

History of Oath of Office:

Not a mere formality, an “Oath of Office” is a public pledge that the official understands the requirements of the position, and will work to meet or exceed those requirements. Those taking the oath must fully consider the meaning of the oath and all of its important implications.

An oath is a formal promise which, traditionally invokes God, or something else which the taker of the oath considers sacred, to act as a witness to the oath taker’s sincere intention to fulfill that promise. In this way, the oath was historically thought not only to bind the oath taker to the laws of man, but to a higher moral authority as well. Oath takers can “affirm,” rather than “swear,” and omit reference to God.

Oaths of office date back at least to the time of ancient Rome, and, since then oaths have become a staple of representative government. Oaths have been a requirement for public office from the nation’s inception. The Constitution sets out the Presidential Oath in full, and expressly provides that Congress “shall be bound by Oath or Affirmation to support this constitution.” State and local governments adopted oaths modeled after the federal oath, and the taking of an oath has become a requisite for holding nearly any public office.

Legal Definition of an Oath of Office: Oath *noun* [adjuration](#), [affirmation](#), [affirmation of truth](#), [affirmation of truth of a statement](#), [asseveration](#), [attestation](#), [avouchment](#), [avowal](#), [avowance](#), [guarantee](#), open declaration, [pledge](#), [promise](#), solemn affirration, [solemn avowal](#), [solemn declaration](#), [solemn invocation](#), [swearing](#), [sworn pledge](#), [sworn promise](#), [sworn statement](#), [vow](#)

Any type of attestation by which an individual signifies that he or she is bound in conscience to perform a particular act truthfully and faithfully; a solemn declaration of truth or obligation.

An individual's appeal to God to witness the truth of what he or she is saying or a pledge to do something enforced by the individual's responsibility to answer to God.

Similarly an affirmation is a solemn and formal declaration that a statement is true; however, an affirmation includes no reference to God so it can be made by someone who does not believe in God or by an individual who has conscientious objections against swearing to God. Provisions in state statutes or constitutions ordinarily allow affirmations to be made as alternatives to oaths.

In order for an oath to be legally effective, it must be administered by a public official. The law creating each public office and describing the duties of the official ordinarily indicates who is authorized to administer the oath of office. A spoken oath is generally sufficient; however, a written and signed oath can be required by law.

The most famous oath prescribed by law in the United States is the oath repeated by the president-elect upon taking the office of the presidency.

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oath n. 1) a swearing to tell the truth, the whole truth and nothing but the truth, which would subject the oath-taker to a prosecution for the crime of perjury if he/she knowingly lies in a statement either orally in a trial or deposition or in writing. Traditionally, the oath concludes "so help me God," but the approval of a supreme being is often omitted. However, criminal perjury charges are rare, since the person stating the untruth will almost always claim error, mistake, loss of memory, or opinion. At the beginning of any testimony by a witness, the clerk or court reporter administers an oath to the witness. 2) The "swearing in" of a person assuming a public office, sometimes called the "oath of office." 3) sworn commitment of allegiance, as to one's country. (See: [affidavit](#), [perjury](#))

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