

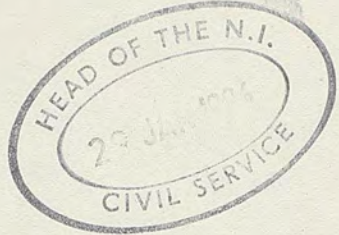
86211
2 SEC 3

CONFIDENTIAL

E.R.

PS/MR NEEDHAM (L&B)

- cc PS/Sofs (L&B)
- PS/Ministers (L&B)
- PS/PUS (L&B)
- Mr Brennan ~~PS/Mr Bloomfield~~
- Mr A W Stephens
- NI Perm Secs
- Mr Chesterton
- Mr Elliott
- Mr Erskine
- Mr Ferneyhough
- Mr Gilliland
- Mr Innes
- Mr Spence
- Mr Reid
- Mr Blackwell
- Mr Bell
- Mr G Hewitt
- Mr McConnell
- Mr Ehrman



* Article attached.

A DECLARATION OF NON-VIOLENCE

1. I am grateful to you for drawing my attention to the Irish News' article of 20 January in which Mr Danny Morrison commented that Sinn Fein would find it impossible to accept certain types of wording if the Government introduced a requirement of this sort for district councillors. I am not sure, however, that too much confidence should be placed in such public statements. Following a brief reference at the Secretary of State's meeting on 16 January, officials checked how Mr de Valera brought himself to take the oath before entering the Dail.

2. The Irish Free State (Agreement) Act 1922 required members of the Parliament of the Irish Free State to take an oath of allegiance to the Crown before taking their seats therein. The oath divided the South at the time of the Agreement and bedevilled De Valera's career. Eventually he decided that to achieve power he would have to sign the declaration in the Dail. He duly did so in August 1927. This is how he justified his action in the Dail debate on the Constitution (Removal of Oath) Bill 1932.

I have here the original document written in pencil, and in Irish, of the statement I made to the officer who was supposed to administer the oath. I said "I am not prepared to take an oath. I am not going to take an oath. I am prepared to put my name down in this book in order to get permission to go into the Dail, but it has no other significance." There was a Testament on the table, and

E.R.

CONFIDENTIAL

- 2 -

in order that there could be no misunderstanding, I went and I took the Testament and put it over and said: "You must remember that I am taking no oath". (My underlining.)

He was asked expressly if he signed the roll. His answer was I signed it in the way as I would sign an autograph in a newspaper. If you ask me if I had any idea what was there, I say "Yes".

3. It is possible that if someone of De Valera's undoubted integrity could claim that he had not taken an oath, some of today's Sinn Fein Councillors would have little trouble in doing likewise, and might cite the precedent to boot.

Francis Elliott

MISS D F E ELLIOTT
CPL

27 January 1986

PBD

CONFIDENTIAL