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TOP JEH  
cc: JP  
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Tsp PR  
cc: PB  
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PCL

file  
p-13/2.

Prime Minister

I think no should be  
steered off this for the  
moment. Agree? p-13/2.

5 February 1998 7/2.

The Rt. Hon Mrs Ann Taylor MP  
President of the Council  
68 Whitehall  
LONDON  
SW1A 2AT

Dear Ann,

#### SINN FEIN AND THE OATH OF ALLEGIANCE

We had a brief word in the margins of Cabinet about the possibility of amending the Parliamentary Oath. You explained that the issue was not currently under consideration, but you may find it helpful to see the arguments which had led me to conclude that this could be worth further examination.

The immediate background is of course Madam Speaker's ruling in respect of Gerry Adams and Martin McGuinness, denying them access to the full range of facilities at Westminster. That ruling was delivered before the restoration of the IRA ceasefire last July. The ceasefire has now been in place for six months, despite Loyalist provocation; Sinn Fein has been invited to join the multi-party negotiations and has affirmed its total and absolute commitment to the 'Mitchell' principles of democracy and non-violence; the Sinn Fein leadership has met the Prime Minister on four occasions, twice at Downing Street; and I have lifted all restrictions on Sinn Fein's access to Government so that they are now treated on all fours with other parties by reference to their electoral mandate.

Madam Speaker has nevertheless maintained her restrictions on the Sinn Fein MPs' access to facilities at Westminster because they refuse to take the Oath of Allegiance to the Queen. This has enabled Adams and McGuinness to





grievance on the basis that they are excluded from the House because of their Republican principles. You will have seen that there is a measure of support for their case in the House, expressed in Tony Benn's recent Parliamentary Declaration Bill and Alan Clarke's much publicised comments. The two Sinn Fein MPs have also pursued a judicial review action in Northern Ireland and, having now excluded domestic remedies, seem likely to mount an application under the ECHR. Any case will take some time to make progress; we may well not hear anything from Strasbourg until the end of the year, but it could progressively give Sinn Fein a good propaganda platform.

It is of course relevant that the Sinn Fein MPs were elected on an abstentionist ticket and have made clear that they have no intention of taking their seats: they say that they simply want to be able to use Westminster facilities to promote the interests of their constituents. Most other European and Commonwealth countries do not allow MPs access to parliamentary facilities unless they take their seats and I believe that we could defend a similar position more easily than the present one: the presentational problem we face at the moment is that Sinn Fein can characterise the issue as a matter of Republican principle. From my perspective it would be desirable to deny them that presentational advantage.

More generally, I believe we have an interest in encouraging Sinn Fein to take further steps towards full engagement in normal democratic politics. The Republican Movement has come a very long way and the more we can tie them in, the less risk there is of a reversion to full scale IRA terrorism. Even if any modernisation of the Oath was insufficient to persuade them to take up their seats, I believe there would be a strong case for seeking to persuade Madam Speaker to relax her ban, at least in some respects. Developments on these lines would demonstrate to Sinn Fein that we were serious about our commitment to





include them in the democratic process on reasonable terms and remove any shred of legitimate grievance.

In summary, I see a number of arguments in favour of changing the Oath of Allegiance:

- (a) it would be seen as part of the broader 'modernising' agenda;
- (b) it would deny Sinn Fein a legitimate grievance;
- (c) it could take the wind out of a potentially awkward ECHR application;
- (d) it would be consistent with our treatment of Sinn Fein as a fully legitimate political party, given the solidity of the IRA ceasefire;
- (e) it would expose Sinn Fein's position of 'Republican principle' as being no more than a cover for determined abstentionism;
- (f) it might actually help to entice them further into democratic politics, especially if Madam Speaker were to relax her ruling on access to Commons facilities.

I fully appreciate that this issue raises a number of sensitivities, but thought I should at least open the debate by setting out the case for change as I see it. I would welcome an opportunity to discuss all this with you and relevant colleagues.

I am sending copies of this letter to the Prime Minister, the Lord Chancellor, other members of IN and the Attorney General and to Sir Richard Wilson.

A handwritten signature in dark ink, appearing to read 'Marjorie Mowlam'.

MARJORIE MOWLAM