

The Oath to Uphold the Constitution

Article VI clause 3 of the United States Constitution requires that all who hold office in the United States take an oath to uphold the United States Constitution:

“The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution...”

In compliance with this requirement, as they enter office, Members of Congress take the following oath of office:

“I, (name of Member), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign or domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”

Article II Section 1 of the United States Constitution defines and requires the President of the United States to take a specific oath as he assumes that office:

“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.” (United States Constitution Article II, Section 1, emphasis added)

The United States Constitution, Article VI declares the Constitution is the “supreme law of the land,” and reinforces the requirement that judges are bound by it:

“This Constitution...shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”

As immigrants to this nation obtain their United States citizenship, they are required to take the following oath:

“I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or

purpose of evasion; so help me God. In acknowledgement whereof I have hereunto affixed my signature.

An oath is defined in Noah Webster's 1828 dictionary thus:

“A solemn affirmation or declaration, made with an appeal to God for the truth of what is affirmed. The appeal to God in an oath, implies that the person imprecates his vengeance and renounces his favor if the declaration is false, or if the declaration is a promise, the person invokes the vengeance of God if he should fail to fulfill it. A false oath is called perjury.”

The requirement to agree under oath to uphold the Constitution is an unequivocal requirement to holding office. The oath of a new citizen is specific in the commitment to uphold the Constitution. The Constitution is the “supreme Law of the Land” for all citizens. Can the words of the Constitution have any other meaning than the common meanings which were well known at the time of its writing?

The United States Constitution is ***The*** Charter of the Nation. It defines the framework of the government it establishes. It delegates authority to act in specific areas. It establishes the boundaries within which our national government may act. It is ***not*** a grant of unlimited power to act with unrestricted discretion. The primary purpose of our Constitution is to protect the people in their God-given unalienable rights.

The value of a written constitution is beyond measure. Words have meaning, and those meanings may be known. They are not open to arbitrary and unilateral interpretation or redefinition by those who would modify the constitution to meet their whims. The words and the intended scope of the government was clearly established by those who framed the Constitution. There is an established and constitutional method for modifying the Constitution if it becomes necessary to do so. That process is defined in Article V of the U.S. Constitution. There is no other way to legally modify it. Until it is modified legally (by the method defined within Article V of the Constitution), the United States Constitution is obligatory upon all.

—Scott N. Bradley