*, p.96.
- 33) Interview with Fintan O'Toole, June 1997.
- 34) Conor Cruise O'Brien 'Blueshirts and Quislings', in *Magill, 14 June 1981*, p.25.

- 35) Under the classification of party systems devised and described by Giovanni Sartori in *Parties and Party Systems: A Framework for Analysis*, 1976, a predominant party system is one within which one party is significantly stronger than the other, i.e. regularly polling 10% more than the second placed party.
- 36) Tim Pat Coogan, *Michael Collins*, Arrow Books, London, 1992, pp.428-431.
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- 38) Dail Eireann Department of Foreign Affairs, *Facts about Ireland*, 1969 edition.
- 39) John Edward Fogarty was born of an Irish family in Rhode Island in 1913. He became a senior trade union official with Bricklayers Union, before moving on to represent the Second Rhode Island District in the House of Representatives from the 77th to the 89th Congresses. He did indeed travel to Ireland for the 50th anniversary commemoration where he was something of a distinguished guest. His first formal engagement fell on 13 April when he took part in a ceremony at Iveagh House at which a statue of Robert Emmet was presented to the Irish nation by its friends in the American Congress. Those present were Fogarty, the American Ambassador and John Hanning, Under Secretary for Labour on the American side, and De Valera and Frank Aiken on the Irish side. In such a small gathering Fogarty would had ample opportunity to question De Valera. On the evening of 14th April Fogarty was the guest of the Irish-American Society, at the Royal Hibernian Hotel, where honorary membership was conferred upon him. The only other person to have previously been honoured by the Society was Mrs. Jacqueline Kennedy, wife of the late American President. Speaking at the ceremony Roland Benardo, Economics Officer at the United States Embassy, informed those present that Fogarty had been a close friend of the late President Kennedy, and that every year from 1946 onwards, he had opposed granting American aid to the United Kingdom as long as Britain "occupied" Northern Ireland. Fogarty was also a guest at the Jubilee Reception hosted by Taoiseach Sean Lemass at Dublin Castle on the evening of 17 April. See who Was *Who in America Vol.IV, 1961-1968* and the *Irish Press*, *Irish Times* and *Irish Independent* for April 1916.

While it is impossible to verify Coogan's anecdote regarding the remarks passed in the De Valera/Fogarty conversation, I have been able to verify the existence of the Congressman in question, and to place him alongside De Valera at a small select gathering in April 1966.

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- 42) *Irish Times*, 23 August 1971.
- 43) *Irish Times*, 9 July 1990, p.1.
- 44) *ibid.*
- 45) *Irish Times*, 10 July 1990, p.1.
- 46) *Irish Times*, 8 October 1990, p.1.
- 47) *Irish Times*, 8 October 1990, p.11.
- 48) See the *National Observer*, December 1958 and the *Sunday Independent*, 7 December 1958.
- 49) MacEoin stood for President on two occasions. In 1945 he polled 44.5% against Sean T. O'Kelly and 43.6% against De Valera in 1959.
- 50) Feehan to O'Donoghue dated 17 December 1958, Florence O'Donoghue papers, MS.31,296, NLI.
- 51) O'Donoghue to Feehan dated 18 December 1958, Florence O'Donoghue papers, MS.31,296, NLI.
- 52) *ibid.*
- 53) Feehan to O'Donoghue dated 30 December 1958, Florence O'Donoghue papers, Ms.31,296, NLI.
- 54) Twomey to O'Donoghue dated 1 January 1959, Florence O'Donoghue papers, MS.31.296, NLI.
- 55) *Sunday Press*, 25 January 1959, p.2.
- 56) Feehan to O'Donoghue dated 15 January 1959, Florence O'Donoghue papers, MS.31,296, NLI.
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- 63) *ibid*, p.249.
- 64) *ibid*, p.253.
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- 71) Beaslai, *Michael Collins and the Making of A New Ireland*, p.ix/x.
- 72) Review of Beaslai's 'Michael Collins and the Making of a New Ireland', *New Statesman, Vol.XXVI, No.709*, 27 November 1926, pp.209/210.
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- 75) Batt O'Connor, *With Michael Collins in the Fight for Irish Independence*, p.88.
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- 171) Malachai O'Doherty speaking in *In the Shadow of the Gun. The Return of Michael Collins*, BBC2 Late Show documentary, December 1995
- 172) Quoted in the *Irish Times, Referendum Supplement*, Monday 25 May 1998, p.4.
- 173) Contributions to *In the Shadow of the Gun*, December 1995.
- 174) O'Brien, *Irish Independent Weekender*, 29 September 1990, p.9.
- 175) Ed Moloney contributing to *Michael Collins: The Documentary*, LWT, 1996.
- 176) Text of Peter Sutherland's oration at the Collins Centenary Commemoration at Woodfield on 14 October 1990, *Irish Independent*, 15 October 1990, p.10.
- 177) Gerry Adams speaking on 'Talk Back', BBC Radio Ulster, 9 September 1996.
- 178) Michael Collins, *The Path to Freedom*, p.99.
- 179) *ibid*, p.100.
- 180) *Irish Times*, 25 September, 1997, p.6.
- 181) *Irish Times*, 4 October 1997, p.6.
- 182) MRBI Opinion Poll in the *Irish Times*, 15 October 1997.
- 183) Joe Duffy on the campaign trail with Mary Banotti on 16 October 1997, reporting for 'Daily Record', RTE Radio 1.

- 184) *Irish Times*, 22 October 1997, p.1.
- 185) See Nuala O'Faolain, *Irish Times*, 20 October 1997, p.14 and Mary Holland, *Irish Times*, 23 October 1997, p.16.
- 186) Mary Banotti speaking on the RTE Radio Presidential Election results programme, 31 October 1997.
- 187) *Irish Times*, 1 November 1997, p.8.

**Appendix 1**  
**Select Biography**

Select biography of leading figures who supported the Treaty in 1922 but in the subsequent ten years dissented from positions adopted by the Irish Free State's Executive Council, and justified their opposition in terms of remaining loyal to Michael Collins' policy and legacy.<sup>(1)</sup>

Leading figures in the Irish Republican Organisation<sup>(2)</sup>

" The actions of the present GHQ Staff since the Commander-in-Chief's (Collins') death, their open and secret hostility to us his officers, has convinced us that they have not the same outlook as he had."<sup>(3)</sup>

LIAM TOBIN

Born 1894 in Cork. Joined the Volunteers shortly after their foundation and took part in the 1916 Easter Rising. Following the Rising he was imprisoned in Lewes Jail along with De Valera and Cosgrave. On his release in 1917 he became Intelligence Officer of the Dublin Brigade. Collins recruited him to his Intelligence Section and he became central to Collins intelligence operation. Collins appointed him as Deputy Director of Intelligence in 1921. During the Treaty negotiations in London, Tobin was one of Collins' principal bodyguards.

Following the adoption of the Treaty, Collins appointed Tobin as Director of Intelligence in the fledgling National Army, with the rank of Major General, but Collins removed him from that position prior to his death. Following the Civil War Tobin was appointed as aide de camp to Governor General Tim Healy, following another short stint as Director of Intelligence. While serving at Phoenix Park in the summer of 1923 Tobin began to organise the discontent among former IRA officers at the direction in which the Army was developing. This led to the Army crisis or "mutiny" of March 1924.

Although Tobin quit the Army and politics following the crisis, he continued to interest Irish Army Intelligence throughout the remainder of the 1920s. Despite this he was recalled by Cosgrave in 1932 to supervise the destruction of selected documents prior to Fianna Fail taking office in 1932.

#### FRANK THORNTON

Leader of the Liverpool Volunteers who fought in the Easter 1916 Rising, in the Liberty Hall Garrison. Recruited to Collins' Intelligence Section, Thornton was delegated a number of important tasks during the War of Independence. He organised the Volunteers in Louth, participated in the abortive ambush of Lord French at Ashtown. In 1920 he was rounded up on suspicion by British Intelligence's "Cairo Gang" and was interrogated for ten days before being released. Thornton's narrow escape from a more serious fate was one of the factors that culminated in the Bloody Sunday operation of November 1920.

A supporter of the Treaty, Thornton joined the National Army as an Intelligence Officer with the rank of Colonel. In August 1921 Director of Intelligence Joe McGrath sent Thornton to Clonmel to ensure that when Collins called there on his tour of inspection his safety would be ensured by the presence trustworthy Pro-Treaty IRA veterans. En route he was ambushed at Redmondston, County Tipperary and was seriously wounded. When he recovered from his wounds Colonel Thornton returned to active duty but quit the Army and active politics following the Army crisis in March 1924.

In later life Thornton attained high standing in the insurance world. He died suddenly while holidaying in Spain in the early 1960s.

## TOM CULLEN

Born in Wicklow, Cullen became captain of the Volunteers in his native county before joining Collins' Intelligence Section in 1918. He played a prominent role in notable operations, including the operation to cover the escape of Breen and Treacy following the Fernside fight in October 1921. Later that month Cullen was arrested at Vaughan's Hotel and survived rigorous interrogation. Cullen's arrest was yet another of the events that convinced Collins that decisive action was required against British intelligence in Dublin, the Bloody Sunday operation. One of Collins' regular bodyguards, Cullen spent time in London during the Treaty negotiations, and returned to London on Collins orders to receive the possibilities of organising an escape attempt by Dunne and O'Sullivan the assassins of Sir Henry Wilson.

A supporter of the Treaty, Cullen joined the National Army but resigned following the Army crisis of March 1924.

## TOM ENNIS

Fought in the 1916 Easter Rising and was interned along with Collins in Frongoch. Became Commandant of the 2nd Dublin Brigade in 1920 and was involved in planning the Custom House operation in May 1921, an action in which he was wounded.

A supporter of the Treaty, Ennis joined the National Army with the rank of General and was appointed as O/C the 2nd Eastern Division. In that role he demanded the surrender of the Irregular occupation of the Four Courts, and directed operations against the Irregulars garrisoned in O'Connell Street. Ennis led the Pro-Treaty forces into Cork and following the surrender of the city he was involved in peace overtures involving Tom Barry, Liam Lynch and local clergy. He quit the Army and active politics following the Army crisis.



## EMMET DALTON

Born in Dublin in 1898 and educated by the Christian Brothers, Emmet Dalton served during World War I with the Dublin Fusiliers rising to the rank of Major and winning the Military Cross. His military experience was recognised by Collins and by 1921 he had become Director of Training and a member of the Volunteer HQ. Dalton was involved in the failed attempt to rescue Sean MacEoin from prison in May 1921. During the Treaty negotiations in London Dalton acted as one of Collins' principal bodyguards along with Liam Tobin.

Dalton supported the Treaty and joined the National Army as Director of Operations with the rank of Major General. In command of overall operations in Leinster in June and July 1922 he was involved in the siege of the Four Courts and other operations in Dublin. He conceived and executed the sea-borne attacks on the Irregular held Passage West and Cork. He was alongside Ennis in leading Pro-Treaty troops into Cork, and, again with Ennis, he was involved in peace overtures in Cork, providing a channel directly to Collins. He accompanied Collins in his tour of inspection of County Cork and was with him at Beal na mBlath. Reputedly "Emmet" was the last word uttered by the fatally wounded Collins.

Dalton resigned from the Army at the time of the crisis and later left Ireland for a period, not least to escape whispered accusations that he was somehow implicated in Collins' death. He supported himself as a professional tipster and his matinee idol looks led him into feature films, learning his craft in England and Hollywood. On returning to Ireland he founded Ardmore Film Studios. He died in 1978.

## CHARLIE DALTON

Emmet's younger brother, Charlie Dalton served as a more junior operative in Collins' Intelligence Section. In his book 'With the Dublin Brigade' Dalton points that gunmen working at his level seldom came into contact with Collins. Their orders came from him via Liam Tobin or Tom Cullen. Charlie Dalton participated in the Bloody Sunday operation on 20 November 1920 and in the attempt to rescue MacEoin.

He supported the Treaty and joined the National Army. He resigned from the Army following the crisis and quit active politics.

## JIM SLATTERY

Born in Bodyke, County Clare, Jim Slattery was a member of Collins' notorious 'Squad'. Slattery took part in many operations, including the attack on the Custom House in which he suffered wounds which led to his losing an arm.

A supporter of the Treaty, he joined the National Army despite his injuries. He was appointed as Commandant of the Limerick Brigade at the time of the tense stand-off in the city between Pro and Anti Treaty forces prior to the outbreak of Civil War. When generalised hostilities broke out commanded a sweep westwards to Kerry overcoming strong resistance.

## PAT McCREA

Dubliner and another member of Collins' 'Squad'. Involved in various operations including Breen's and Treacy's escape from Fernside. Regarded as an expert driver he was given command of an armoured car captured from the British in an operation at Dublin abattoir, and he drove in the attempted rescue of MacEoin.

He supported the Treaty and joined the National Army. He was attached to GHQ as a driver, a role which brought him into considerable contact with Collins. He resigned from the Army following the crisis of March 1924.

#### The Army Council<sup>(4)</sup>

" I understood him (Collins) as well as anyone, and believed I was acting in accordance with Collins' outlook."<sup>(5)</sup>

"IRB men were prepared to hold the Army for the State even at a time when the leaders of the State were out for the blood of the Irish Republican Brotherhood."<sup>(6)</sup>

#### RICHARD MULCAHY

Born Waterford in 1886, and educated by the Christian Brothers. A member of the Gaelic League he joined the Volunteers on their formation in 1913. He saw action at Easter 1916 as second in command to Thomas Ashe at Ashbourne. He was interned with Collins in Frongoch and was admitted to the IRB. Following his release he became Commandant of the 2nd Battalion of the Dublin Brigade, rising to Brigade Commandant and Director of Training later in 1917. On the creation of a full-time GHQ in March 1918 Mulcahy was appointed as Chief of Staff. He was elected to the First Dail in November 1918 for the Clontarf district of Dublin and served as Minister for Defence from January to April 1919 and as Assistant Minister for Defence thereafter.

Pro-Treaty, Mulcahy took over as Minister for Defence in the Second Dail and the Provisional Government while continuing to serve as Chief of Staff. He was involved in the peace overtures of May 1922 and worked for Army unity. He succeeded Collins as Commander-in-Chief on 23 August 1922, the day after Collins fell at Beal na mBlath. In September 1922 he formed the Army Council. That same month he met one to one with De Valera in an attempt to end hostilities. The meeting ended in failure and on 10 October he requested Special

Emergency Powers. This was the beginning of the process that led to the executions and reprisals, and explains why Mulcahy became a particular bete-noire among those opposing the Treaty.

Mulcahy resigned as Minister for Defence as a result of the Army Crisis of March 1924. Out of ministerial office, he remained as a member of the Dail. Later in 1924 he mediated on behalf of the Policy Committee of Cumann na nGaedheal which had articulated a critique of the Executive Council's policy, the 'October Manifesto'. He was also one of the 17 Cumman na nGaedheal TDs who signed a petition opposing the appointment of Patrick Hughes as Minister for Defence in November 1924. He did not openly oppose the Executive Council over the Boundary Agreement in December 1925. He returned to the Executive Council as Minister for Local Government in 1927. He was prominent in the Blueshirt movement and was a founder member of Fine Gael in 1933. He was out of the Dail briefly, from 1943-1944, but on his return he succeeded Cosgrave as Fine Gael leader.

Mulcahy set aside personal ambition to broker the Inter Party Governments of 1948-1951 and 1954-1957. Too controversial a figure to be considered for Taoiseach, because of his association with the Civil War executions policy, he was given the Education and Gaeltacht portfolios. He was succeeded as Fine Gael leader by James Dillon in 1959 and retired from the Dail in 1961.

In his remaining years he wrote and commented extensively on events between 1912 and 1921, particularly on the role played by Michael Collins. He died in 1971.

#### GEAROID O'SULLIVAN

Cousin to the Collins family and a fellow Corkman from Skibbereen, O'Sullivan joined the Volunteers in 1913. He was the youngest officer serving in the GPO garrison in Easter 1916, and was given the distinction of hoisting the flag of the

Republic. He was interned with Collins at Frongoch and became a member of the IRB. Following his release in December 1916, he accompanied Collins to the Longford by election and it was there that they met the Kiernan sisters, Maud and Kitty. O'Sullivan succeeded Collins as Adjutant General on the Volunteer GHQ in 1919, and in May 1921 he was elected to the Second Dail unopposed for Carlow-Kilkenny.

A supporter of the Treaty, O'Sullivan became Adjutant General in the new National Army with the rank of Major General. Elected to the Supreme Council of the IRB in November 1921, he was involved with Mulcahy in the peace overtures of May 1922. He was elected to the Third Dail in the 'Pact Election' of June 1922, joined the new Army Council in September, and married Maud Kiernan in October 1922. Kitty Kiernan and Sean O'Murthuile acted as godparents to their first child. O'Sullivan did not seek re-election to the Dail in 1923, preferring to concentrate on his military duties. He resigned from the Army as a result of the March 1924 crisis.

Back in civilian life O'Sullivan was called to the Irish Bar in 1925 but returned to military duties as early as 1926 in the role of Judge Advocate General. His rehabilitation in the eyes of the ruling Executive Council was completed in the summer of 1927 when he was chosen as the Cumann na nGaedheal candidate for the by election caused by the murder of Kevin O'Higgins. He did not seek re-election to the Dail in 1932 but was given another state job, Commissioner for the Special Purposes of the Income Tax Acts, in 1940. O'Sullivan died in 1948. His marriage to Maud Kiernan had been shortlived due to her premature death. The four children from his second marriage were all of dependent age or engaged in full-time education when their father died. His widow, Mary Brennan O'Sullivan of Belfast, turned to his old comrade Mulcahy for financial assistance.

When Collins' grand niece and Fine Gael Presidential hopeful, Mary Banotti, launched her 1997 campaign at the old Collins homestead in West Cork the children, grand children and great grand children of Gearoid O'Sullivan were

there to greet her.

### SEAN O'MURTHUILE

An Irish language enthusiast involved in founding Colaiste Ui Comhairle and Colaiste Cairbre, O'Murthuile joined Sinn Fein in 1905 and the Volunteers in 1913. Already a member of the IRB's Supreme Council by the time of the Easter Rising, O'Murthuile fought in 1916 and was interned along with Collins in Frongoch. Following his release in December 1916, O'Murthuile concentrated his energies in building the political wing of the movement. He became Secretary of the IRB sometime in 1920 and acted as a vital conduit between Collins and the IRB Supreme Council during the Treaty negotiations.

A supporter of the Treaty, O'Murthuile volunteered for service in the new National Army and was commissioned with the rank of Lieutenant General, and became Quarter Master General, and a member of the Army Council on 29 January 1923.

Following his resignation from the Army, as a result of the Crisis of March 1924, O'Murthuile steered his energies into the organisation of Cumann na nGaedheal and the Irish language. He was a member of the Party Policy Committee which issued the critical October Manifesto, and became a member of the Gaelic League Re-organisation Committee.

### SEAN MACMAHON

IRB member who joined the Volunteers on their formation in 1913. Fought in Easter 1916 and was interned with Collins in Frongoch. Served in the very demanding position of Quarter Master General on the Volunteer GHQ throughout the War of Independence. It is reputed that his hair turned prematurely white as the result of the strain caused by his duties.

A supporter of the Treaty, MacMahon was involved with Mulcahy and O'Sullivan in the peace overtures of May 1922. He served as Quarter Master General of the new National Army until the re-shuffle following Collins' death when he was appointed as Chief of Staff on 15 September 1922.

It was with great reluctance that MacMahon tendered his resignation following the crisis of March 1924. He was the only one of the outgoing Army Council to be restored to military duties immediately following the conclusion of the Committee of Inquiry's deliberations.

The National Group (also known as National Party)<sup>(7)</sup>

" There are a good many of us who regard the Treaty as a half-way house, or a stepping stone to the Republic, and when we say that we say it in the way that Michael Collins did and not merely as a pious opinion. We agree that the next step may not be possible this year or the next year but we are out against that mental attitude which would put the Republic a thousand years away. We differ radically from those who accept the step by step theory but would apparently never take the next step."<sup>(8)</sup>

JOE McGRATH (Mayo North)

Born in Dublin in 1888. Left school at fourteen and worked at various jobs including that of an accountant with the Irish Transport and General Workers' Union. McGrath joined the Volunteers on their formation in 1913 and fought in Marrowbone Lane in Easter 1916. He was imprisoned at Wormwood Scrubs and Brixton. Released in 1917, he was detained again in the 'German Plot' round up of May 1918. While in prison he was elected to the First Dail in November 1918 to represent the St. James division of Dublin. McGrath escaped from prison in January 1919 and returned to Dublin where he took over as Minister for Labour in the Dail Cabinet following the arrest of Countess Markievicz in September 1920. His tenure at the helm of the underground ministry was cut short in November 1920 when he was arrested along with Griffith and detained until the

Truce was declared in July 1921. While in prison McGrath was returned to the Second Dail for Dublin North West.

Trusted by Collins, McGrath was elected to the Supreme Council of the IRB and was charged by Collins with arranging the logistics of his stay in London during the Treaty negotiations. He followed Collins in supporting the Treaty and was appointed Minister for Labour in the Dail Cabinet and the Provisional Government. He was re-elected to represent Dublin North West in the 'Pact Election' of June 1922. On the outbreak of the Civil War, McGrath joined the new National Army with the rank of Major General, and was appointed as Director of Intelligence, replacing Liam Tobin. Devoted to Collins, McGrath attempted to dissuade him from undertaking his ill-fated tour of inspection of the South West in August 1922. A founder member of Cumann na nGaedheal, McGrath resigned from Military Service at the conclusion of the Civil War and was elected as a TD for Mayo North in 1923.

McGrath resigned from the Executive Council in March 1924 and gathered around him the National Group, a caucus of Cumann na nGaedheal TDs who shared his sympathies with criticisms expressed by the IRA Organisation. In October 1924 McGrath, and the majority of his National Group associates resigned from the Dail in protest against the outcome of the Committee of Inquiry into the Army Crisis.

The enterprising McGrath quit active politics in 1924 but went on to become Director of Labour on the Shannon hydro electric scheme. He founded Waterford Glass, Donegal carpets and the Irish Hospitals Sweepstake. He became an authority on bloodstock and owned several successful race horses. His admiration for Collins was reflected in the Michael Collins' Foundation which he established in 1964. Joe McGrath died in 1966.



## SEAN FRANCIS GIBBONS (Carlow-Kilkenny)

A member of the Volunteers in Carlow, Gibbons was arrested following the Easter 1916 Rising and was detained at Frongoch with Collins.

A supporter of the Treaty he was first elected to the Dail in 1923 as a running mate of Cosgrave's in Carlow-Kilkenny. He supported the IRAO's demands and joined the National Group condemning the Executive Council for failing to use the "stepping stone" to a Republic, and for being "in the grip of freemasons!"

Following his resignation from the Dail on October 1924 he joined Clann Eireann in 1926, becoming a member of its National Committee. Following the demise of Clann Eireann, Gibbons joined Fianna Fail and successfully contested Carlow-Kilkenny under that banner in 1932 and 1933. Narrowly defeated in the Kilkenny constituency in 1937 he did not stand for the Dail again but went on to become Chairman of Kilkenny County Council and Chairman of the County Board of the GAA. His nephew, James Gibbons, represented Kilkenny in the Dail from 1957 to 1981, creating something of a local political dynasty.

## SEAN MILROY (Cavan)

Born of Irish parents in Maryport, Cumberland in 1877, Milroy returned to Ireland to work for the nationalist cause and became an associate of Arthur Griffith in the early Sinn Fein. He joined the Volunteers in 1913 and was detained in Mountjoy from June to August 1915. He fought during the Easter Rising and was imprisoned in Reading Jail. Following his release he was elected to the Executive of the Irish Volunteers in 1917. He was defeated as the Sinn Fein candidate in the East Tyrone by election of April 1918, and the following month he was arrested again in the 'German Plot' round up. Along with De Valera and Sean McGarry he was sprung from Lincoln Jail by Collins and Boland in February 1919.

In 1921 he was one of three Sinn Fein candidates elected to represent Fermanagh and Tyrone in the Northern Ireland Parliament. In line with Sinn Fein policy, Milroy refused to take his seat in the Belfast assembly, However he was elected to represent Cavan in the Second Dail where he became a spokesman on Northern affairs. A supporter of the Treaty, he was re-elected for Cavan in the Third and Fourth Dails.

A supporter of McGrath's National Group he resigned his Dail seat, somewhat reluctantly in October 1924. He was the only one of those who resigned to contest the 'Mini General Election' in March 1925. He stood unsuccessfully in Dublin North polling 4.37% of the first preferences. He also contested his old stomping ground of Cavan-Monaghan in June 1927. Milroy healed his breach with Cumann na nGaedheal and in 1928 he was elected to the Senate, and was involved in establishing a pro-government party in the upper house, a move necessitated by Fianna Fail's entry into the Dublin parliament. He remained a member of the Senate until 1936. Sean Milroy died in 1946.

#### SEAN McGARRY (Dublin North)

Educated by the Christian Brothers, Sean McGarry joined the IRB and the Volunteers, fought in Easter 1916 and was imprisoned in Lewes Jail. He became President of the IRB in November 1917, and later that month he was elected General Secretary of the Volunteers. Captured in the 'German Plot' round up in May 1918, McGarry escaped from Lincoln Jail along with De Valera and Milroy in February 1919. He was elected to represent Dublin North in the Second and Third Dails.

A supporter of the Treaty, McGarry served in the new National Army with the rank of Commandant. His home was burned by Irregulars in December 1922 and his business was burned out the following month. His seven year old son died from severe burns suffered in the house fire. Elected to the Fourth Dail in 1923, McGarry sympathised with the demands of the IRAO, joined the National Group,

resigned from the Dail in October 1924 and quit active politics.

#### FRANCIS CAHILL (Dublin North)

Cahill was the second of four Cumann na nGaedheal candidates elected in the eight-seater constituency of Dublin North in 1923. Close to his running mate McGarry, Cahill joined the National Group, resigned his seat in October 1924 and quit active politics.

#### ALEXANDER McCABE (ALASDAIR MacCABA) (Leitrim-Sligo)

Born Sligo in 1886, McCabe attended St. Patrick's Teacher Training College becoming principal of Drumnagranchy National School in 1907. He joined the Volunteers and the IRB in 1913 and was elected to the IRB Supreme Council in 1915. During the Easter Rising in 1916 he created diversions in Longford, Cavan and Sligo and went on the run to avoid arrest. The British authorities caught up with him, however, following his campaigning efforts in support of Count Plunkett at Roscommon. He was elected to the First Dail for Sligo South in November 1918. Detained at The Curragh from July 1920 to July 1921, McCabe was elected to the Second and Third Dails in Sligo-Mayo East. In 1923 he topped the poll in Leitrim-Sligo.

A supporter of the Treaty. McCabe joined the National Army with the rank of Colonel-Commandant. He led the Pro-Treaty forces which captured Boyle and Ballymote, and acted as Military Commandant of Sligo. A supporter of the National Group, McCabe resigned from the Dail along with McGrath in October 1924. He quit active politics and returned to teaching. He founded the Educational Building Society in 1935 and became editor of the Irish Yearbook.

Alex McCabe died in 1972.

**THOMAS CARTER (Leitrim South)**

Born Drumveilly, County Longford in 1882. Local shopkeeper and Sinn Fein organiser he was elected to the Second Dail from Leitrim-Roscommon North, and was re-elected there in the 'Pact Election' of June 1922 and was one of the three Cumann na nGaedheal TDs returned for the seven-seater constituency of Leitrim-Sligo in 1923.

A supporter of the position articulated by the National Group he resigned his seat in the Dail in October 1924.

Like Gibbons, Carter joined Fianna Fail and created something of a local political dynasty. He was elected to the Dail in 1943 and 1944 from Athlone-Longford and from Longford-Westmeath in 1948. His son Frank succeeded him in the seat in 1951 and he held it for Fianna Fail, with the exception of the period 1957-1961, until he lost the party nomination to Albert Reynolds in 1977.

**DAN McCARTHY (Dublin South)**

A member of the Volunteers and the IRB, McCarthy fought in Easter 1916 and was interned along with Collins in Frongoch. McCarthy was particularly close to Collins who entrusted him with special tasks. McCarthy accompanied McGrath to London in September 1921 to organise the logistics surrounding Collins' participation in the Treaty negotiations. McCarthy also served on the Cadogan Gardens staff for a period during the negotiations.

McCarthy was elected to the Second Dail in May 1921 and was re-elected in Dublin South in the 'Pact Election' of June 1922. A supporter of the Treaty, McCarthy was elected as a Cumann na nGaedheal TD in 1923 and was appointed as the party's Chief Whip.

McCarthy sided with the National Group and resigned along with McGrath in October 1924.

#### HENRY JOSEPH FINLAY (Roscommon)

Finlay was first elected to the Dail in 1923, leading the Cumann na nGaedheal challenge in Count Plunkett's old stomping ground of Roscommon. He supported the position adopted by the National Group and resigned along with McGrath in October 1924 and quit from active politics.

The following two Cumann na nGaedheal TDs were associated with the National Group's political position, but unlike those listed above they did not resign their seats in October 1924.

#### PADRAIC O MAILLE (Galway)

Born in 1878 on a farm near Muintircon, County Galway, O Maille was a leading figure in the Volunteer organisation in Galway. Like Collins he decided to go on the run rather than face arrest at the time of the 'German Plot' round up in May 1918. He defeated the Parliamentary Party candidate in the Connemara division of Galway in November 1918 and he was returned unopposed to the Second Dail from the Galway constituency in May 1921.

A supporter of the Treaty, he was one of the IRA officers involved in the peace overtures of May 1922. Following the 'Pact Election' of June 1922, in which he was one of four Pro-Treaty Sinn Fein candidates returned for the seven-seater constituency of Galway, he was elected Leas Ceann Comhairle (Deputy Speaker) of the Dail. On 7 December 1922 he was wounded by Irregular gunmen when Sean Hales was killed.

In 1923 he was elected as one of the four Cumann na nGaedheal candidates returned for the nine-seater Galway constituency. He sympathised with the

National Group but did not resign in October 1924. He supported the critical 'October Manifesto' issued by the Policy Committee of Cumann na nGaedheal and was one of the 17 Cumann na nGaedheal TDs who signed the motion opposing Patrick Hughes appointment as Minister for Defence in November 1924.

He was one of four Cumann na nGaedheal TDs who opposed the Boundary Agreement legislation in the Dail. He split with Cumann na nGaedheal over the Boundary issue and was one of the founders of Clann Eireann in 1926, serving on its national committee as Honourary Secretary. He contested Galway under the Clann Eireann banner in June 1927 and achieved the Party's best result. Following the demise of Clann Eireann, O Maille, like Gibbons and Carter, joined Fianna Fail. He unsuccessfully contested Dublin County as a Fianna Fail candidate in 1932. O Maille was appointed by De Valera to the Senate from 1934 to 1936 and from 1938 until his death in 1946.

#### SIR OSMOND THOMAS ESMONDE (Wexford)

Born 1896, son of Nationalist MP Sir Thomas Esmonde, and direct descendent of Henry Grattan. A supporter of Sinn Fein, he acted as Dail emissary to the United States and Canada and represented the Provisional Government in Spain. A supporter of the Treaty he returned to Dublin and the post of Assistant Secretary at the Department for External Affairs. He acted as a delegate to the League of Nations in 1923.

In 1923 he entered electoral politics and was the only Cumann na nGaedheal candidate returned for the five-seater Wexford constituency. Like O Maille he sympathised with the National Group but did not resign his Dail seat, and in December 1925 he joined O Maille again as one of four Cumann na nGaedheal TDs who opposed the Boundary Agreement.

Esmonde did not stand in the general election of June 1927 but he had repaired

his breach with Cumann na nGaedheal in time to stand in the September 1927. Again he was the only Cumann na nGaedheal candidate returned to the Dail from Wexford. In 1932 Esmonde led home a Cumann na nGaedheal running mate, a feat repeated in 1933.

Sir Osmond Thomas Esmonde died in 1936 and while his seat was gained by Fianna Fail in the subsequent by election the family dynasty was restored by his cousin Sir John Lymbrick Esmonde who regained the seat for Fine Gael in 1937. He held the seat until 1951, with the exception of the years 1944-1948, when it was taken over by Osmond's brother, Sir Anthony Esmonde, who held it until his retirement from the Dail in 1973.

The Esmonde family are an ideal-type example of the former Parliamentary Party political tradition synthesising within Cumann na nGaedheal/Fine Gael, despite Sir Osmond's differences with the Executive Council over the Army Crisis and the Boundary Commission.

Leading Members of the Cumann na nGaedheal Executive which issued the 'October Manifesto', criticising government policy, in October 1924 <sup>(9)</sup>

MRS. J. WYSE POWER

An Executive member of the Ladies Land League, a member of the Gaelic League since its inception, a member of Sinn Fein since 1905 and the party's Honourary Treasurer for many years. In 1917 Mrs. Wyse Power became the Honourary Treasurer of the Prisoners' Dependents Fund, a role in which she must have come into close contact with Collins who worked for the organisation as its full-time Secretary.

She was the first President of Cumann na mBan and remained an active member of the organisation until January 1922 when it voted decisively to oppose the

Treaty. She was a member of Dublin Corporation and was appointed to the Senate. As a member of the Cumann na nGaedheal Executive she supported the 'October Manifesto' of October 1924. In December 1925 she opposed the Boundary Agreement Bill in the Senate.

#### DENIS McCULLOUGH

Born in the Divis Street area of Nationalist West Belfast, Denis McCullough joined the IRB in 1901 and aligned himself with its younger and more militant element associated with MacDiarmada and Clarke. He joined the Supreme Council of the Organisation in 1906 and by the time of the Easter Rising in 1916 he was President of the IRB. He attempted to lead a detachment of Belfast Volunteers to re-enforce the Dublin garrisons but was arrested and interned at Frongoch along with Collins. Arrested again at the time of the 'German Plot' round up in the spring of 1918, he unsuccessfully contested Tyrone South for Sinn Fein in the general election of November of that year. He failed again when attempting to win in West Belfast in 1921, the Nationalist electorate preferring Joe Devlin to Sinn Fein.

As a recent past-President of the IRB, a leading IRB figure in the North and Frongoch 'graduate' he was close to Collins. A supporter of the Treaty, McCullough entered twenty-six county politics and won a by election for Cumann na nGaedheal in Donegal in November 1924, despite the fact that only the previous month he had been a member of the party Executive that issued the 'October Manifesto'. He spent less than three years in the Dail, and during that time he abstained on the Boundary Agreement Bill in December 1925. He did not seek re-election to the Dail in June 1927 and retired from active politics.

#### PEADER S. DOYLE

Fought in the Easter Rising of 1916 and interned in Frongoch along with Collins.



A supporter of the Treaty, Doyle was elected as a Cumann na nGaedheal TD from Dublin South in 1923, and was returned at all elections to 1957. He was a member of the Cumann na nGaedheal Executive which issued the critical 'October Manifesto' in 1924. In the 1930s he became Cumann na nGaedheal's chief whip in the Dail and he served as Lord Mayor of Dublin between 1941 and 43 and between 1945 and 1946.

#### WILLIAM SEARS

Elected under the Sinn Fein banner in South Mayo in November 1918. In January 1919 he was arrested for inciting the use of physical force against members of the Crown forces. He was carried as a hostage, or 'human shield', in military lorries during British operations in the Cork area.

A supporter of the Treaty, he was a member of the Cumann na nGaedheal Executive that issued the critical 'October Manifesto' in 1924. He was first elected to the Dail in 1921 and continuously represented the southern end of County Mayo until his defeat in June 1927. He served in the Senate from 1928 until his death.

A journalist by profession, he was founder of the Enniscorthy Echo.

#### BATT O'CONNOR

Born County Kerry, O'Connor spent five years in America developing his builder's skills before returning to Ireland. He was sworn into the IRB in 1909 and was arrested following the 1916 Easter Rising and was interned with Collins in Frongoch. During the war of Independence Collins called on O'Connor to use his skills to adapt safe houses, adding secret compartments, hiding places and escape routes, and the two men became close friends.

O'Connor was first elected to the Dail at a by election in 1924 and held his seat until his death in 1935. He was a member of the Cumann na nGaedheal Executive which issued the critical 'October Manifesto' in 1924. In 1929 his 'With Michael Collins in the Fight for Irish Independence' was published.

RICHARD MULCAHY (see above)

SEAN O'MURTHUILE (see above)

Leading figures among the seventeen Cumann na nGaedheal TDs objecting to President Cosgrave's appointment of Patrick Hughes as Minister for Defence in November 1924 <sup>(11)</sup>

" Hughes has not the necessary education."<sup>(12)</sup>

LOUIS JOSEPH DALTON (Tipperary)

Elected as a Cumann na nGaedheal TD from Tipperary in 1923. Opposed the appointment of Hughes in November 1924, and in December 1925 he was one of two Cumann na nGaedheal TDs who abstained on the Treaty (Confirmation of Amending Agreement) Bill.

CHRISTOPHER MICHAEL (C.M.) BYRNE (Wicklow)

Elected unopposed to the Dail for Kildare-Wicklow as a Sinn Fein candidate in 1921 he topped the poll as a Pro-Treaty Sinn Fein candidate in the 'Pact Election' of June 1922. In 1923 he topped the poll in the three-seater constituency of Wicklow.

His discontent with government policy first surfaced in late November 1924 when he was one of the seventeen Cumann na nGaedheal TDs who opposed Patrick Hughes' appointment as Minister for Defence. He was one of the four Cumann na nGaedheal TDs who voted against the Treaty (Confirmation of Amending Agreement) Bill in December 1925. He split with Cumann na nGaedheal over the Boundary question and joined Clann Eireann, serving as a member of its national committee. In June 1927 he made an unsuccessful but respectable showing as an independent candidate in Wicklow, a challenge he repeated in September 1927 and 1932.

Like O Maille, Gibbons and others, Byrne joined Fianna Fail and stood unsuccessfully under that banner in Wicklow in 1937. He returned briefly to the Dail in 1943 as a Fianna Fail TD for Wicklow, losing again in 1944. His final electoral challenge was in 1948 when once again he lost narrowly.

#### DICK O'CONNELL (Limerick)

Born Caherconlish, County Limerick, he was the noted Commandant of the Mid Limerick Flying Column during the war of Independence, valued by Collins.

A supporter of the Treaty, he entered the Dail as a successful Cumann na nGaedheal candidate elected at a by election in May 1924. Within months he came into conflict with the policy of the Executive Council, expressing his opposition to Cosgrave's nomination of Hughes in November 1924. He held his seat in June and September 1927 but lost it in 1932 and failed to regain it in 1933.

#### MARGARET COLLINS O'DRISCOLL (Dublin North)

The eldest sister of Michael Collins, school teacher by profession. First elected to the Dail as a Cumann na nGaedheal TD for Dublin North in 1923. In November 1924 she opposed Cosgrave's nomination of Patrick Hughes as Minister for

Defence. Her statement at a Cumann na nGaedheal parliamentary party meeting that Hughes lacked "the necessary education" was interpreted as meaning that responsibility for the army was only safe in the hands of those who had served alongside her brother.

While internally critical of the drift of elements of Executive Council policy, she remained publicly loyal to the Party. In 1926 she was elected as Vice President of Cumann na nGaedheal, and she successfully defended her Dail seat in June and September 1927, and in 1932. She was defeated in 1933 and made no further attempt to re-enter active politics.

#### CORNELIUS CONNOLLY (Cork West)

Commandant of the Skibbereen Battalion of the West Cork Brigade of the IRA during the War of Independence, i.e. one of the leading militants in Collins' home district. Escaped from Strangeways Jail in Manchester and distinguished himself in the Rosscarbery action of March 1921 and the Union Hall action of May 1921.

Pro-Treaty he was first elected to the Dail as a Cumann na nGaedheal TD in 1923. As a War of Independence veteran, he questioned Hughes' suitability for the job of Minister for Defence in November 1924. He did not seek re-election in June 1927.

#### MARTIN MICHAEL NALLY (Mayo South)

Born Balla, County Mayo in 1882. Farmer and a member of Mayo County Council from 1918. Presided as a District Judge in Republican Courts from 1919 to 1921.

Pro-Treaty, he was elected as Cumann na nGaedheal TD for Mayo South in 1923, and at all subsequent elections until 1943. In November 1924 he opposed

Hughes appointment as Minister for Defence.

RICHARD MULCAHY (see above)

Cumann na nGaedheal members of the Oireachtas abstaining or opposing the Treaty (Confirmation of Amending Agreement) Bill in December 1925 <sup>(13)</sup>

" I supported the Treaty on the same basis as Michael Collins, that it gave us the freedom to achieve freedom...While the Treaty recognised essential Irish Unity, the new proposed settlement offers definite and permanent partition."<sup>(14)</sup>

**Abstaining in the Dail:**

LOUIS JOSEPH DALTON (see above)

DENIS McCULLOUGH (see above)

**Voting against in the Dail:**

PROFESSOR WILLIAM MAGENNIS (National University)

Born Belfast 1869. Educated at Belvedere College and University College Dublin. Elected as a Pro-Treaty Sinn Fein candidate for the National University in the 'Pact Election' of June 1922 and as a Cumann na nGaedheal candidate in 1923.

Broke with the Executive Council over the Boundary Agreement which he opposed in the Dail in December 1925. Formed Clann Eireann in January 1926, became Chair of its national committee and stood unsuccessfully as a Clann Eireann candidate in National University constituency in June 1927.

Following the collapse of Clann Eireann in 1927, Magennis, like O Maille, Gibbons and C.M. Byrne, joined Fianna Fail. He was nominated to the Senate by De Valera in 1938 and served there until his death in 1946.

C.M. BYRNE (see above)

PADRAIC O MAILLE (see above)

SIR OSMOND ESMONDE (see above)

**Voting against in the Senate:**

COLONEL MAURICE MOORE

Born Moore Hall, County Mayo in 1854. Trained at Sandhurst and commissioned in the Connaught Rangers in 1875. Served in South Africa and distinguished himself in the Boer War. Settled in Ireland and supported the Irish Parliamentary Party. His father George Henry Moore had been a prominent figure in the forerunner Independent Irish Party. He joined the Gaelic League and became an instructor to the Irish Volunteers, holding the office of Inspector General.

Served as Dail envoy to South Africa and France. Pro-Treaty, his family home was destroyed during the Civil War. Cosgrave appointed him to the Senate in December 1922, but Moore broke with the Executive Council and Cumann na nGaedheal over the Boundary Agreement which he voted against in December 1925. He briefly joined Clann Eireann, serving as Vice Chair on its national committee.

It was at a meeting, involving De Valera, Sean Lemass, Sean T. O'Kelly, Sean MacEntee, James Ryan and Gerry Boland, held in Moore's Donnybrook home in March 1926, that the decision was taken to form Fianna Fail. Moore joined the new party and was appointed to the Senate by De Valera.

## THOMAS TOAL

Member of Monaghan County Council for 40 years. Served on the Irish Convention from July 1917 to April 1918. A politician with massive administrative experience, and an expert on roads and transport systems, he was appointed by Cosgrave to the Senate. In December 1925 he opposed the Treaty (Confirmation of Amending Agreement) Bill.

MRS. WYSE POWER (see above)

Leading members of Clann Eireann <sup>(15)</sup>

- \* Ending of Partition
- \* Abolition of the Oath of Allegiance
- \* Financial Reform
- \* Reconstruction of the Departments of State
- \* Promotion of the National Culture<sup>(16)</sup>

## DR. PATRICK McCARTAN

Born Carrickmore, County Tyrone (dates differ). Emigrated to the United States in 1905 where he joined Clan na Gael and became a close associate of Joseph McGarrity. returned to Ireland and qualified as a doctor. Involved with the younger, militant wing of the IRB associated with MacDiarmada, McCullough and Clarke.

Assisted in the re-organisation of the Volunteers following the Easter Rising, and in July 1917 he returned to the United States to lobby on behalf of the IRB. While still in America, he was defeated in the South Armagh by election in February 1918 but was elected unopposed for the then King's County in November 1918. He remained in America to assist De Valera in his lobbying and fundraising work. He supported the Treaty with great reservations and he lost his seat in Laois-Offaly standing as a Pro-Treaty Sinn Fein candidate in the 'Pact Election' of June 1922. He returned to medical practice but joined the short-lived

Clann Eireann, serving as Vice Chair on its national committee.

He ran as an independent candidate for President in 1945. He joined Clann na Poblachta in the late 1940s and unsuccessfully contested several Dail elections under that banner. He died in 1962/66 (dates differ).

#### HENRY ALOYSIUS McDEVITT

Born Derry 1904. Trained as a barrister at the King's Inns, Dublin. A member of the Clann Eireann national committee, he was one of those who joined Fianna Fail when Clann Eireann folded. He was a Fianna Fail TD for Donegal East from 1938 to 1943.

#### MRS. LILLIE O'SHEA-LEAMY

Member of the Clann Eireann national committee and the party's candidate in Dublin North in the election of June 1927. Unlike many of her colleagues on the national committee she returned to the Cumann na nGaedheal camp following the demise of Clann Eireann. She unsuccessfully contested Dublin North East as a Fine Gael candidate in 1954.

#### EAMONN HORAN

Local commander of Pro-Treaty IRA in Kerry, he and his men linked up with the National Army advance from Cork. Disillusioned by the outcome of the Boundary Commission exercise, he joined Clann Eireann and stood as the party's candidate in Kerry in the June 1927 general election.

#### FLORENCE 'FLORRIE' O'DONOGHUE

Born in Cork in 1894. Active in War of Independence as Adjutant and



Intelligence Officer of the Cork No.1 Brigade. Formed the Brigade's Flying Column and planned many attacks and ambushes. In April 1921 he became Adjutant to the 1st Southern Division, and a member of the IRB Supreme council. He tried to remain neutral during the Civil War and was one of the last people to talk to Collins on the evening of 21 August 1921.

In early 1926 he joined Clann Eireann's national committee. Following the collapse of Clann Eireann he sided with Fianna Fail.

He rose to a senior intelligence post with the army during the emergency, and retired with the rank of Major in 1945. In later life he wrote and commented on the events of the War of Independence and the Civil War. He died in 1967.

PROFESSOR WILLIAM MAGENNIS (see above)

COLONEL MAURICE MOORE (see above)

PADRAIC O MAILLE (see above)

SEAN GIBBONS (see above)

C.M. BYRNE (see above)

Appendix 1. Notes and References

- 1) The main biographical sources used to compile this appendix were:

Browne, Vincent and Farrell, Michael (editors)	<i>The Magill Book of Irish Politics</i> , Magill, Dublin, 1981
Cumann na nGaedheal	<i>Who's Who in the Seanad Election of 1925</i> , Cumann na Gaedheal, Dublin 1925.
Flynn, W.J.	<i>Free State Parliamentary Companion for 1932</i> , Talbot Press, Dublin, 1932
Hickey, D.J. and Doherty, J.E. (eds.)	<i>A Dictionary of Irish History 1800-1980</i> , Gill & Macmillan, Dublin, 1988.
O'Farrell, Padraic	<i>Who's Who in the Irish War of Independence and Civil War 1916-1923</i> , Lilliput Press, Dublin, 1997 edition.
Walker, Brian M.	<i>Parliamentary Election Results in Ireland 1922-1992</i> , Royal Irish Academy, Dublin, 1992.

- 2) See Chapter 3.
- 3) Statement read by Major General Liam Tobin at the meeting held in President Cosgrave's office on 25 June 1923, Mulcahy papers P7/B/195, UCD.
- 4) See Chapter 3.
- 5) Sean O'Murthuile's statement to the Army Inquiry Committee, Mulcahy papers P7/c/13, UCD.
- 6) Unpublished history of the Irish Republican Brotherhood by Sean O'Murthuile, Mulcahy papers P7a/209, UCD.
- 7) See Chapter 3.
- 8) Statement from the National Group printed the *Freeman's Journal* on 30 October 1924.
- 9) See Chapter 7.

- 10) Extract from 'Statement of the Views of the Coiste Gnotha relative to the political aspects of the present situation' issued 10 October 1924. Cumann na nGaedheal papers P35/Min/1, UCD.
- 11) See Chapter 7.
- 12) Note of a meeting of the Cumann na nGaedheal Parliamentary Party held to discuss the President's nomination for Minister for Defence. Mulcahy papers P7/c/99/54-56, UCD.
- 13) See Chapter 4.
- 14) Padraic O Maille speaking in the Dail on 8 December 1925. Dail Eireann Parliamentary Debate Official Record, Vol.13, Cols.1607/1608.
- 15) See Chapter 4.
- 16) Founding programme of Clann Eireann. Published in the *Irish Times*, 26 January 1926, p.6.

**Appendix II**  
**The Historian as Jury**

As the final appendix to his 1932 history of the Jacobite Movement, Sir Charles Petrie adds an article originally published in the 'Weekly Westminster' of 30 January 1926. In 'If. A Jacobite Fantasy', Petrie speculates on another great 'what if' in British and Irish history. What would have happened if Prince Charles Edward Stuart had over-ruled his Council of War in Derby on 5 December 1745, and pushed on towards London?<sup>(1)</sup> Interestingly, Petrie predicts that while a Stuart restoration might have prevented revolt in the American Colonies, it would not have prevented strife in Ireland. Petrie claims that;

"history has proved that unhappy country to be irreconcilable whatever form of government may exist in London."<sup>(2)</sup>

Closer to the concerns of this study, Michael Laffan stands back from the conclusion of his 'The Partition of Ireland 1911-1925' to consider the course of Irish history if World War I had not intervened and home rule had gone ahead, a consideration he describes as "one of the most tantalising what might have beens of Irish history."<sup>(3)</sup>

In his important work on the Irish Civil War, Michael Hopkinson devotes half a dozen pages to considering how events after August 1922 might have turned out differently if Collins had survived.<sup>(4)</sup>

Based on the research undertaken for this thesis, I have formulated some conclusions of my own, and in this appendix, acting as jury, I pass my own verdict on how a surviving Michael Collins might have affected affairs.

As I state in the main body of the thesis, I find it difficult to come to a view as to whether or not Collins would have opposed the executions and reprisals policy. In discussion with Tim Pat Coogan, he speculated that Collins might have been driven to support such a policy by the murder of Sean Hales.<sup>(5)</sup> The attack on Hales, however, was launched in retaliation to the adoption of the policy thus

presenting us with the classic "chicken and egg" dilemma. On reflection I am uncomfortable with any verdict other than not proven. <sup>(6)</sup>

I believe that the evidence assembled in Chapter 3 supports a more conclusive assessment as to how a professional peace-time Irish Army, and civilian police force, would have developed under Collins direction and influence. I believe that the evidence suggests that he would have used his rapport and authority with the officers who coalesced in the IRA Organisation to face down their complaints.<sup>(7)</sup>

The future of the border, had Collins lived, is another tantalising 'what if' of Irish history. From the extensive evidence I have set out in Chapter 4, I believe that we can draw a number of conclusions.<sup>(8)</sup> Had he survived Beal na mBlath, Collins would, I believe, have pursued a more active policy towards the North, and towards the work of the Boundary Commission in particular. With Collins on the scene, there is no conceivable way that the Free State commissioner, probably Collins himself, would have played such a passive role nor become so detached from his ministerial colleagues. As one of the key negotiators of the Treaty settlement, of which the Boundary Commission was a central element, Collins would, in all probability, have exercised a degree of authority which none of the surviving leaders of the Pro-Treaty party could equal. Whether Collins' energy and greater authority would have produced a different territorial settlement, and what that would have meant for the long term viability of what remained of Northern Ireland, must remain in the realms of speculation.

In the area of the developing imperial connection I believe it is possible to draw definite conclusions, and to argue with confidence that Collins' successors followed his policy and achieved his objectives. The extent to which the aspirations contained in Collins' November 1921 memorandum had been realised by the time of the ratification of the Statute of Westminster in 1931, demonstrates the distance that Desmond FitzGerald, Kevin O'Higgins and Patrick McGilligan had travelled in the direction mapped by Collins. It is also my view, however, that the P.R. conscious Collins would have sold such victories harder to

the domestic Irish audience to reap political advantage.

On coming to power in 1932, De Valera attempted to don Collins' mantle in moving to abolish the Oath. Clearly a case can be made for the claim that De Valera and Fianna Fail were being true to the Collins legacy in taking advantage of the changes that had been won post 1922 to dismantle those aspects of the Treaty settlement that the Irish had been reluctant to accept. There is, however, a persuasive counter argument. Given that I have argued that Collins' greatest concern was the unity of Ireland, I believe it is highly likely that he would have considered the likely impact of the unilateral abolition of the Oath on north/south relations.

In the main body of the thesis I have cited several examples of Collins making use of the talents and contacts of people whose backgrounds would not immediately suggest sympathy with the national cause. I regard it as reasonable to suggest that Collins would not have been concerned at former Parliamentary Party people and former Unionists joining the ranks of Cumann na nGaedheal and later Fine Gael.

In making one's way to the opposite river bank, via stepping stones, it can often be necessary to take a sideways step, or even a step back, to reach the ultimate goal. With the unity of the country as his primary concern, Collins may well have regarded the abolition of the Oath, and the synthesising of different strands within in Cumann na nGaedheal, in that light.

In both Chapters 6 and 7, I acknowledge the view that if Collins had survived he would have developed into a 'celtic duce' at the head of an Irish fascist movement. As I have already argued in the main body of the text, I believe that too much can be read into Batt O'Connor's report that Collins had identified Eoin O'Duffy as a worthy successor. Collins' recognition of O'Duffy's courage and fighting qualities dates from 1921, and tells us nothing about how he would have viewed O'Duffy's fling with fascism more than ten years later.<sup>(9)</sup> The same

is true of what Collins said and wrote about the superiority of Gaelic culture in the context of the Treaty debates.<sup>(10)</sup> Collins' vision for the army and police, and his development as a democratic politician suggest that he would have been reluctant to embrace the trappings of fascism. In all likelihood, the force of his personal charisma would have rendered it unnecessary.



Appendix II. Notes and References

- 1) Sir Charles Petrie, *The Jacobite Movement*, Eyre and Spottiswoode, London, (1932), pp.300-304.
- 2) *ibid*, p.303.
- 3) Michael Laffan and the Dublin Historical Association, *The Partition of Ireland 1911-1925*, Dundalgan Press, Dundalk, (1983), pp.48&48.
- 4) Michael Hopkinson, *Green Against Green: The Irish Civil War*, Gill & Macmillan, Dublin, (1988), pp.178&179, p.224 and pp.248&249.
- 5) Tim Pat Coogan in discussion with the author September 1996.
- 6) See Chapter 6, *Assessment: The Impact of Collins' death on the conduct of the Civil War*.
- 7) See Chapter 3.
- 8) See Chapter 4.
- 9) See Chapter 7, *The Blueshirt Episode*.
- 10) *ibid*.

**Appendix III**  
**John McPeak, a Question of Motive and Opportunity?**

Far removed from the rural setting of Collins' West Cork, John McPeak was born into the urban tenement world that was Glasgow's East End in the closing years of the nineteenth century. He was born on 15 December 1896 at 1362 London Road.<sup>(1)</sup> Both of his parents, John, described on his birth certificate as an engineers's painter, and his mother Mary (nee Logue), were Irish born, from Tyrone. It was a large and diffuse family with relations in Belfast, Cork and Stirling, as well as Glasgow and their native Tyrone. The name is pronounced 'McPake', and different branches of the family varied the spelling between McPeak, McPeake and McPake.<sup>(2)</sup>

In 1915 John McPeak followed thousands of other Scottish teenagers into the ranks of the British army. He joined the Argyll and Sutherland Highlanders in 1915, transferring to the Machine Gun Corps on its formation one year later. The basic qualification for machine gunners was physical sturdiness, to carry the heavy equipment. Although McPeak was only five foot four, he had worked in casual labouring jobs prior to enlisting and appears to have been brawny for his size.<sup>(3)</sup> McPeak was wounded during the Battle of the Somme, and following his recovery, he served out his time in Palestine. He was demobbed and returned to Glasgow in July 1919.

Back in Glasgow he became involved with Irish politics as a Sinn Fein activist. It is also probable that he was sworn into the IRB.<sup>(4)</sup> His support activities in Scotland culminated on 23 December 1921, when police raided the hall of Fullerton Catholic Church, Tollcross, Glasgow and discovered thirteen men packing arms and ammunition into cases. There were 15 rifles, a number of revolvers and bombs, 2,000 detonators, 4,000 rounds of ammunition and gelignite. McPeak was among those arrested and held at Barlinnie until 12 February 1922 when he was released as under a general amnesty.<sup>(5)</sup> Interestingly, McPeak's subsequent account those events varied from the verifiable facts. In an interview McPeak granted to the 'Irish Independent' in 1971 he maintained that he was arrested in a raid in October 1921, and that he was released following the

signing of the Anglo-Irish Treaty on 6 December 1921.<sup>(6)</sup> The interview was the result of renewed interest in the circumstances surrounding Collins' death following the publication of Margery Forester's 'Michael Collins - The Lost Leader'. The interview was given dramatic treatment by the 'Irish Independent' and was serialised over four days. The 'details' revealed in the interview have come to be regarded as the definitive account of McPeak's story, and have been accepted without question by writers looking at his involvement in the events leading to Collins' death. On the question of the Tollcross arrest, the contemporary newspaper accounts are quite clear that McPeak was among those arrested in late December, as opposed to October 1921. It may well be that the inconsistency between his chronology of events and the facts could be accounted for by the failing memory of a man who was in his 70s by the time of the 'Irish Independent' interview. The fact that the discrepancy in the dates straddles the signing of the Treaty, however, could be of significance.

Who were the arms and ammunition being packed on the evening of 23 December 1921 intended for? It would be too simplistic to suggest that because the raid took place almost three weeks following the signing of the Treaty, that the arms were intended for the Anti-Treaty Irregulars. The arms procurement efforts of the Volunteer GHQ, which contained a Pro-Treaty majority, did not end neatly on 6 December 1921. We know that Collins continued to encourage procurement during the Truce, in case the negotiations collapsed, and all out war resumed. We also now know that Collins continued to seek arms for Northern units of the IRA into the spring of 1922. It is also the case that the earliest splits in the ranks of the IRA, in the terms of local units withdrawing their allegiance from the Volunteer GHQ, did not occur until February 1922. Nevertheless, the Glasgow Sinn Feiners who assembled in the Tollcross church hall on 23 December would be very much aware of the arguments for and against the Treaty. With the virulently Anti-Treaty Liam Mellows in charge of procurement, it is possible that the arms consignment being assembled that evening might ultimately have seen action against the Army of an independent Irish government had they not been confiscated by the Glasgow Police.

Later I will discuss the available evidence suggesting that McPeak was really an Anti-Treatyite, who by design or accident found himself as part of the convoy guarding Michael Collins. If there is any truth in this suggestion, it is possible that McPeak sought to avoid questions about his genuine sympathies by dating his activities as falling within the period prior to the Treaty divisions.

Four months after being released from Barlinnie, McPeak enlisted in the Army being raised by the Irish Provisional Government in June 1922. By the time he arrived in Ireland the cold-war over the Treaty was over and the Civil War was blazing. McPeak's later claims that he travelled to Ireland unaware of the Pro and Anti Treaty differences is simply not credible.<sup>(7)</sup> McPeak spent six weeks at training camp at the Curragh. Given the Provisional Government's shortage of troops it is surprising a veteran of the Somme, a trained machine gunner, spent six weeks at the Curragh when he could have been put to good use in the battles for Dublin and Cork. Irish Army records suggest that Scottish recruits to the Army during June 1922 were regarded as part of a "Scottish Unit", and it may have been standard procedure that all those recruited from Scotland were processed in the same manner, regardless of their previous military experience.<sup>(8)</sup>

It was on 18 August 1922 that McPeak was transferred from the Curragh to Portobello Barracks (now Cathal Brugha Barracks) in Dublin, and it was there in the early hours of the morning of 20th August that he was awakened and informed that he would be joining the convoy accompanying Commander-in-Chief Michael Collins on his resumed tour of inspection of the south west. This is obviously an important detail in McPeak's version of events. If he did learn about his assignment in the manner he maintained then it is highly unlikely that he could have been part of an organised conspiracy against Collins. The appointment of personnel to the convoy seems to have been unbelievably casual. There were several changes due, McPeak suggested, to the regular members failing to return in time from weekend passes. There appears to have been no screening of the men involved and no less than four former members of the British army were included. McPeak was also surprised to discover that, contrary

to accepted practice, there was no second machine gunner to assist in the operation of the machine gun, particularly in feeding ammunition belts. Instead McPeak was told to manage with the assistance of a Lieutenant Gough who had no experience in machine gun operation. McPeak would always maintain that this lack of trained assistance led to the jamming of the machine gun during the Collins ambush. It seems an almost negligent manner in which to treat the safety of a Commander-in-Chief embarking on a mission which would take him through territory where the enemy were still strong and ambushes frequent. It may have been a desire to cover up this neglect, rather than any darker motivation, that led Collins' successors to steer clear of official inquiries.

Michael Collins set out from Dublin against the advice of his closest comrades. There were concerns about his health, he was suffering from flu and from what appears to have been the beginnings of an ulcer. There was also concern that he was heading for that part of Ireland where the enemy was strongest. On the other hand Collins wanted to boost the morale of National forces in the area, and to congratulate them on their seaborne landing and victory in the battle for Cork. He was also keen to see his boyhood haunts and family. In Chapter 2 I set out the available evidence to suggest that Collins met with neutral figures in an attempt to broker an ending of hostilities. He may have had more meetings if the loyal Frank Thornton had not been ambushed.<sup>(9)</sup> The Collins' convoy reached Cork City on the first night and used it as a base from which they set out on the two subsequent days. On the morning of the second day, 22 August 1922, Collins left Cork at 6.15am to visit Macroom, Bandon, Clonakilty, Skibbereen, and smaller settlements en route. The Collins' convoy was commanded by Commandant Sean O'Connell and consisted of a motor cycle scout on point, followed by a Crossley tender carrying twelve troops, Collins' open touring car containing himself, Major General Emmet Dalton, the Free State commander in Cork, and two others. Finally there was the Rolls Royce Whippet armoured car Slieve na mBan, literally 'Valley of the Women' after a Tipperary beauty spot and popular ballad, crewed by McPeak, Gough and two others.

On the way to Bandon the convoy sought directions from a man standing by the road at the hamlet of Beal na mBlath. The helpful bystander was none other than Denny 'the Dane' Long, an Irregular lookout, watching over a meeting of local Irregular officers in a nearby pub. Two days earlier on 20 August, the Irregular high command had met in Ballyvourney and several key figures, including De Valera, were still within the general area. The proximity of so many leading Anti-Treatyites has sustained the conspiracy theories surrounding Collins' death. The Irregulars had known that Collins was "in his own country", but they now had a fix on his exact whereabouts.

The Irregulars decided to set an ambush at Beal na mBlath in case the convoy returned by the same route. This should have had a remote chance of success as military orthodoxy dictates that while in hostile territory never return by the outward route. Returning via Beal na mBlath is another of the strange factors which has continued to prompt questions about Collins' death. It was eleven hours later when the convoy returned to Beal na mBlath on the way back to Cork. In between times Collins had called at Sam's Cross and met with relatives. There, and in other villages en route, it is alleged that Collins had stood drinks for his escort and local people. There is a story that in Rosscarberry McPeak caused an incident when he attempted to help himself to a bottle of whiskey from the shelf in Callinan's Pub.<sup>(10)</sup> Suggestions that Collins and his men may have been the worse for drink could be yet another reason as to why the authorities avoided an inquiry.

By the time the convoy returned to Beal na mBlath most of the waiting Irregulars had adjourned to the local pub. The remaining half dozen or so gunmen, under the command of Collins' old friend Tom Hales, were preparing to remove the cart acting as a roadblock when the convoy was spotted. Realising that they had come under fire, Dalton ordered the driver of Collins' car to "drive like hell!" Collins countermanded the order and leapt from his touring car to take cover behind the armoured car. The Vickers machine gun on Slieve na mBan should have easily outgunned the ambushers, but it soon started to jam and

McPeak could only get off a few single shots in the remainder of the engagement. McPeak blamed the inexperience of his ammunition belt 'feeder' Gough for the jam, but the failure of the gun was another factor that pointed the finger of suspicion at John McPeak. The ambush party was soon reinforced by the men from the pub and by other, unrelated groups of Irregulars who were in the area and had heard the shooting.<sup>(11)</sup>

Some fifty minutes into the skirmish, the ambushers began to withdraw. It appears that Collins broke from the cover of the armoured car to get a better shot at the retreating Irregulars. Survivors reported hearing a cry of "Emmet" before turning to see their Commander-in-Chief lying prone on the road with a gaping wound behind his right ear. Dalton and O'Connell rushed to Collins' side, and the latter held his leader's hand as he whispered an Act of Contrition. O'Connell always maintained that his prayer was acknowledged by a slight pressure of the hand. Michael Collins was dead.

The convoy made a desultory return to Cork. Irregular disruption of roads forced the convoy to negotiate open fields and rough terrain, and there are stories of the dead leader's body being manhandled while brain matter spilled out over distraught comrades. There was also an initially unpleasant incident with a local priest when, among the confusion, some of the convoy personnel mistakenly thought that the cleric was refusing to administer the Last Rites. Dalton had been Collins' bodyguard during the Treaty negotiations in London, and he cradled the dead body on the dreadful journey back to Cork. As the senior officer in the convoy, next to Collins, with a record of service in the British army, Dalton suffered accusation and innuendo over his role in the affair. McPeak was among the troops who escorted Collins' body back, by sea, from Cork to Dublin, and then returned to West Cork to resume his duties as the gunner of Slieve na mBan.

As the massive crowds that attended Collins funeral returned to the four corners of Ireland, rumour and speculation began to grow over the circumstances of his



death. Although Irregular 'Chief of Staff' Liam Lynch accepted responsibility', local IRA men, including those who had formed the ambush party, denied that one of their number had fired the fatal shot.<sup>(12)</sup> Their reticence to own up to the deed may be explained by their desire to avoid reprisals, and by a local sensitivity knowing that they would have to continue living in West Cork alongside the Collins clan and its related septs, and the ability to co-exist in the future would be endangered by triumphalising over the demise of Collins. The debate over whether or not the fatal bullet came from the ambushers, or from within the convoy, could have been settled immediately by an inquiry and autopsy. Sean Hales, the Pro-Treaty brother of the ambush party commander, was furious that the Provisional Government forbade any such investigation. His protestations were cut short, however, when he himself was gunned down and killed by the Irregulars. The actions of the Provisional Government, along with the fact that they are known to have destroyed documents on the ambush, fuelled suspicion that they had something to hide. It should be noted that prior to Collins' death the Provisional Government had decided to desist with autopsies on members of the Pro-Treaty forces killed in action. Such was the brutality of the Civil War struggle, that the ever increasing pile of bodies did not allow time for such investigation.<sup>(13)</sup> Given the circumstances in which the Commander-in-Chief died, surely there could have been an exception. The late John Feehan made an in-depth study into the events at Beal na mBlath on 22 August 1922, and however different historians regard some of his conclusions, I can only agree with him when he argues that the failure to carry out adequate investigation is the source of a conspiracy theory industry.<sup>(14)</sup>

If there had been some murmuring about McPeak's difficulties with his machine gun at Beal na mBlath, and his British army past, subsequent events turned the spotlight of suspicion on him. There was a repeat of the Vickers machine gun jam in a skirmish in which Tom Ennis was wounded. Ennis had been Commandant of the 2nd Dublin Brigade during the War of Independence, and as General Ennis he led the victorious Pro-Treaty forces into Cork.<sup>(15)</sup> It was his desertion from the National army on 2 December 1923, however, that led to

suggestions that McPeak had been in league with the Irregulars all along.

According to McPeak he was appalled when he witnessed the summary execution of two Anti-Treaty Irregulars, others have claimed that he was more concerned about a whispering campaign suggesting that he was implicated in the Collins assassination. Whatever his primary concerns he expressed them to another Scottish resident of the Bandon area who had contacts among anti-Treatyite sympathisers. Using two young women as go betweens, apparently Jock ( as he was apparently universally known to his Irish comrades) enjoyed the company of colleens, local Irregular commanders Thadg Sullivan and Dan Holland agreed to assist McPeak in deserting and returning to Glasgow, but only if he brought Slieve na mBan with him. On the evening of 2 December McPeak, assisted by Billy Barry dressed in National Army uniform, drove off with the armoured car. Before making off with their prize, McPeak and Barry had to recover an air valve that was removed from Slieve na mBan's engine when it was not in action in order to disable it to guard against theft. As they drove out of the military compound they were spotted by a National Army officer who leapt on board Slieve na mBan. It is reputed that McPeak threatened to shoot him with a handgun unless he jumped off. Their escape was covered by other Irregulars who felled trees in their wake in order to block the route to any pursuers. From his desertion in December 1922 John McPeak was on the run in the hills of Cork and Kerry. For part of the time he stayed with other fugitives in the Kellaher Farm, and there at least he seems to have found companionship and kindness. In June 1923, by which time the Civil War was over, the Irregulars kept their bargain with McPeak. He was taken to Cork, posing as a member of a wedding party, and was smuggled on board a cattle boat bound for Glasgow.

Within days of returning to his native city, McPeak was picked up by the Glasgow police on 21 June 1921. During the five days that he was held in Glasgow his solicitor, Rosslyn Mitchell, was unable to establish the charges against him. It was more than a month later that a parliamentary question to the Solicitor General for Scotland, F.C. Thomson, elicited the fact that McPeak had

been charged with "intimidation".<sup>(16)</sup> On 26 June McPeak was handed over to an Irish escort and returned to Ireland to stand charges of stealing an armoured car. The circumstances surrounding McPeak's return to Ireland were to be a subject of political interest in the United Kingdom, and was ultimately to produce a moment of tension between the British and Irish Governments. So why was McPeak handed over, and who exactly was he handed over to?

McPeak was not extradited, there was no such thing as extradition between the United Kingdom and the Irish state until De Valera introduced his new constitution in 1937. Historically, warrants issued by an Irish court were endorsed and acted upon in Scotland in accordance with Section 14 of the Indictable Offences Act of 1848, and a series of other statutory provisions. Following the creation of the Free State in December 1922, these provisions were continued in force by Clause 8 of the Irish Free State (Consequential Adaptation of Enactments) Order, 1923.<sup>(17)</sup> Interestingly, this Order in Council received Royal Assent in March 1923, but it was three months later on 18 June, only three days prior to McPeak's arrest in Glasgow, that a briefing on the Order was circulated by the Scottish Office to Scottish Chief Constables.<sup>(18)</sup> Was that timing just coincidence, or were the Scottish authorities at the highest level aware of a deliberate intention to hold and return McPeak, and were they underlining the legal basis for that action? According to the Solicitor General for Scotland, the Scottish authorities only became aware of the Irish interest in McPeak once he was in custody in Glasgow, and because the charge of stealing an armoured car was more serious than the ubiquitous "intimidation" charge, it was agreed to endorse the Irish Warrant and hand over McPeak.<sup>(19)</sup> But to whom?

Almost all of the more recent Collins biographies, and studies into the events surrounding Beal na mBlath, accept that McPeak was escorted back to Ireland by two detectives, some adding the detail that they were from the Dublin Metropolitan Police. In discussion with Tim Pat Coogan he dismissed the mystery surrounding McPeak on the basis that no less an authority than Dave Neligan had assured him the Scot was nothing more than a mercenary caught up

in events. Coogan recalled that Neligan, a close friend of his father, had come to this conclusion having interrogated McPeak personally. This was the first time I had encountered the suggestion that the infamous Neligan, Collins' 'Spy in the Castle', and hardman of the Free State forces, had grilled McPeak. Coogan dug deeper into his memory and recalled a conversation in which Neligan had told him that he travelled to Glasgow in person in June 1923 to escort McPeak back to Ireland.<sup>(20)</sup> In June 1923 Colonel David Neligan was an officer serving in Army Chief of Staff's department, a short while later he would become Director of Intelligence.<sup>(21)</sup> If Coogan's recall is accurate, why would such a senior Army officer become so closely involved in the McPeak case? Was he investigating whether or not McPeak was part of a conspiracy, i.e. the death of Collins, or was he ensuring that McPeak remained silent on any details he had of the Collins affair?

Support for the contention that it was a military, as opposed to a police, escort that brought McPeak back, comes in Father Patrick J. Twohig's 'The Dark Secret of Beal na mBlath'. In the course of his research Twohig interviewed a Joe Curran of 'A' Company, Second Battalion Dublin Guards. Curran claims that one morning he was awakened at 5.00am to form a detachment which met an incoming ferry at the B&I Wharf at Dublin's North Wall from which embarked McPeak escorted by two men dressed in civilian clothes. According to Curran, McPeak was held by the military at Dublin's Richmond Barracks for a "full month" while they attempted to extract from him anything he knew about the circumstances in which Collins met his death.<sup>(22)</sup> The possibility that McPeak was brought back from Scotland by military escort, and held by them in Dublin, would explain why he did not appear before the District Court in Cork until 12 July, a full sixteen days after leaving Glasgow. Thankfully for John McPeak he was not completely alone. His brother, Frank McPeak, travelled to Dublin and engaged lawyers who demanded that the civil authorities present McPeak for trial. The attitude of the Irish military to Frank McPeak's intervention was demonstrated in the middle of the night of 9 July when they raided his lodgings, took him into custody and charged him with running guns to the Irregulars from

Scotland. Released due to a lack of evidence, Frank McPeak headed for the safety of Scotland. The efforts of the lawyers he engaged did result in his brother appearing before the civil authorities in Cork on 12 July.

If the Army had McPeak between 26 June and 12 July, they would appear to have believed that he had yet more to reveal, or alternatively they wanted to keep him quiet. From reading the McPeak file in the Irish Army Archives in Cathal Brugha Barracks, it is clear that, with the compliance of Adjutant General Gearoid O'Sullivan, military witnesses deliberately stayed away from the civil court proceedings in Cork, claiming a misunderstanding over the times at which they were to appear, so that the case against McPeak collapsed and they could re-arrest him immediately.<sup>(23)</sup> McPeak had pleaded guilty to the charge of stealing the armoured car, and his legal team went as far as stating that they would accept the sentence of the court, regardless of the procedural chaos created by the non-arrival of the military witnesses. Clearly McPeak feared for his future in the hands of the military men waiting at the foot of the steps to Cork District Court. By this time questions were being asked in the House of Commons, and McPeak's rearrest by the Irish military was causing concern in the Scottish Office. Acting on behalf of the Scottish Office, Lord Devonshire of the Colonial Office wrote to Irish Governor General, Tim Healy, to protest that McPeak was now in the custody of the Irish military, and that he might face charges other than those that appeared on the Warrant on which he had been returned to Ireland, i.e. theft of the armoured car, and that such a development could undermine the entire system by which Irish warrants were to be endorsed in Scotland. Healy responded claiming that the Army, frustrated at McPeak walking free due to a mix up over the times at which military witnesses were to appear to give evidence, arrested him "fearing the complete failure of the proceedings for which he was brought over". Healy assured the British that there was no question of any new charges, reported that McPeak had been returned to the custody of the civil authorities, and gave a guarantee that the arrangements governing the serving of Irish Warrants in Scotland would be adhered to in the future.<sup>(24)</sup> What new charges did the British authorities fear might be pressed by the Army

authorities? Could it have been desertion? McPeak deserted on 2 December 1922, four days before the Irish Free State came into being on 6 December.

Technically, McPeak deserted from the National Army raised by the Provisional Government. It was therefore a fine legal point whether or not he could be held to account by a court martial of the successor National Army of the Irish Free State? If the Army could not hold McPeak to account for desertion, perhaps the British were concerned that more sensational charges would be levelled?

Thanks to British concerns McPeak was back in the hands of the civil authorities in Cork charged with theft of Slieve na mBan, and on 2 November 1923, almost five months after he was returned from Glasgow under escort, he was sentenced to six years imprisonment. McPeak served his sentence in Portlaoise Prison, much of it in solitary confinement, supposedly for his own protection. Could it be that McPeak's association with the events at Beal na mBlath, made him a target of opportunist violence at the hands of 'blow hards' who wanted to brag that they had assaulted (or worse) 'the man who shot Michael Collins'? While in prison McPeak joined Republican prisoners in their hunger strike over a critical pastoral letter. Although he associated himself with the republican prisoners, the Free State Government refused to release McPeak as part of a general amnesty for political prisoners in 1926, and he served five years of his sentence before being released in August 1928. The reluctance to release McPeak was raised in the Dail by Fianna Fail in March 1928. Responding, Minister for Justice FitzGerald-Kenny argued that McPeak's theft of the armoured car was an act of treachery that directly endangered the lives of his former comrades, and in such circumstances he did not deserve early release.<sup>(25)</sup>

When he was eventually released McPeak returned to Glasgow as John Logan. I would suggest that his choice of assumed name was an adaptation of his mother's family name, Logue. He worked during the 1930s on hydro dam construction projects in the Highlands of Scotland and married a Shettleston girl, Pearl O'Neil. He left for London, fathered two children, John and Aileen, and found work as a crane driver. He was part of the construction team that worked

on the present Bank of England building. In 1974 John McPeak, survivor of the Somme and the Irish Civil War, died aged 78.<sup>(26)</sup>

In his biography of Collins, Tim Pat Coogan states that following Fianna Fail coming to power in 1932 McPeak was granted an Irish secret service pension, a factor that raised suspicion that he was being rewarded for 'services done'.<sup>(27)</sup> This detail has been challenged by James McKay in his 1996 Collins' biography.<sup>(28)</sup> McKay's source was McPeak's nephew, Joe McPeak, who McKay claimed had a file on his uncle's association with the Collins' affair. When Joe McPeak was subsequently interviewed for the 'Herald' feature on his uncle's connection with the Collins' story he denied the existence of any such file, and claimed that he was not qualified to say whether or not his uncle received a secret service pension. According to Joe McPeak, on the occasions he met his uncle they never discussed Collins' death, it was a taboo subject. Indeed it was Joe's views that his cousins, John McPeak's own children, were not even aware of their father's association with Collins. But Joe McPeak did inform us, however, that during a seven-year spell working in Dublin, he had met police officers who remarked; "So you're the nephew of the man who shot Michael Collins."<sup>(29)</sup>

Joe was not the only McPeak we spoke to while researching the 'Herald' feature. We were approached by another member of the family, related to John McPeak through his sister Elizabeth, who volunteered stories circulating in his branch of the family on the McPeak/Collins connection, on the strict condition that it would not be attributed and that his identity would remain confidential. Having confirmed the identity of the person we were dealing with, we received the fragments of information supposedly passed on at first hand to the father of our informant by the man the family knew as 'Uncle James'. According to this version of the story, McPeak was well aware of the differences between the Pro and Anti-Treaty sides. Given his family links with Tyrone, McPeak was supposedly angry at the Treaty terms dealing with Northern Ireland. His sympathies therefore lay with the Anti-Treatyites and he joined the Provisional

Government's forces with the aim of infiltration, and he worked himself into a perfect position when he was substituted as the "driver" of the armoured car on the convoy escorting Collins. The other piece of information offered was that a revolver was significant to the events at Beal na mBlath.<sup>(30)</sup>

Taking the new information point by point, it seems plausible at face value that a Sinn Fein activist from a Tyrone family would sympathise with the Anti-Treaty position. As I illustrated in Chapter 2, however, the North was all but side-lined in the Treaty divisions. The Anti-Treaty position, as represented by De Valera's Document No.2 had no alternative to the Treaty position on the North and accepted the Boundary Commission device. In June 1922 it would have been almost accepted currency across the Treaty divide that the Boundary Commission would transfer Tyrone, or most of it, to the Free State. The defining policy points that divided the movement were the Oath, the Republic and Ireland's international status. So it is far from obvious that McPeak's Tyrone connections would lead to him taking an Anti-Treaty position.

Given the confusion that abounded in June 1922, it is difficult to conceive that the disorganised Irregular military command would have attempted to use a Scottish supporter to infiltrate the Provisional Government's forces. It would also seem to be a long shot that a Scottish recruited volunteer would ever find himself in a sensitive enough position to be of any use to his Irregular handlers. Finally, the family legend is simply wrong in the detail that McPeak was the substitute driver of Slieve na mBan. He was of course the machine gunner.

In support of the family version of events, if any new recruit was to find himself in an important posting then it was likely to be someone with military training and a specialist skill, e.g. a machine gunner. The claim that McPeak was the substitute driver of the armoured car is interesting because there was such a late substitution when regular driver Jimmy McGowan was replaced by private Jimmy Wolfe.<sup>(31)</sup> Finally, the suspicions as to whether or not McPeak fired the fatal shot, whether accidentally or with intent, are based on the assumption that the



bullet would have come from the Vickers machine gun. In discussion with military historians during the preparation of the Herald feature, I learned that gunners in Machine Gun Corps in World War I always carried a revolver with them as standard so that they could disable the machine gun in the event of surrender or becoming separated from their main weapon. Given that McPeak is reported to have threatened a pursuing National Army officer with a handgun there seems to be evidence that McPeak would have been armed with a revolver on 22 August 1922.

In the detection of crime investigators use 'opportunity' and 'motive' as the basic yardsticks in assessing potential suspects. In the context of the immediate events at Beal na mBlath the Irregulars of the IRA had both. Whether or not they had the opportunity to organise a complex conspiracy involving covert supporters among the convoy personnel is much less likely. There is also a line of reasoning that they would have lacked the motive, given that Collins was the one member of the Provisional Government that elements in the Irregular leadership believed that they could possibly deal with. The other conspiracy theories that have been postulated across the years point the finger at the British secret services and a plot within Collins' own Provisional Government.

On the motive side the British may have been concerned that Collins would have pressed them hard on Northern Ireland. While in Chapter 4 I argue that it is unlikely that Collins would have returned to a military campaign in the Six Counties had he survived, there is little doubt in my mind that he would have pressed them on the Boundary Commission and worked tirelessly for unification. It has also been argued that the British secret service was simply bent on revenge for the havoc that Collins had created among their agents and informers during the War of Independence. History, however, is full of examples of nationalist leaders who fought against the Empire only to be embraced by British Governments when diplomacy dictated. Paradoxically, while the British may have had more trouble from Collins and his attempts to impose a maximalist interpretation of the Treaty, he was also the best guarantee that the Treaty

settlement would endure against the attacks by Anti-Treatyites.

One specific suggestion of a motive for British action against Collins is the theory that he had learned that the true identity of the notorious British spy 'Thorpe' was none other than the veteran Nationalist, and Governor General-designate, Tim Healy, and that he intended to act on this on his return from West Cork. The theory was initially outlined by former government minister and Nobel Prize winner Sean MacBride in a 1982 Irish Press article, and was repeated in Tim Pat Coogan's 1990 biography of Collins.<sup>(32)</sup> Coogan's early research into the circumstances in which the British might have 'turned' Healy seemed to pose unanswered questions. In the intervening years, however, his subsequent research has uncovered a document in the National Archives that reveals that 'Thorpe' was in fact two people, a father and son operation. The son took over the position of informer when his father died, and having operated in his home village for some time he fled to Dublin following giving evidence in a murder trial. The British thought so highly of their man that they installed him as a detective in Dublin Castle. The fact that his name was known in Parnell's time, the family name was actually Thorpe, was due to the father's activities and had nothing to do with Healy.<sup>(33)</sup> Coogan has been criticised for citing documents in his possession which are not available to other researchers. In this case, however, the document which ultimately unmasks Thorpe is held by the National Archives.

If the British had the motive, it is also argued that they had the opportunity with four members of the convoy being ex-British Army personnel. This accusation is tenuous. Hundreds of thousands of Irishmen served in the British Army between 1914 and 1918. Indeed many leading notable IRA commanders during the War of Independence, including several who subsequently sided with the Irregulars, e.g. Tom Barry, were British Army veterans.

Speaking at a De Valera centenary commemoration in Cork on 15 August 1982, Sean MacBride also suggested that there could have been a conspiracy against

Collins within the Provisional Government itself. MacBride's 'evidence' is Collins relinquishing his ministerial posts on 12 July 1922, and the motive of the conspirators was a nervousness over Collins' ultimate intentions regarding the North and Ireland's position within the Commonwealth.<sup>(34)</sup> These accusations drew an immediate response from Lieutenant General Michael Joe Costello who argued that Collins willingly and temporarily gave up his ministerial positions to enable him to concentrate on prosecuting the Civil War as Commander-in-Chief.<sup>(35)</sup> I have to agree with Costello on his interpretation of the context in which Collins set aside his ministerial duties. The minutes of the Provisional Government meeting at which he relinquished his positions, and the tenor of the meetings held in his absence, make it quite clear that Collins remained in control. While discounting MacBride's interpretation, I think it is important to consider what motive members of the Provisional Government might have had for wanting to get rid of Collins, and their ability to put any such plan into action.

From my studies I would restrict the list of possible suspects to just three - Ernest Blythe, Kevin O'Higgins and Cosgrave himself. In Chapter 4 I drew attention to Blythe's opposition to Collins' attitude to the North, and how he acted in the days immediately before and after Collins' death to bring about a change in policy. It is doubtful if differences over the North would have been sufficient motive to drive Blythe into a conspiracy against Collins, more importantly he was not placed to exercise the required authority over the military to shape events at Beal na mBlath.

In Chapter 3 I suggest that the way in which Kevin O'Higgins used the Tobinite mutineers to undermine Mulcahy and his Army Council colleagues smacked of a ruthless ambition. Another anecdote has come to me at third hand, from Captain Henry Harrison, via Conor Cruise O'Brien, via my supervisor Owen Dudley Edwards. Harrison was from a nationalist family, his forebears had been 'out' with the United Irishmen, and he was elected as a Parnellite in Mid Tipperary in 1890. Following his chief's death he quit Westminster. In 1914 he joined the Volunteers, and in 1915 he enlisted in the British Army, surviving to the end of

the War in 1918. He became Secretary of the Irish Dominion League and organised the Irish Peace Conference in August 1920. On the formation of the Free State in 1922 he offered his services to the National Army but, according to his published biography his offer was declined.<sup>(36)</sup> The handed down anecdote tells it slightly different. According to Harrison, Kevin O'Higgins met with him and told him that the best service he could render would be to assassinate De Valera. It was a duty he was not prepared to undertake.<sup>(37)</sup> Even if this account is true, there is a massive difference between plotting the assassination of one's leading political opponent, who had urged the use of violence against you, and planning to murder one's senior political colleague. It does, however, confirm that streak of ruthlessness. O'Higgins commanded greater authority than Blythe, but it is doubtful that in August 1922 he could have wielded the influence to hatch such a plot against Collins. Then of course there are his outbursts of wailing at Collins' death, and his protestations of love for his dead leader. As we have noted in the course of this study, however, O'Higgins was a man who was capable of posing as the epitome of Catholic manhood while conducting an extra-marital affair.

And finally there was Cosgrave. William T. Cosgrave was a very different personality from Michael Collins and carried out the business of government in a different style. There are also indications in his correspondence with Collins, following Collins becoming Commander-in-Chief, that he was unhappy that Collins did not keep him better informed on the progress of the Civil War.<sup>(38)</sup> As acting President of the Provisional Government Cosgrave was probably the only one with sufficient authority to have carried through any conspiracy. Having talked around the issue of whether or not any of Collins' colleagues might have privately glimpsed a silver lining at his passing with respected authorities, some have speculated that Cosgrave might have breathed a discreet sigh of relief that the hectoring Mick was no longer on his back. But that is a very different thing from being in any way involved in his removal.<sup>(39)</sup> When I discussed this point with Maurice Manning he emphasised that he had known and interviewed most of Collins' generation and that all of them, without exception, regarded Collins

as something special, as the 'Big Fella'.<sup>(40)</sup> Discussing this point with Dr. Garret FitzGerald, he recalled how his father's voice would change whenever he talked of Collins.<sup>(41)</sup>

Towards the end of his time in government, in 1932, Cosgrave called on Dave Neligan to undertake special duties, ie, to report on the likelihood of the then Garda Commissioner O'Duffy attempting to physically prevent De Valera from coming to power, and to assist in destroying delicate documents prior to Fianna Fail taking over the reins of government. If this trusted relationship between Cosgrave and Neligan dated back to 1922/23, could Neligan's reputed interest in John McPeak have been at Cosgrave's behest?

Despite the unanswered questions, the inconsistent chronology, fraudulent testimony and the nervousness in high places that surround the McPeak affair, I believe that John McPeak was probably what he claimed to be - a Scot of Irish parents who volunteered to defend Ireland from a foreign foe but found himself fighting other Irishmen in an internecine civil war. The ballistic research conducted in the late 1980s supports the conclusion of Tim Pat Coogan that the shot that claimed Collins came from the ambushers, not the convoy, and that it probably came from the powerful rifle of Dennis 'Sonny' O'Neil'.<sup>(42)</sup>

Seeking to explain the proliferation of conspiracy theories, McPeak told the 'Irish Independent' in 1971 that the Army could not come to terms with the fact that the sole fatality of the Beal na mBlath skirmish was the Commander-in-Chief, Michael Collins.<sup>(43)</sup> Surely there had to be some special circumstances to explain the death of that extraordinary person?

Appendix 2. Notes and References

- 1) Copy of John McPeak's Birth Certificate, copy in the possession of author. Original available for consultation in the Scottish Record Office.
- 2) Details confirmed by members of the McPeak family.
- 3) Description contained in 'The McPeak File', AW/10 73 IAA.
- 4) The Cork Examiner's coverage of McPeak's appearance in Court on 12 July 1923, described him as one of the "leading" Sinn Fein supporters in Glasgow during the War of Independence, a position he would unlikely to have attained without being a member of the IRB.
- 5) Account of McPeak's arrest in the Tollcross Raid, the *Glasgow Herald*, 27 December 1922, p.7.
- 6) McPeak interview, *Irish Independent*, 18 May 1971, p.10.
- 7) Scottish newspapers gave full coverage to the Pro and Anti Treaty divisions.
- 8) Military Census, November 1922, IAA.
- 9) See Chapter 2.
- 10) Tim Pat Coogan, *Michael Collins*, (1990), p.408.
- 11) The first published account that the ambushers were joined by East Kerry IRA men who were making their way home cross country following the fall of Cork appeared in 'The Cork Examiner' 5 November 1985, p.9.
- 12) Statement issued by Liam Lynch, Chief of Staff, Irish Republican Army on 28 August 1922 to the o/c 1st Southern Division regarding his report of the 24th on the Beal na mBlath skirmish. Mulcahy papers P7/D/65 UCD.
- 13) Minutes of the Provisional Government meeting held on 1 July 1922, S.1350 NAI.
- 14) John M. Feehan, *The Shooting of Michael Collins*, (1991 edition), p.116.
- 15) Padraic O'Farrell, *Who's Who in the Irish War of Independence and Civil War 1916-1923*, (1997), pp.32 & 157.

- 16) Solicitor General for Scotland responding to J.W. Muir, MP for Glasgow Maryhill, the *Glasgow Herald*, 25 July 1923, p.9.
- 17) The procedure by which McPeak was returned to Ireland was set out in detail in a letter from Lord Devonshire at the Colonial Office, acting on behalf of the Scottish Office, to Governor General Tim Healy, dated 9 August 1923, S.3247 NAI.
- 18) Circular No. 1899 to Scottish Chief Constables, dated 18 June 1923, HH52/13 SRO.
- 19) *Glasgow Herald*, 25 July 1923, p.9.
- 20) Interview with Tim Pat Coogan, September 1996.
- 21) 'The Army Gazette', June 1923, IAA.
- 22) Patrick J. Twohig, *The Dark Secret of Bealnablath*, (1992).
- 23) 'The McPeak File', AW/10 73 IAA.
- 24) See the Devonshire/Healy correspondence, S.3247 NAI.
- 25) Dail Debates, Official Report, Vol.22, 15 February to 30 March 1928, cols.1233/34.
- 26) Details confirmed by McPeak family.
- 27) Coogan, *Michael Collins*, p.416.
- 28) James MacKay, *Michael Collins: A Life*, (1996), p.298.
- 29) Interview with Joe McPeak, September 1996.
- 30) Interview with member of McPeak family, September 1996.
- 31) Meda Ryan, *The Day Michael Collins Was Shot*, (1989), p.46.
- 32) *Irish Press*, 18 October 1982, pp.1 & 5.
- 33) Interview with Tim Pat Coogan, September 1996.
- 34) *Irish Press*, 18 October 1982, pp.1 & 5.
- 35) *Irish Press*, 19 October 1982, p.4.

- 36) 'Who's Who in the Seanad Election of 1925', Hugh Kennedy papers P4/14 UCD.
- 37) Harrison anecdote.
- 38) Cosgrave to Collins requesting military reports, July/August 1922, S.1376 NAI.
- 39) Interview with Michael Laffan, June 1996.
- 40) Interview with Maurice Manning, June 1996.
- 41) Interview with Garret FitzGerald, June 1996.
- 42) A major ballistics investigation of the ambush site was carried out for the 1989 RTE television documentary, *The Shadow of Beal na mBlath*.
- 43) *Irish Independent*, 20 May, 1971, p.12.



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Memoranda issued by Michael Collins as Adjutant General of the Irish

Volunteers

Military Census

Report of Childers' Arrest

#### National Archives of Ireland (NAI)

Dail Cabinet papers and minutes

Devonshire/Healy correspondence re. McPeak

Executive Council papers and minutes

Irish Memoranda presented during the Treaty Negotiations

Papers relating to the Wilson Assassination

Provisional Government papers and minutes

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Michael Collins papers

John Devoy papers

Thomas Johnson papers

Joseph McGarrity papers  
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Florence O'Donoghue papers  
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Seanad Eireann

Seanad Debates Official Record throughout the period 1922-1932

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Maire Comerford papers  
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