CABINET 89 (21).

CONCLUSIONS of a Meeting of the Cabinet held at 10, Downing Street, S.W. on Monday, 5th December, 1921, at 12 Noon.

Present:

The Prime Minister (In the Chair).


The Right Hon. R. Shortt, K.C., M.P., Secretary of State for Home Affairs.


The Right Hon. Sir L. Worthington-Evans, Bart., M.P., Secretary of State for War.


The Right Hon. Sir A. Griffith-Black, M.P., Minister of Agriculture and Fisheries.

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The Right Hon. R. Munro, M.C., M.P., Secretary for Scotland.

The Right Hon. Sir Hamar Greenwood, Bart., K.C., M.P., Chief Secretary for Ireland.

The Right Hon. H.A.L. Fisher, M.P., President of the Board of Education.

The Right Hon. T.J. Macnamara, M.P., Minister of Labour.


Mr. Idmum Curtis.

Mr. Thomas Jones... Acting Secretary.

Mr. R.B. Ecart... Assistant Secretary.
1. With reference to Cabinet 87 (21),

Conclusion 1, the Cabinet were informed that after many meetings with the Irish Representatives, an offer had been made to them on behalf of the British Government, the most important of the provisions of which are to be found in the first 4 paragraphs of S.F.C.29A. These provisions dealt with the future constitutional status of Ireland, its relation to the Imperial Parliament and Government, the position of the representative of the Crown in Ireland, and the Oath to be taken by the members of the Irish Parliament. Ireland would under these provisions acquire full Dominion status, subject to one or two modifications especially in regard to the Navy, and her position in the Empire would be the same as that of the great self-governing Dominions. In particular, there would be no question of any veto by Great Britain upon purely Irish legislation.

Attention was also drawn to the provisions in Paragraphs 6 and 7 of S.F.C.29A., under which H.M. Imperial Forces would undertake the defence by sea of the British Islands including Ireland for a period of ten years, at the expiration of which this provision would be reviewed at a conference of representatives of the British and Irish Governments; the Irish Government to give H.M. Imperial Forces certain specific facilities in time of peace and in time of war, as indicated in paragraph 7.

As regards Ulster, reference was made to the proposals in paragraph 12 and following paragraphs, under which, after the expiration of 6 months, and before the expiration of 12 months from the date of the Agreement, the Parliament of Northern Ireland could, by an address presented to His Majesty, request that the powers of the Parliament and Government of the Irish Free State should not extend to Northern Ireland. Provision was also made/
made for a re-adjustment of the boundaries between Ulster and the rest of Ireland and as to the question of safeguards for the province of Ulster in the event of that province coming under the Government of the Irish Free State.

These terms had been under consideration by the Irish Cabinet, and there were indications that the division of opinion which had manifested itself among the Irish Representatives in London, also existed in the Irish Cabinet. In any case, a majority of the members of that Cabinet had rejected the terms and had submitted counter proposals, which were summarised in S.F.C.32. Attention was particularly directed to the first 5 paragraphs of S.F.C.32, from which it was clear that the Irish Cabinet had no intention of coming within the British Empire, but wished Ireland to remain an independent Republic associated with the British Empire for certain specific purposes, and bearing no allegiance to the King, but merely recognising him as the Head of the Associated States. Attention was also drawn to the provisions in Clause 7 of S.F.C.32 respecting the coastal defence of Ireland by sea, and to the fact that the document contained no counter proposals regarding Ulster, from which it would appear that no Sinn Fein objection would be forthcoming to the proposals regarding Ulster, contained in S.F.C.29A.

The Cabinet were informed that Mr. Arthur Griffiths, and Mr. Michael Collins, were greatly disappointed at the rejection of the British proposals. The latter appeared to be not unwilling to accept paragraphs 1, 2, and 3, of S.F.C.29A. He would have preferred an immediate decision on Ulster, and he would have remitted the question/
question of the Ulster safeguards for discussion between representatives of Ulster and the rest of Ireland. Mr. Collins had been told that in the opinion of the British Ministers it would be no use holding a plebiscite of the population of Southern Ireland, unless at least some of the leaders were prepared publicly to recommend the acceptance of the British terms.

In the course of the general discussion the view was expressed that if the Irish representatives could be persuaded to accept paragraphs 1, 2, 3, (Constitutional), 6, 7, (Naval), and possibly 9, (Customs), it might be advisable to try to meet them on the actual terms of the Oath of Allegiance; paragraph 4. It was pointed out that the Irish representatives objected to taking any oath of this character. On the other hand it was represented that great caution was necessary respecting the Oath of Allegiance, having regard to the nature of the negotiations in the past, and that it would be disastrous if, after a settlement had been made, a different interpretation was placed on so vital a matter in Great Britain and in Ireland. Emphasis was laid on the importance in any future negotiations of pointing out to the Irish representatives that acceptance of the first 3 paragraphs of S.F.C.29A. would involve the recognition of the King in Ireland and, for example, that all writs would run in His Majesty's name.

In the course of the discussion, it was suggested that the following form of words should be substituted for those in paragraph 4 of S.F.C.29A.:-

I..........................do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful
to H.M. King George V., his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations known as the British Commonwealth.

There was general agreement that so long as the substance of the first 3 paragraphs of S.F.C.29.A. remain unaltered, the precise terms of the oath were immaterial.

The Cabinet agreed—

(1) That at the meeting with the Irish Representatives at 2.30 p.m. this afternoon, the British representatives should endeavour to attain a settlement on the lines indicated in the discussion;

(2) That as regards the naval provisions, the Secretary of State for the Colonies should, after consultation with the Naval and Military experts, interview the Irish Representatives concerned with a view to securing their agreement with the substance of paragraphs 6 and 7 of S.F.C.29.A;

(3) That the Members of the Cabinet should hold themselves in readiness to attend a further meeting later in the afternoon.

In the course of the foregoing discussion, reference was made to the fact that there had appeared in the "Times" newspaper on Saturday last a full account of the British proposals which must have been given to the newspaper by some person in possession of the actual document. It was asserted that this information had not been revealed by the Irish Representatives who had been scrupulously honest in this respect throughout the negotiations. It was suggested that it might be worthy of consideration whether proceedings should not be taken under the Official Secrets Act with a view to the discovery of the name of the person who had furnished the information to the newspaper.

The Attorney-General undertook to look into the matter.

Whitehall Gardens, S.W.
5th December, 1921.