
We are grateful to Professor Brendan O’Leary of the University of Pennsylvania for correcting our historical account of the creation of the Irish State and apologise for making the error in the first place. Our second sentence wrongly implies that the Irish State was created in 1920. Readers of our paper may be interested in Professor O’Leary’s account of the relevant events as follows:

• The Irish Free State was not established in UK law until 1922, and in the view of the UK authorities it was a dominion not an independent state, despite the name proposed by Lloyd George. In the treaty negotiations of late 1921 the UK refused to recognize Ireland’s (Sinn Fein’s) declaration of a republic in 1919, and insisted that the Free State recognize the monarch as the King of Ireland. This British insistence on the IFS not being a republic, and not being fully independent, was what triggered the Irish civil war of 1922-23.

• In 1920 the UK’s Government of Ireland Act partitioned Ireland into two entities, without the consent of Ireland, Northern Ireland and Southern Ireland. Both were intended to be devolved governments (linked) and not independent states (they were not named as states). Both were rejected by Irish republicans who had won a clear majority in the island in the Westminster elections of 1918. So, only Northern Ireland was created in 1920 (by statute), though it did not formally materialize until May of 1921, and it was not a state.

• Ireland’s war of independence (1919-21) was fought partly because Irish republicans and nationalists (with over 70% of the vote in the 1918 Westminster elections, ignored by L-G and Bonar Law) were no longer willing to accept a mere home rule settlement, and because Westminster did not recognize their electoral victory at the ballot box. As you may recall home rule had been blocked from the 1870s until the 1910s despite it being the manifest majority preference of the island. World War 1’s outbreak likely stopped a UK-wide civil war over the enactment of home rule (which was postponed for the duration of the war, which helps explain the Irish Rising of 1916).

• Ireland, the official name of the successor state to the IFS did not become fully independent until 1937-39 when it made a new constitution, passed by referendum, and which was not subject to British ratification; and definitively in 1938-39 when it negotiated away the British naval-garrisons imposed by the treaty, and established its neutrality in law and fact. In 1937 it created an elected President, and removed the Crown from the constitution with the exception of recognizing its role as head of the Commonwealth. It was then a de facto republic, but had not declared itself as such, partly owing to the belief (false) that retaining the monarch’s role as head of the Commonwealth would give Northern unionists some connection to British symbolism that would encourage them to accept Irish reunification. In 1949 Ireland officially became a Republic, naming itself as such — and leaving the Commonwealth because London said republics could not be part of the Commonwealth (London changed its mind a few months later to secure India’s membership).

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