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Constructing the Irish Presidency: The Early Incumbents, 1938–1973

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ABSTRACT *Eamon de Valera's 1937 constitution created the office of President. Initially viewed with suspicion and interpreted by some as a step towards dictatorship, the presidency gradually came to be seen as a remote office and place of retirement for elder statesmen. The age profile of the three presidents examined in this article and their collective time in office initially appear to confirm such observations. Theirs tended to be a quiet office with days filled entertaining or dealing with correspondence. However, the first three presidents should not be considered as passive. Their willingness to exercise their discretionary powers was an important part of ensuring that the office functioned properly and effectively. It was also during these early years that the protocols and procedures of the office were decided. Though less remarkable than the later, more active presidents, the first three office holders played an important role in ensuring the smooth emergence of the presidency.*

Keywords: President; head of state; Ireland; Hyde; O'Kelly; de Valera

Introduction

Eamon de Valera light-heartedly remarked in 1967 that when he was writing his 1937 constitution, he wanted to prepare a nice, quiet job without too much work for his old age (Ferriter, 2007: 203). By 1973, when he left Áras an Uachtaráin, the official residence of the Irish President, the presidency was certainly seen as a place of retirement for elder statesmen, and was viewed as something of a distant office. It was an understandable perception. The first President, Douglas Hyde, was almost 85 years old on his departure, and when taking office seven years earlier had himself expressed concern about his age. At the end of his two seven-year terms, Seán T. O'Kelly – the youngest of the three presidents examined in this article – was 75, while de Valera was 90. Theirs tended to be a quiet office, days filled with correspondence and entertaining. O'Kelly once described the function of his job as 'mainly signing on the dotted line' (*Evening Mail*, 26 April 1950). The only major change in the function of the office during that period was the result of new legislation introduced by the

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then Taoiseach (Prime Minister) John A. Costello, which gave the office holder an international role for the first time. Despite all this, the early presidents should not be considered passive. Their willingness, where necessary, to exercise their discretionary powers shows that they utilised the functions of the office in the most important way. The history of the early presidencies lacks the drama of the Cearbhall Ó Dálaigh years and the breadth of activity that defined Mary Robinson's and Mary McAleese's time in office; but the early office holders were important in different ways. It was during those first presidencies that the functions of the office were tested and established, and protocol was decided. The task of defining the presidency was not particularly exciting, but it was essential, especially when viewed in the context of the debate that surrounded its emergence.

The office of President of Ireland was a creation of the 1937 constitution. It proved to be one of the two most talked about aspects of de Valera's new constitution – the other being the place of women.¹ It is worth recalling the manner in which the powers granted to the office were perceived at the time (Coakley, 2012). The newly created office, in conjunction with the re-titling of President of the Executive Council as Taoiseach, caused suspicion among the opposition and elements of the press as to de Valera's intentions. Tom O'Higgins, the Fine Gael TD for Laois-Offaly, claimed that the Fianna Fáil leader was 'building a throne for one individual' (*Dáil Debates*, 67: 269, 12 May 1937). Concerns of a dictatorship were fuelled further by emerging reports from Europe – Hitler's Enabling Act had been passed only four years earlier – and by news such as that conveyed by Fine Gael's John A. Costello that the term 'Taoiseach' had been translated on German radio as *Führer* (*Dáil Debates*, 67: 301, 12 May 1937). De Valera had attempted to counter the charges in the Dáil on 11 May 1937, arguing that the 'powers that are given to the President in which I might call definitely the executive domain are relatively small'. He stressed that the President would always act on the advice of others (*Dáil Debates*, 67: 39, 11 May 1937). Because, as de Valera himself pointed out, some critics had 'fastened particularly on the powers that are given to the President', claiming that they were of a dictatorial nature (*Dáil Debates*, 67: 39, 11 May 1937), it was essential that the first office holder in particular would observe the function of the office as it was designed.

This article examines the first three presidents of Ireland: Douglas Hyde, Seán T. O'Kelly and Eamon de Valera. It considers their personal backgrounds and the extent to which this shaped their period in office, their emergence as candidates for the office, their vision for the presidency, and the manner in which they conducted themselves, both at home, and, in the case of the latter two, abroad.

Douglas Hyde, 1938–1945

Douglas Hyde became President of Ireland in June 1938. His cultural background, combined with an absence of political allegiance, made him an obvious choice to become the first office holder. Born in Roscommon in 1860, Hyde spent the first seven years of his childhood in Sligo, before returning to his county of birth following

the appointment of his father, Rev. Arthur Hyde, as rector of the parish of Tibohine. It was these surrounds of the province of Connacht, steeped in Gaelic tradition and folklore, which shaped the development of his consciousness (Ó Lúing, 1973: 123). Through contact with locals, Hyde learnt Irish, and once claimed that he dreamt in the language. Under the pen name of *An Craoibhín Aoibhinn*, he contributed nationalist-themed poems to *The Shamrock* and *The Irishman*, quasi-separatist newspapers. Among his many other publications are *Leabhar Sgéulaigheachta* and *Ubhla de'n Chraoibh* (Maume, 2009a). In 1893 he was one of the founders of the Gaelic League, which had the aim of preserving and promoting the Irish language and literature. His inaugural address to the National Literary Society, 'The necessity for de-Anglicising Ireland', had provided the impetus for the League's formation. Hyde saw the language as a 'neutral field upon which all Irishmen might meet' (Nic Congáil, 2009: 94), and was anxious to ensure that the movement did not become politicised, thus alienating certain elements. Despite his efforts, the League was used by the Irish Republican Brotherhood (IRB), a revolutionary organisation that sought to break the connection with Britain, as a vehicle to spread its particular brand of nationalism, and he resigned in protest in 1915.

Emergence as President

The *Irish Times* led the way in arguing that the first President of Ireland should be non-political to ensure that the office had a smooth emergence and that it would be kept 'above the squalor of Irish party politics'. In order to achieve this, the newspaper suggested that a contested election be avoided and that a candidate beyond reproach be agreed by the political parties. The inaugural office holder was envisaged to be a man to whom the mass of the people could look up (*Irish Times*, 14 October 1937). Several names, including de Valera's, had been mentioned. Hyde's emerged on 27 May 1937. The previous day he had been presented with the first Gregory Medal by the council of the Irish Academy of Letters in recognition of the prominent role that he played in the Gaelic cultural revival. A later profile in the *New York Times* magazine described Hyde as 'a venerable and nationally-loved patriot, scholar and poet who in all his seventy-eight years has never been drawn into the maelstrom of politics'. He came, it was suggested, 'very near to being the embodied spirit of Ireland' (*New York Times*, 29 May 1938). His profile was such that both Fianna Fáil and Fine Gael agreed that he was the best-suited candidate for the office, and he was installed without an election in 1938.

Hyde was not affiliated to a political party. He had previously refused a nationalist seat in the House of Commons that had been offered by John Redmond, leader of the Irish Parliamentary Party, in 1904 (Maume, 2009a), and although twice a senator (1925, 1938), he primarily represented cultural interests. His only electoral performance was dismal. The 1925 Senate election was the only one to be conducted among a Free State-wide electorate of voters over 30 years old using proportional representation by means of the single transferable vote. Hyde won just over 1,000 votes, far less than was needed to secure a seat (Coakley, 2005: 249). He became a

member of the upper house only after being co-opted to fill the vacancy created by the death of a sitting senator. His first (and only) contribution to the Senate debates was on the subject of government funding for the Celtic Congress and of *Amharclann Gaedhealach*, the Irish theatre. Having no political baggage, Hyde thus satisfied the desire for a candidate outside the political fray. Additionally, as the son of a Church of Ireland clergyman, he had the credentials to appeal to the religious minority and assure them that, despite the special position accorded to the Catholic Church in the new 1937 constitution, there would be no discrimination. This met with the approval of *The Times*, in which it was noted that ‘the choice of a Protestant ... as President of a mainly Catholic country has been a practical example of liberalism and tolerance which will not fail to have a great effect in all parts of Ireland and not in Ireland alone’ (quoted in *Belfast Telegraph*, 27 June 1938).

Hyde’s cultural background also had a further benefit for the presidency: it helped to connect the office with Ireland’s cultural heritage. Speaking at the inauguration, Taoiseach Eamon de Valera made reference to the defeat of Gaelic Ireland in the seventeenth century and told Hyde, ‘in you we greet the successor of our rightful princes, and in your accession to office we hail the closing of the breach that has existed since the undoing at Kinsale’. De Valera linked Hyde’s position to that of the Gaelic chieftains: ‘you are ... entitled to the respect which the Gael ever gave to those whom they recognised to be their rightful chiefs, but which for centuries they denied to those whom a foreign law would enforce upon them’ (*Irish Independent*, 27 June 1938). Hyde’s appointment can thus be seen as part of a broader image-building strategy, and of de Valera’s desire to emphasise Irish sovereignty.² This was summed up by the *Irish Press*, which noted that ‘the two national ideals [of Ireland free and Ireland Gaelic] have been united in one person’ (*Irish Press*, 25 June 1938).

Vision of Office

Hyde’s inauguration took place on 25 June 1938; apart from the declaration of office, he made no statement. The ceremony in Dublin Castle – the setting for each subsequent inauguration – was conducted in Irish. That Hyde chose to make the declaration in the Irish form indicated that the language would be at the heart of his presidency. This was affirmed by his Christmas broadcast to the United States on 22 December 1938. In this first presidential broadcast, Hyde renewed the contact with America he had first made in person during his extensive lecture tour of 1905–1906. He expressed his pride in now addressing them as President of Ireland, ‘a title which indicates the great progress which our beloved country has made’. The greater part of his speech was dedicated to the language question. Though he recognised that the task of restoration was not yet complete, he noted the place of Irish in the constitution, in state services, in the promulgation of laws and in schools.³ Despite Hyde’s commitment to cultural nationalism, he was keen to be a representative president. This was reflected in the manner in which he established the office at the heart of Irish sporting occasions. This brought him into conflict with the Gaelic Athletic Association (GAA) at the start of his tenure, when he

accepted an invitation to attend an international soccer match between Ireland and Poland at Dalymount Park stadium. As patron of the GAA, Hyde was considered a member, and members were banned from playing or attending 'foreign' games. Padraig McNamee, president of the GAA, ruled that a patron of the association ceased to be a patron if his duties 'bring him into conflict with the fundamental rules of the Association'. Hyde did not challenge the ruling. Although he ceased to be patron, his support for the organisation and its athletes continued. When his native Roscommon triumphed in the 1943 All-Ireland football final, he took great pride and pleasure in receiving the winning team at the Áras. Similarly, when the Cavan and Kerry teams that participated in the Gaelic football final in New York in 1947 returned, another reception was held at the President's official residence. The connection between the presidency and sport was one continued by Hyde's successor, Seán T. O'Kelly. The rift with the GAA was healed during that time, but not before the organisation refused to be represented at an official welcome for President O'Kelly at the Wexford Feis (festival) because he had attended a soccer match. Following correspondence between the GAA and the Taoiseach's office, the former eventually recognised that 'the President is president of all sections of the community and cannot in any circumstances put himself in a position as to seem by implication or otherwise to discriminate against any section of the community'.⁴

On becoming President, Hyde entered uncharted territory. Although the constitution determined the official functions of the office, the day-to-day operations, procedure and protocol were decided through experience. As secretary to the President, Michael McDunphy – who had served both W. T. Cosgrave and Eamon de Valera in government – played a key role in shaping these matters. McDunphy became so intimately familiar with the proceedings that he would later publish a guide to the functions, powers and duties of the President (McDunphy, 1945). A somewhat bemusing file at the Irish National Archives reveals some of the considerations that the new office demanded: the interior of the presidential car would have to be designed in such a manner as to allow the President, while seated, to take off a top hat in a way that was not undignified. Various models were considered between August 1938 and March 1939, and a burgundy Chrysler limousine with head cushions embroidered with the harp was eventually decided upon.⁵

Article 26.5.2° of the constitution states that 'the Taoiseach shall keep the President generally informed on matters of domestic and international importance'. Before Hyde even assumed office, it was decided that this provision would be complied with by means of personal conversations; the need for official communications would be considered on the basis of experience. De Valera made his first call to the President on 29 June 1938. Typically, he called late in the evening and usually on a monthly basis. This loose arrangement became more structured during O'Kelly's presidency when it was decided that the Taoiseach would call on the first Friday of each month at 3.30 p.m.; this was changed to Mondays when John A. Costello became Taoiseach in 1948, and reverted back to Fridays when de Valera returned to office in 1951.⁶ However, as Kevin Rafter shows, this level of contact between the head of government and the president of the day was not

always maintained, particularly in the case of Taoiseach Liam Cosgrave and President Cearbhall Ó Dálaigh (Rafter, 2012).

Though it was a ceremonial office, there were huge demands on the new President. For the first month, interviews were scheduled for both the morning and afternoon, and the President could undertake up to six a day. With this demanding schedule, the 78-year-old President became 'very fatigued', prompting McDunphy to confine interviews to an hour in the morning, leaving afternoons, as well as the whole of Mondays and Saturdays, free. Generally, though, McDunphy observed Hyde to be 'active both physically and intellectually'.⁷ Personal time was set aside in his schedule for Hyde to continue reading and writing, and during the presidency he completed *Sgéalta Thomáis Uí Chathasaigh* (Dunleavy & Dunleavy, 1991: 399).

The supporting role of spouses is one frequently commented upon, and the early presidents were no exception. Douglas Hyde's wife, Lucy, did not move to Áras an Uachtaráin owing to ill-health, and he regularly made the trip home to visit her until her death in December 1938. However, he was not without a strong supporting figure. This role was filled by his younger sister, Annette, whose husband had died in 1932. At ease with public figures and dignitaries, she filled the role of hostess, and Hyde often shared with her details of correspondence received at the Áras. Hyde suffered a mild stroke on 13 April 1940 and this, along with the experience of World War II – referred to in Ireland as 'the Emergency' – changed the pattern of his working day. On the advice of Dr William Boxwell, President of the Royal College of Physicians in Ireland, his activity was restricted to simple matters such as the signing of official documents. Hyde was confined to his room until 6 June 1940, after which he spent portions of the day on a specially constructed veranda. By September, he was well enough to receive callers, although the visit of David Gray, the US Ambassador to Ireland, left Hyde 'very much fatigued', with the consequence that the proposed visit of a French government minister was postponed.⁸

Political Role

The fear that the Taoiseach of the day would be able to manipulate the office of the President proved unfounded. Hyde set a number of important precedents. In May 1937, de Valera explained how he had envisaged the role of the office holder 'to guard the people's rights and mainly to guard the Constitution, maintaining the mastery of the people and safeguarding their rights between elections' (*Dáil Debates*, 67: 51, 11 May 1937). In explaining the duty and functions of the office to Hyde, McDunphy had used the analogy of a referee in a football match: 'There were rules by which the game should be played and the referee should not interfere unless he saw an infringement of those rules' (Dunleavy & Dunleavy, 1991: 395).

Article 26 of the constitution provides that the President can refer bills or sections thereof to the Supreme Court to test their constitutionality, but must first consult with the Council of State, an advisory body with some similarities to the old Privy Council. The President is free to disregard their advice. The first occasion on which the Council met was in January 1940, to discuss the bill designed to amend the Offences

Against the State Act, 1939. The proceedings took place behind closed doors and there is no available record of the discussion, apart from a formal statement signalling the President's intent to refer the legislation to the Supreme Court. The bill was found to be unconstitutional and Hyde thus declined to sign it into law. Subsequently, in February 1943, he referred the School Attendance Bill, 1942, and asked for a judgement on section 4. He had been prompted to do so by the case made in a letter from Fine Gael's John A. Costello, who argued that the section in question was repugnant to Article 42 of the constitution. That article 'acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children'. Costello argued that section 4 of the new bill gave the authority to decide on the nature of a child's education to the Minister for Education, rather than the parents. The Supreme Court found section 4 to be unconstitutional, effectively undoing the entire piece of legislation (McCullagh, 2010: 143).

In May 1944, de Valera's government was narrowly defeated on the second stage of the Transport Bill. The Dáil adjourned at 9.20 p.m. and, following a midnight meeting of the government, the Taoiseach visited Áras an Uachtaráin, where he outlined the situation to Hyde. The outcome – a dissolution of the Dáil – was heavily criticised by the opposition. Much was made of de Valera's late-night visit to the Áras, and Hyde's age and the status of his health became a factor in the opposition's criticism that claimed that the Fianna Fáil leader had effectively coerced the elderly President into accepting his views. Fine Gael's Tom O'Higgins suggested that de Valera 'took advantage of the failing health of a great figure in order to cheat parliament', for which he found himself admonished by the Ceann Comhairle, who interpreted the argument as an implicit criticism of the President. Labour's William Norton declared the Taoiseach's action 'high treason', and also criticised him for exploiting 'an aged man whom everyone knows to be in anything but a perfect state of health' (*Dáil Debates*, 93: 2474, 10 May 1944). Despite the inferences of the opposition, Hyde had not been manipulated; he had consulted with McDunphy, who had travelled specially to the Áras that night, before consenting to a dissolution (Dunleavy & Dunleavy, 1991: 428). Hyde's independent thinking during his term in office confirmed that the President was not the servant of the government of the day.

Seán T. O'Kelly, 1945–1959

Seán T. O'Kelly succeeded Hyde in 1945, becoming the first president to be elected directly. Although there was continuity between the cultural interests of the two men, their religious and political backgrounds differed greatly. Born in Dublin in 1882, O'Kelly's childhood education by the Christian Brothers imbued him with a strong sense of religion. He remained a devout Catholic and was a member of the Knights of Columbanus, a secretive Catholic organisation. Among the various decorations that he received was the Grand Cross of the Order of St Gregory the Great, a papal honour, in 1933 (he was granted the Grand Cross of

Charles III – the highest Spanish civil decoration – by General Franco in 1950). During his presidency, he made an official visit to Rome, one that the official files reveal he had ‘long planned as a private citizen’.⁹

O’Kelly had joined the Irish Republican Brotherhood in 1902 and was a founder-member of the Irish Volunteers, formed to defend Home Rule and in response to the Ulster Volunteers, which sought to prevent the introduction of the settlement that would have granted Ireland a parliament to look after its domestic affairs. His commitment to the separatist movement was such that he resigned as junior assistant at the National Library, feeling that a position under the British government was incompatible with his views (Maume, 2009b). He fought in the Easter 1916 Rising and was later active in the independence struggle (1919–1921). Although he was a member of the revolutionary Dáil, he initially boycotted the Free State parliament along with the other Sinn Féin TDs who opposed the 1921 Anglo-Irish Treaty. As discussed below, the political split and ensuing civil war caused by the Treaty directly affected his family, and he would later use the presidency as a time of atonement. He finally took his seat in Dáil Éireann alongside his, by then, Fianna Fáil colleagues in 1927. After the party came to power in 1932, he subsequently held several ministries and at the time of his election he was Minister for Finance and Tánaiste (deputy prime minister). An Irish language enthusiast, he was one of the politicised members who had changed the complexion of the Gaelic League. His commitment to Irish was obvious during his presidency and indicated a line of continuity with his predecessor.

Emergence as President

O’Kelly was unanimously chosen at a special meeting of the Fianna Fáil National Executive on 23 April 1945 to contest the forthcoming presidential election. Opposing him was Fine Gael’s Seán Mac Eoin, a former Chief of Staff of the Free State army. Mac Eoin was first elected to the Dáil in 1921, but chose not to contest the 1923 general election to focus his attentions on the army. He later resigned that position on re-entering the Dáil in 1929 following a successful campaign in the Sligo-Leitrim by-election. Patrick McCartan, an independent republican, also entered the fray, supported by Labour, Clann na Talmhan and a number of independents. He was a former editor of *Irish Freedom*, newspaper of the Irish Republican Brotherhood, and had been a Sinn Féin organiser. Although O’Kelly himself did not campaign, de Valera and the Fianna Fáil ministers were active on the canvass and they ran the election as a vote of confidence in the government – a tactic that drew the ire of the *Irish Times*. Given that the newspaper had advocated keeping the presidency above politics in 1938, it was unsurprising to find criticisms of the party political dimension to the 1945 campaign. Expressed among its pages was the hope that ‘seven years hence ... the office of President will not be dragged into the political gutter’ (*Irish Times*, 19 June 1945). O’Kelly was elected on the second count following the elimination of McCartan and the distribution of his transfers. The slender victory pointed to a degree of unhappiness with the incumbent Fianna Fáil government, while the destination of McCartan’s transfers, which went

principally to Mac Eoin, foreshadowed the trend at the subsequent general election that would unseat de Valera's government.

Vision of Office

O'Kelly's inauguration was held on 25 June 1945, and the day's proceedings largely followed the procedure adopted for Hyde. Like his predecessor, O'Kelly made the declaration in Irish. In a new development, he gave a short speech in which there were indications as to his priorities. He pledged to continue the work of his predecessor with regard to the restoration of the Irish language. That Irish would be central to his presidency was reflected further in his decision that the Gaelic form of his name – Seán T. Ó Ceallaigh – would be used for official purposes.

O'Kelly was clearly not a president without political baggage, and there were glimpses of the influences that had guided his political thinking. As President, he instituted the policy of sending official Christmas cards; Hyde had previously gifted copies of his poetry to a selection of friends at Christmas. O'Kelly chose as the subject of his cards a different signatory of the 1916 proclamation of the Irish Republic, and by 1953, once all seven signatories had been depicted, he discontinued the practice. Despite having been the Fianna Fáil candidate, his was not a Fianna Fáil presidency. Rather, his time in office was a period of reconciliation. As Anne Dolan observed, 'the 1950s were apparently [his] time to reflect on his past, time to make amends'. In his official capacity, he unveiled statues and monuments across the country to those who had participated in the independence struggle, and at the unveilings spoke of unity and the passage of time. He also became patron of a fund to purchase a bust of the revolutionary leader and pro-Treatyite Michael Collins for the state (Dolan, 2003: 81). The *Irish Times*, reflecting on some of the concerns that had been voiced at the time of his election, observed that 'Seán T. O'Kelly ... has been impartial beyond reproach in his attitude towards the classes, creeds and parties of his country' (*Irish Times*, 11 April 1965).

O'Kelly had personal experience of the divisions that the civil war had caused. His family had been divided by the treaty split. His sister-in-law had married General Richard Mulcahy, a commander of the Free State forces and later Cumann na nGaedheal Minister for Defence, and it was only at his mother-in-law's funeral in 1927 that the two sides of the family were brought back together.¹⁰ Perhaps with his own family's troubled history in mind, he spoke at Newcastle West in Co. Limerick of 'bringing together again the friends and comrades sundered by the divisions of 1922' (*Irish Independent*, 11 April 1955). Though the term was not used, this early form of 'building bridges' in some respects foreshadows the themes explored in later presidencies (Galligan, 2012). Such remarks by the President were broadly welcomed. For example, Liam Skinner of the *Sunday Independent* noted that 'the country is being roused, as seldom before in recent years. From Belfast to Cork and from Galway to Dublin come messages of support for the President's appeal and for the reunification of the movement which achieved so much for Ireland between 1919 and 1921' (*Sunday Independent*, 26 October 1952).

Many of the comments relating to unity were also made in the context of ending partition. At the unveiling of a memorial at Bandon in 1953, O'Kelly spoke of how 'the obligation is still upon us to win back for Ireland the six partitioned counties ... We should not look on complacently, or stand idly by while Britain keeps our brothers of the North divided from us'. Through unity of the old republican ranks, he argued, 'the possibility of progress towards the abolition of partition would be many times multiplied' (*Irish Press*, 3 August 1953). Though the President refrained from wandering into domestic politics, he was clearly not above discussing national issues and his position was in harmony with that of the Fianna Fáil government. De Valera, his former party leader, had used a rare spell in opposition between 1948 and 1951 as an opportunity to travel abroad to communicate the anti-partition message to international audiences. In a similar manner, O'Kelly used his address to the United States Congress, discussed below, as an opportunity to repeat his domestic pronouncements on partition.

Political Role

Unlike Hyde, O'Kelly did not exercise his discretionary powers, although he did convene a meeting of the Council of State to discuss an aspect of the Health Bill, 1947. However, the most important development in the presidency during the early years came during O'Kelly's first term in office when a new, international dimension was added. As is so often repeated, de Valera's constitution had made Ireland a republic in everything but name. Despite the absence of any reference to the monarch in the document (Coakley, 2012), in the eyes of the international community the King was nonetheless seen as head of the state. The constitution had not addressed the functions of the President in the realm of external affairs. As late as 1941, British Prime Minister Winston Churchill observed of Ireland, 'her international status is undefined and anomalous' (Canning, 1985: 306). In 1948, Taoiseach John A. Costello signalled Ireland's intent to withdraw from the Commonwealth and to declare a republic. This was to have an important implication for the powers of the President. Section 3 of the resulting Republic of Ireland Act, 1948, stated that 'the President, on the authority and on the advice of the Government, may exercise the executive power or any executive function of the State in or in connection with its external relations'.

It was an important clarification that upgraded the status of the President. As Dunleavy and Dunleavy have noted in their biography of Douglas Hyde, when US Ambassador David Gray arrived in 1940 he came with the obvious assumption that Hyde did not count. He considered Hyde a spent force and identified de Valera, as Taoiseach, as being more important (Dunleavy & Dunleavy, 1991: 422). This, of course, was a product of the constitutional status of both offices – possibly influenced, too, by Hyde's weakened state as he recovered from his stroke – but it was also arguably a result of the ambiguity regarding the head of state. In terminating the King's role as head of state and transferring his powers to the President, Costello's Act allowed the Irish President to play an international role. Previously, the credentials of Irish diplomats were issued by the King on the advice of the Irish government, and the credentials

of foreign diplomats were addressed to the King. The President also did not play any role in the signing of international treaties. Subsequent to the Republic of Ireland Act coming into effect in 1949, the role of the President was transformed. The first letters of credence signed by O'Kelly were those of Leo MacCauley, the new Irish envoy to Spain (McCabe, 1991: 91).

This international role emerged gradually. O'Kelly made only two foreign trips of note during his time in office, the first to Rome (on the return from which he paid an unofficial visit to Paris) and the second to the United States. Both visits set important precedents. In the case of Rome, it was the first instance since the formation of the presidency that an office holder had left the state; the protocol followed set the template for future trips. In America, O'Kelly followed in the footsteps of Charles Stewart Parnell, W. T. Cosgrave and John A. Costello in delivering an address to Congress. However, he had the distinction of being the first Irish President to make such a speech. Moreover, unlike his predecessors, who spoke to only one chamber, he was the first Irish leader to address a joint meeting of Congress.

These trips, particularly the latter in March 1959, were important in 'selling Ireland' to an international community and developing the state's reputation abroad, a feature more generally associated with more recent presidencies. Though O'Kelly spoke of the continued problem of partition and outlined Ireland's goal to be 'united and free' in his address to the US Senate and House of Representatives, interwoven through his American speeches was an emphasis on the positive transformation of Ireland. Speaking to the Irish Societies of New York City, O'Kelly aimed to show that 'real progress has been made'. He spoke at length of 'substantial progress' in the economic field, and dealt with developments in housing, the merchant marine, scientific exploitation of peat resources, increased electric power and 'noteworthy advances in important basic sectors of the economy such as sugar, cement, steel and mineral development'.¹¹ This was a theme replicated in many of his other addresses. O'Kelly's American visit also had a more immediate importance: building on John A. Costello's in 1956, his demonstrated a continuing improvement in the relationship between America and Ireland, which had been damaged by Ireland's official policy of neutrality in World War II, even though the behind-the-scenes relationship told a different story.

Eamon de Valera, 1959–1973

On 25 June 1959, Eamon de Valera entered the final phase of his political career when he was elected the third President of Ireland. Born in New York in 1882, he came to Ireland in April 1885 with his uncle, Edward Coll. A scholarship later permitted him access to Blackrock College, where, it has been noted, unlike such contemporaries as the novelist and short-story writer Pádraic Ó Conaire, he showed no interest in the language revival movement and did not attend Irish language classes. The year 1908 has been identified as pivotal in his attitude towards the language. By then, de Valera was teaching at the teacher training college in Carysfort in South Dublin. The creation of the National University of Ireland (NUI) and the introduction

of an Irish language requirement for matriculation there had an impact on the curriculum on offer at Carysfort. De Valera resolved to learn the language, and subsequently joined the Gaelic League. He later married his teacher, Sinéad Flanagan, who was four years his senior (Fanning, 2009).

De Valera was strongly committed to the nationalist movement, and attended the inaugural meeting of the Irish Volunteers in 1913. When the Easter Rising occurred, he had charge of the battalion stationed at Boland's Mill – one of the key strategic points seized by the rebels in Dublin City – and his indecisive leadership has since been the subject of much comment. The only surviving senior commander of 1916, he was elected president of the newly created revolutionary parliament, Dáil Éireann, in 1919. His departure to the United States in June of that year to seek American recognition of an Irish Republic and to secure funding meant that he was absent for part of the military campaign for independence. His return to Dublin in December 1920 was followed by the disastrous assault, at his direction, on the Customs House in May 1921, which replicated the failed pitched-battle model of 1916. The truce that followed shortly afterwards led to inconclusive talks between de Valera and the British Prime Minister David Lloyd George in July 1921. De Valera's decision not to attend the second round has since been a source of speculation and controversy. He rejected the resulting Treaty, signed on 6 December 1921, and later resigned as president of Dáil Éireann. Over the following years, de Valera became increasingly frustrated at the futility of being on the political margins – his party, Sinn Féin, abstained from the Free State Dáil – prompting him to form his own party, Fianna Fáil, in 1926. It too was initially an abstentionist party, but the risk of being cast in the same irrelevant mould as Sinn Féin, together with some adroit manoeuvring on de Valera's part that allowed him to reinterpret the contentious oath as an 'empty formula', resulted in the Fianna Fáil deputies taking their seats in the Dáil in August 1927.¹² From the outset, the party acted as a government-in-waiting, and in 1932 de Valera led his deputies on to the government benches, where he remained almost continuously in power, with the exception of two brief interludes (1948–1951 and 1954–1957), until his election to the presidency.

Emergence as President

O'Kelly had been re-elected unopposed in 1952. There had been some privately expressed hope within Fianna Fáil that the outgoing president would stand aside, paving the way for de Valera to depart to the Áras and allowing Seán Lemass to become Taoiseach (Whelan, 2011: 94). O'Kelly, in fact, had no real desire to serve a second term, expressing the view in April 1950 that he would not seek re-election 'if I have my way' (*Evening Mail*, 26 April 1950). However, the possibility of de Valera retiring from active politics at that stage was unlikely, and, consequently, as the *Irish Independent* reported, O'Kelly was 'prevailed upon' (*Irish Independent*, 4 April 1952). As the constitution allows for two seven-year terms only, the next presidential election was scheduled for 1959. Given the private discussions that had seemingly taken place in 1952, when Fianna Fáil looked for a candidate seven years later

it was hardly surprising that de Valera was the obvious choice. Although his retirement as Taoiseach had been the subject of speculation for some time, there was still shock at a meeting of the parliamentary party on 15 January 1959 when he announced his intention to resign as Taoiseach and to make himself available for the forthcoming presidential election: 'several members, including government ministers, left the meeting with tears in their eyes' (Whelan, 2011: 114). Clearly, the concept of a Fianna Fáil party not led by its founding father was one with which it was difficult for many to come to terms.

De Valera was twice successful in presidential contests, making him the only candidate in the history of the presidency to have won two contested elections; but that he still had the potential by 1959 to be divisive was reflected in the narrowness of his victory over Fine Gael's Seán Mac Eoin, emphasised again seven years later when he defeated Fine Gael's Tom O'Higgins in 1966 by a slender margin of just over 10,000 votes. Of the second election, his official biographers noted that some people thought that it should be unanimously agreed that de Valera remain as president, but he was 'still too controversial a figure to be allowed this honour' (Longford & O'Neill, 1970: 461).

Of the three presidents examined in this article, de Valera was by far the most partisan. In nominating himself for a second term, O'Kelly had emphasised the political neutrality of the office. By contrast, de Valera's intention to stand for a second term was announced at a political forum – the Fianna Fáil *ard-fheis* (annual convention) – by Seán Lemass, and his endorsement by that party politicised his candidacy. He had also remained active behind the scenes. That an outgoing president opted to use the Oireachtas nomination process rather than self-nominate provided yet another 'first' in the presidency and presented its own set of challenges. A discussion emerged as to whether an outgoing president *could* be nominated by the Oireachtas or members of the Councils.¹³ The episode serves as a further example of how procedure was settled during the early presidencies.

The theme of youth was to the forefront of the 1966 campaign. Although the 1960s celebrated a signature date in Ireland's history, they were also a decade of change. A survey conducted on behalf of the *Irish Times* by Vincent Browne and Seán Barrett found that O'Higgins was most popular with younger voters, whereas de Valera polled best among those over 55. Though one must be careful not to place too much emphasis on a single opinion poll – which came with the caveat of a Dublin bias and an under-representation of lower-income earners – that de Valera's support base appeared to be among older voters was arguably a reflection of changing attitudes.¹⁴ As the dynamic of Irish politics shifted, his departure for the Áras seemed appropriate. Part of Fine Gael's appeal in that election – which explains why the party came so close to defeating a senior commander of 1916 in the year of the golden jubilee – was the emphasis that was placed on youth and energy, and the alternative offered. According to the Fine Gael handbook for canvassers, the men of 1916 were progressive and forward looking, as was O'Higgins. In the year of the fiftieth anniversary, it would be appropriate to elect someone who encapsulated those virtues.¹⁵

The 1966 election provided the first hint of a new type of president. Though unsuccessful, Tom O'Higgins appeared to offer an alternative to the older presidents. At 49, he was the youngest candidate yet to stand, and his age was very much emphasised throughout the campaign as a point of contrast with the ageing de Valera. On the occasion of his selection, party leader Liam Cosgrave had spoken of how the President symbolised the nation, and that, as such, the occupant should be 'young and active'.¹⁶ The theme of an active president was emphasised throughout his campaign. Echoing his party leader, Tom O'Donnell spoke of the necessity for a 'young, able and energetic' president, and foresaw a more engaged role in which, for example, the President would promote the country's trading relations.¹⁷ O'Higgins came tantalisingly close to victory; in 13 of the 38 constituencies he out-pollled de Valera, while in a further five, de Valera's margin of victory was less than 1,000 votes (in the case of Wexford, there were as few as 65 in the difference).

Vision of Office

The themes of de Valera's inaugural speeches represented continuity with his predecessors: he spoke of the importance of restoring the Irish language and, like O'Kelly, also hoped for an end to partition. These were themes replicated in various speeches he gave during his two terms in office. Speaking at a Fianna Fáil dinner five days after being elected, for example, de Valera expressed the view that the people should not be satisfied until everybody could speak the tongue. This, apart from the question of unity, was the big challenge facing the state (*Irish Times*, 22 June 1959). Initially de Valera found it difficult to adjust to his new role with reduced political responsibilities. Having had a constant presence for much of the first half of the twentieth century, it must have been peculiar, if not unsettling, for him to have made the transition from a politician accustomed to receiving the seal of office to the man presenting that seal to new ministers. Fears of dictatorship had long since passed, as de Valera took on the role of elder statesman. By the time that he retired from public life in 1973 the working day of the President 'included listening to radio bulletins, dealing with correspondence, attending daily mass in the Áras oratory, signing documents and messages to heads of state, receiving presentations of letters of credence, visiting friends in hospital, chatting with the Taoiseach once a month, and occasionally walking in the grounds and attending cultural events in an official capacity' (Ferriter, 2007: 202). In some respects little had changed since Douglas Hyde took office in 1938.

Political Role

De Valera, like his predecessors, was not an inactive president and there were several developments. He referred the Electoral (Amendment) Bill, 1961, to the Supreme Court. He was influenced to do so by the High Court decision on a 1959 electoral bill that had sought to redistribute Dáil seats, and was allegedly designed to give an unfair advantage to Fianna Fáil. That bill was successfully challenged in the High Court by Fine Gael's John O'Donovan, although the decision of Mr Justice Budd

was not delivered until 1961. When the new bill introduced by Neil Blaney, Minister for Local Government, passed all its parliamentary stages in 1961, de Valera referred it to the Supreme Court, though there is evidence that this course of action was not unwelcome to the government (O'Leary, 1979: 61–62). The Supreme Court deemed it to be constitutional. The position of the presidency at the heart of major occasions was also developed further at this time. De Valera's time at the Áras coincided with the anniversaries of 1916 and of the inaugural meeting of the first Dáil, which he had actually missed in 1919 because of his imprisonment in Lincoln Jail. The latter occasion afforded him the opportunity to address a joint meeting of the Oireachtas, making him the first president to use this constitutional power. The prominent role that de Valera played at these events helped place the presidency at the centre of major state ceremonies, and followed on from the position at sporting fixtures that had begun during Hyde's term in office.

The visit of American President John F. Kennedy in 1963 was one of the highlights of de Valera's first term and it increased the visibility of the office to the international press that covered the event. The following year – and just six months after Kennedy's assassination – de Valera returned the visit and, like O'Kelly before him, addressed a joint session of Congress. The subject of partition, touched on in his predecessor's speech, was more forcefully to the fore of de Valera's. In tracing the history of the Irish struggle, he made reference to his 1919 visit to America, lamenting that Ireland's unity had since been sundered. Several of the assembled members of the Congress commented on how de Valera had spoken from the heart, but the general reaction was summed up by John McCormack, the Irish-American speaker of the House of Representatives, who said that the American government could do nothing to influence Britain's position on Northern Ireland (*Irish Times*, 29 May 1964). Nonetheless, that de Valera chose to make partition the keynote of his speech was unsurprising and was in keeping with the views of his long political career.

As mentioned already, de Valera was the most party political of the three presidents under examination. For example, he was called upon to mediate and advise during the arms crisis, a difficult juncture in Fianna Fáil's history. Civil servant Peter Berry learnt on 17 April 1970 of a plan to bring arms and ammunition into Dublin airport. He subsequently consulted with de Valera as to whether he should inform the Taoiseach of a potential security issue (Whelan, 2011: 165). De Valera later intervened when Kevin Boland threatened to resign from the cabinet. He was duly summoned to the Áras where, according to his own account, the President 'foresaw a change to a Fine Gael-controlled government and pointed out the seriousness of this in the circumstances that existed' (Collins, 2000: 56). Though de Valera was no longer an active politician, he kept a watchful eye over developments within Fianna Fáil.

Conclusion

To use the description of Brian Lenihan, Senior, the presidency was seen by many by the 1970s as a 'totem pole', an ancestral symbol to which members of the tribe could pay homage (Walsh, 2008: 412). Between 1938 and 1973, incumbents did little to

push the boundaries of the office, and the only significant evolution of its functions came from the legislature rather than the office holder. However, given the fears of dictatorship that surrounded the creation of the office, the manner in which Douglas Hyde conducted his tenure was important in allaying such concerns. By using his discretionary power of referral to the Supreme Court, he demonstrated that the presidency was not a weak office, open to manipulation. Furthermore, the exercising of such powers by both Hyde and de Valera, and the convening of the Council of State by O'Kelly, show that the presidents were not as inactive as is sometimes suggested. Furthermore, there were hints of themes – such as pluralism and bridge building – that would be to the forefront of later presidencies. In refusing to adhere to the expectations of the GAA, Hyde had shown himself to be a president of all the people, while O'Kelly sought to bridge the civil war divide.

Despite the existence of a somewhat comparable office in the Lord Lieutenant and Governor-General, the presidency brought with it a new set of procedures and it was during these first presidencies that protocol was decided. From placing the President at the heart of major occasions, to the office holder leaving the country for the first time during the O'Kelly years, to de Valera choosing to use the Oireachtas nomination route to contest a second term, all presented a set of challenges to be decided. All three presidents helped to define the office by fulfilling the role as it had been envisaged. Though some wondered about the necessity for the office, the first three presidents essentially helped to establish an unknown quantity on a firm footing, and won the support and confidence of the ordinary person and political community alike.

Notes

1. Article 41.2.1 of the constitution located the place of the woman 'within the home', a position reinforced by Article 41.2.2, which stated that mothers 'shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home'.
2. De Valera's comments, naturally, were not well received among the loyalist community in Northern Ireland. The *Northern Whig* criticised what it saw as 'certain unmistakably anti-British allusions deliberately introduced by Mr de Valera', while the *Belfast Telegraph* (27 June 1938) claimed that such language served only to deepen the convictions of loyalists opposed to unification in the form of a republic.
3. National Archives of Ireland (NAI), Office of the President, PRES1/P465, Text of Christmas broadcast, 22 December 1938.
4. NAI, Department of Taoiseach, S13715, Letter from secretary of the GAA to the Taoiseach's office, 21 August 1945.
5. NAI, Office of the President, PRES1/P1238, Correspondence relating to presidential car, August 1983–March 1939.
6. NAI, Office of the President, PRES1/P464, Protocol, 1938–1951.
7. NAI, Office of the President, PRES1/P521, Note on president's health and interviews, 22 July 1938.
8. NAI, Office of the President, PRES1/P521, Reception of American Minister, 19 September 1940.
9. NAI, Office of the President, PRES/P4235, Michael McDunphy to government, 21 February 1949.
10. *Uachtaráin – Séan T Ó Ceallaigh*, TG4 documentary, first aired 25 April 2007.
11. NAI, PRES1/P5418B, Speech at dinner held by Irish Societies of New York, 30 March 1959.
12. Article 4 was the most controversial aspect of the Treaty signed in 1921. It required all elected members of the Irish parliament to 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'. Republicans interpreted this as an oath of allegiance to the British Crown and argued that it could not be reconciled with their oath of allegiance to the Irish Republic. Those deputies who refused to take the oath were barred from taking their seats in the Dáil.

13. The nomination process requires the support of 20 members of the Oireachtas or the support of four county and/or city councils. An incumbent president can self-nominate.
14. The opinion poll was carried out on O'Connell Street in Dublin City Centre on Saturday 21 May 1966 between 2.30 and 4.30 p.m. and had a sample size of 300 people. University College Dublin Archives (UCDA), Fine Gael Presidential Election Papers, P39/PR/104, Results of opinion poll, May 1966.
15. UCDA, Fine Gael Presidential Election Papers, P39/PR/87, 'Points for Guidance' handbook.
16. UCDA, Fine Gael Presidential Election Papers, P39/PR/86, Statement by Cosgrave on O'Higgins's selection, 2 February 1966.
17. UCDA, Fine Gael Presidential Election Papers, P39/PR/90, Speech by Tom O'Donnell at Clare convention, 6 March 1966.

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