

The Ulster Boundary

President Cosgrave and Sir James Craig

Interviews and Views. Is the Northern Premier Losing Confidence?

President Cosgrave gave his views on the situation to a special correspondent of the *Chicago Tribune*, who has been in Dublin. Mr. Hugh Kennedy, K.C., Attorney-General, was present during the interview.

Sir James Craig may have automatically and unwittingly ended the partition of Ireland by his refusal to carry out the clause in the Treaty providing for the appointment of three Commissioners to delimit the boundaries in the event of "Ulster" deciding to take advantage of her right to vote herself out of the Free State.

"The words of the Treaty are so clear on this point that it is amazing no one has raised the point before, and that it has apparently been overlooked by the Ulster lawyers," President Cosgrave said.

"Our position is the Treaty, the whole Treaty, and nothing but the Treaty. We have carried out our part in face of the greatest difficulties, and we intend to continue to do so. England has carried out her part, and we expect her to continue to.

"Let me direct your attention to the language of the Treaty on the points in dispute with the North-Eastern Government. The Treaty was made, not with a part of Ireland, but with the whole of Ireland, for whom our plenipotentiaries spoke. But to satisfy the fears and prejudices of some Irishmen in the North-East they were given in Article 12 the right to keep out of the Free State by presenting an address to the King to this effect.

"Reverts to Saorstat."

"Article 12, however, goes on to make an important provision. It says: Provided that if such address is so presented a Commission consisting of three persons, etc., shall determine the boundaries. We hold the whole situation is governed by that word 'provided.'

"If Ulster persists in refusing to appoint a Commissioner her process of opting out becomes incomplete, and she automatically reverts to her original position as part of the Free State.

"It will be our duty then to provide for the Government of Ulster as far as our powers go. Under the Treaty, of course, Ulster retains her separate provincial Parliament with control of certain of her public services. The only difference is that the reserve powers now exercised by the British Parliament would be exercised by the Irish Parliament, and the members elected in Ulster to the British Parliament would sit in Dail Eireann.

"Our first duty would be to provide for the elections of members of Dail Eireann from the Ulster area, and that will be done as soon as the position is clear. It would be the duty also of the British Parliament to dismiss the Ulster members now sitting there, as they would have no status in that Parliament.

Claim Unsustained.

"We expect England to carry out the Treaty as scrupulously as we have done, and we are sure she will.

"I would also point out," declared President Cosgrave, "that Ulster's claim to be a party to the bargain is incorrect. There are only two parties to that bargain—Ireland and Great Britain, and Ulster is part of one or the other. The Act of 1920 which Ulster claims as a bargain with her, was not a bargain; it was the Act of a ruling country imposed on a province which Ulster, as a subordinate, had to accept. There was also a clause in that Act expressly excepting Treaties from its scope.

"I still hope that Sir James Craig will see his way to take a share in the Boundary Commission. We do not want to be unfair. I do not want unwilling citizens in the Free State; but, on the other hand, I do not want Ulster to retain large sections of our people against their will.

Not By Coercion.

"I look forward to the time when boundaries will disappear, but it must be by the goodwill and consent of the people and not by coercion. Until that time comes we must live as neighbors, and, I hope, as good neighbors.

"Let us, therefore, not quarrel about fences, but agree, and let us use the machinery put in our hands for reaching agreement. It is hard to see Ulster's reply to this legal position.

"If England carries out the letter of the Treaty according to this interpretation Ulster must either accept the legal position or resist by force. In that event she would be rebelling not only against Ireland but the British Empire, to which she professes passionate loyalty.

CRAIG'S REPLY.

Suggested Exchange of Territory.

Speaking as Grand Master at a meeting of the Grand Orange Lodge of Down in Newtownards,

Sir J. Craig said he proposed to say a few words about the situation as it stood that day after what had appeared in the press respecting the pronouncement of Mr. Cosgrave. After a lapse of a considerable time, Mr. Cosgrave had fired a bombshell, as it were, into their midst, or perhaps he might be modest and call it a shot of a revolver.

Mr. Cosgrave's contention now was because the Boundary Commission was likely to break down, or because they had refused to appoint a representative they automatically reverted to a Government of the whole of Ireland under those in Dublin (laughter).

The Constitution under which they were now living was given to them by the Government of Ireland Act, 1920, as modified by the Irish Free State (Consequential Provisions) Act, 1922. The British Government had recognised that position, appointing a separate Governor and Privy Council for "Ulster."

Mr. Cosgrave was assuming that by their refusal to appoint the Commissioner "opting out" which was carried out by the "Northern" Government in December, 1922, had become void and of no effect. Mr. Cosgrave appeared to assume that the Boundary Commission could not be set up unless "Ulster" appointed a Commissioner, which was the Ulster Government's contention. If that contention was sound, as the Northern Government maintained, then equally Mr. Cosgrave could have refused to nominate a member of the Commission, and on his argument now put forward he could by that method have brought "Ulster" back into the Free State.

Sound Reasoning.

Mr. Cosgrave, therefore, to accomplish his ends, should immediately have recalled Mr. McNeill and refused to the British Government what they had refused—to appoint any Commissioner to the Boundary Commission—and if he was legally right the Boundary Commission disappeared, not by their action in this case, but by his action, and then "Northern" Ireland, as he held, immediately became part of the Free State.

The thing, said Sir James, was absurd, and it must be absurd—why otherwise did they appoint Mr. MacNeill as a member of the Boundary Commission? His answer to Mr. Cosgrave was, as it was to all those who talked about "Ulster" going into any combination in Dublin, that the people had determined and the people would maintain their determination (applause).

Back to Birkenhead.

Since the Buckingham Palace conference, and it was remarkable that at the last conference they had been on practically the same subject—Tyrone and Fermanagh—it was remarkable that no fewer than five British Prime Ministers had passed across the stage. Since then no less than three so-called leaders of the Irish Party had also passed across the stage. He was the only one left there to keep on reiterating over and over the impossibility of any Government, British or otherwise, coercing the people of "Ulster" against their will and wish (applause).

Mr. Kevin O'Higgins, Sir James went on, had made a very exhaustive statement from the Free State point of view, and he had attempted to show inconsistency in two statements made by Lord Birkenhead a few days ago in