

Oath of Office: Ceremonial Event or Pledge of Personal Commitment?

by Lyleann McClellan Thee

As directed by Article 16 of the Texas Constitution, all elected and appointed officials in the State of Texas must take an oath of office before assuming their duties. Within this oath are the words, “to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State, so help me God.” Consider these words. Desiring to take proper action when the Supreme Court announced its opinion concerning same-sex marriage, Molly Criner researched the constitutions of Texas and other states and discovered Texas holds its officials to a higher standard than most. While most states’ oaths are pledges to defend, Texas officials pledge to defend and preserve and protect the State and Federal Constitutions. These are words of action and strong determination. Mrs. Criner is the Irion County Clerk, and the only county clerk in Texas that will not allow her office to issue same-sex marriage licenses. If you have not heard her speak about her strong stand on this issue, it is well worth your time to locate and listen to her presentation on line.



Article VI of the United States Constitution requires that members of Congress, State Legislatures, and all executive and judicial Officers, “be bound by Oath or Affirmation, to support this Constitution.” The concept of oaths goes back to English common law. Prior to the mid-16th century, there was no provision for penalizing witnesses who gave false legal testimony. It was accepted that, “the specter of God’s vengeance alone was enough to coax witnesses into telling the unvarnished truth.”

So, where are we today? Do oaths carry the same weight, and mean the same thing, as they apparently once did? It seems obvious that to make good on one’s oath in the state and federal contexts here, the oath-taker must be familiar with and educated in the Constitutions of both Texas and the United States. That knowledge does not seem to be as common and widespread as it once was. And, whether an oath is administered in an office with a few in attendance or as part of an inaugural ceremony before a larger audience, is the oath-taker making a pledge to an authority higher than anyone viewing the event?

Article VI of the United States Constitution states that, “no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.” It must be understood, though, that during this period of our history the term “religion” referred to the various denominations of Christianity rather than another belief system. Now, as the United States has “evolved” into a more secular country, oaths administered by the federal government no longer

require the words, “so help me God” should the oath-taker have personal or moral objections. Thankfully, Texas still includes the acknowledgement of and pledge to God in its oath.

In today’s world which strives to deny absolute truth, oaths can be seen as more of a ceremonial event rather than a personal commitment to defend at all costs these two precious documents. Words have meaning, and pledges of commitment should not be taken lightly. When you are reviewing the words and actions of those asking for your vote, consider how they view oaths. Their actions in office and in their personal lives will speak volumes. Then, compare that to your view and include your reflections in your decision-making process.