



**Why does the
Constitution require an
oath of office?**

**8 Grade Georgia Hub Inquiry
by Lisa Landers**

Why does the Constitution require an oath of office?



[photograph], Leah Ward Sears papers, MS 2427, Georgia Historical Society, Savannah, Georgia.

Supporting Questions

1. What officials are required to take an oath of office?
2. What is the significance of taking an oath?
3. Is making a pledge the same as taking an oath?

Why does the Constitution require an oath of office?

Inquiry Standard	SS8CG1 Describe the foundations of Georgia’s government. e. Identify wisdom, justice, and moderation as the three principles in the Pledge of Allegiance to the Georgia Flag.
Staging the Compelling Question	Read Article VI of the United States Constitution. (Focus on paragraph three). Ask students to identify the reason why the Constitution requires some individuals to take an oath of office. Abraham Baldwin’s Draft Constitution, 1787 Artic..

Supporting Question 1	Supporting Question 2	Supporting Question 3
What officials are required to take an oath of office?	What is the significance of taking an oath?	Is making a pledge the same as taking an oath?
Formative Performance Task	Formative Performance Task	Formative Performance Task
Describe the duties of an official who is required by the Constitution to take an oath of office.	Explain the significance of an oath. Identify important words that are said, items that are used, and people who are present when someone is taking an oath of office.	Explain how a pledge is different than an oath.
Featured Sources	Featured Sources	Featured Sources
Source A: Officials Required to take Oaths of Office	Source A: The Oath of Office	Source A: The Pledge to the Georgia State Flag

Summative Performance Task	ARGUMENT Construct an argument (e.g., detailed outline, poster, essay) in response to the compelling question using specific claims and relevant evidence from historical sources, while acknowledging competing views.
	EXTENSION Read the “No Religious Tests Clause” article from Const.. and discuss the relationship between oaths and religion.
Taking Informed Action	UNDERSTAND Read the summary of H.R. 3980 , a bill regarding the Pledge of Allegiance being recited in schools daily. ASSESS Assess the role the Pledge of Allegiance plays in students’ daily lives. ACTION Debate the purpose of this legislation.

Inquiry Description

This is the sixth inquiry in a series from the Georgia Historical Society that focuses upon civic education and is based on the theme, "The United States Constitution: Ensuring Liberty and Justice for All". This 8th grade inquiry focuses on Article VI of the United States Constitution, specifically considering the Oath of Office requirement. This inquiry challenges students to consider the purpose of taking an oath of office.

Structure

The inquiry begins with students reading Article VI of the Constitution. Students will assess the purpose of an oath of office then identify different types of individuals who take an oath of office as required by the Constitution. Next, students will analyze differing details regarding taking an oath, including the words said, the items used, and the people present for the event. Finally, students will also consider how taking an oath may be similar or different than a making a pledge by analyzing the pledge to the Georgia state flag.

Staging the Compelling Question

Compelling Question	Why does the Constitution require an oath of office?
Featured Sources	<ul style="list-style-type: none">• Source A: Abraham Baldwin draft copy of the United States Constitution, 1787• Source B: page 4 of Abraham Baldwin's draft copy of the United States Constitution

Staging the compelling question

The students should read Article VI of the Constitution and identify the reason that the Constitution requires some individuals to take an oath of office. The oath of office is a promise to uphold the United States Constitution. Discuss with students the reasons why they think this clause was included by the framers.

Compelling Question

Featured Source A

Abraham Baldwin draft copy of the United States Constitution, 1787

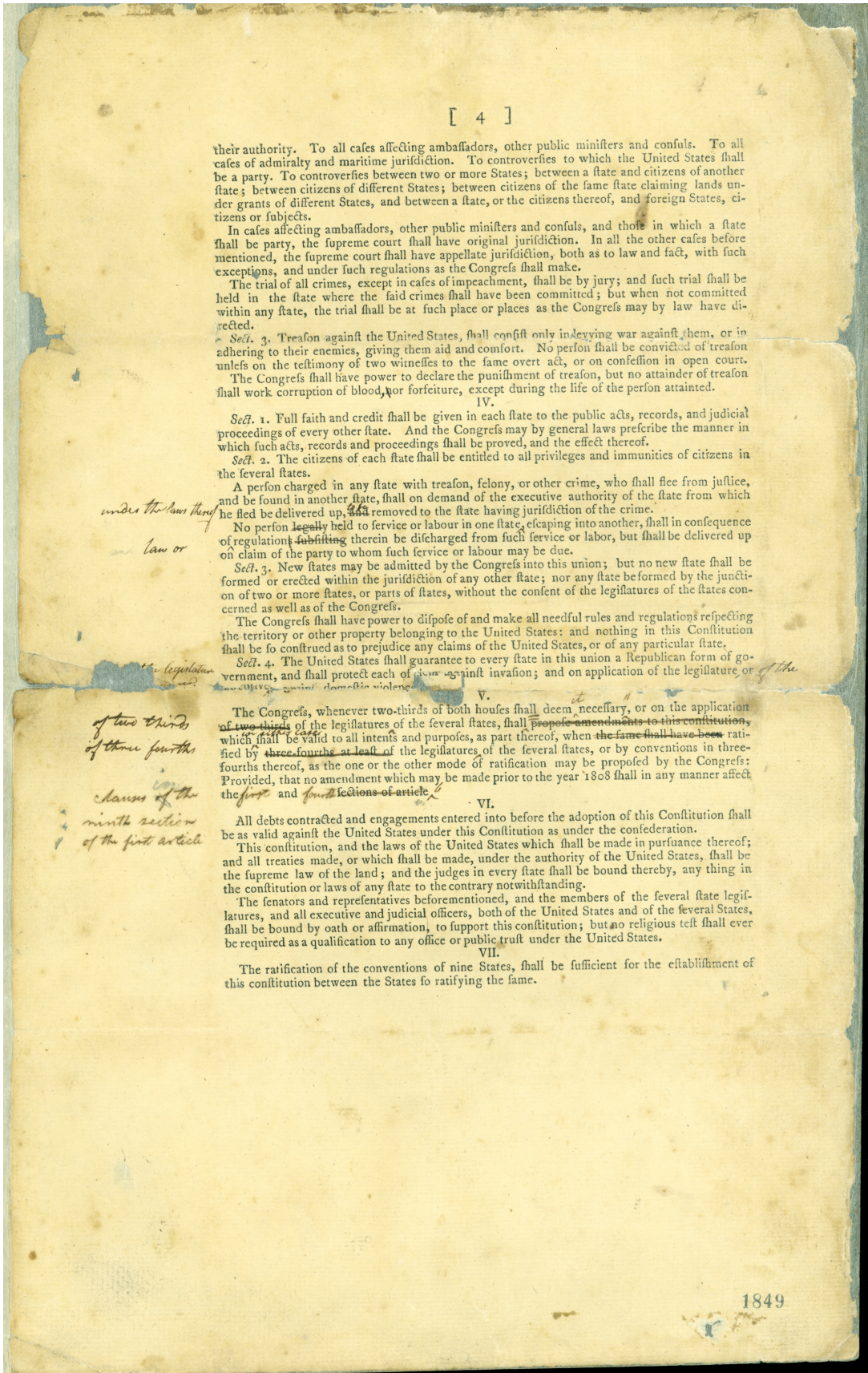
Excerpt

Read Article VI of the United States Constitution. (Focus on paragraph three). Ask students to identify the reason why the Constitution requires some individuals to take an oath of office. [Abraham Baldwin's Draft Constitution, 1787 Artic..](#)

Source:

United States Constitution draft annotated by Abraham, MS 1703, Georgia Historical Society, Savannah, Georgia.

Compelling Question



[4]

their authority. To all cases affecting ambassadors, other public ministers and consuls. To all cases of admiralty and maritime jurisdiction. To controversies to which the United States shall be a party. To controversies between two or more States; between a state and citizens of another state; between citizens of different States; between citizens of the same state claiming lands under grants of different States, and between a state, or the citizens thereof, and foreign States, citizens or subjects.

In cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Sect. 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attained.

IV.

Sect. 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Sect. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled be delivered up, to be removed to the state having jurisdiction of the crime.

No person legally held to service or labour in one state, escaping into another, shall in consequence of regulations existing therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labour may be due.

Sect. 3. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States: and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Sect. 4. The United States shall guarantee to every state in this union a Republican form of government, and shall protect each of them against invasion; and on application of the legislature or executive of any state, against domestic violence.

V.

The Congress, whenever two-thirds of both houses shall deem necessary, or on the application of two-thirds of the legislatures of the several states, shall propose amendments to this constitution, which shall be valid to all intents and purposes, as part thereof, when the same shall have been ratified by three-fourths at least of the legislatures of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth sections of article I.

VI.

All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, 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.

The senators and representatives beforementioned, 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; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

VII.

The ratification of the conventions of nine States, shall be sufficient for the establishment of this constitution between the States so ratifying the same.

under the laws thereof

law or

the legislature

of two thirds of three fourths

clauses of the ninth section of the first article

1849

United States Constitution draft annotated by Abraham Baldwin, MS 1703, Georgia Historical Society, Savannah, Georgia.

Supporting Question 1

Supporting Question	What officials are required to take an oath of office?
Formative Performance Task	Describe the duties of an official who is required by the Constitution to take an oath of office.
Featured Sources	<ul style="list-style-type: none">• Source A: Officials Required to take Oaths of Office

Students will identify the differing types of officials that are required by the Constitution to take an oath of office. By identifying those officials they will gain an understanding of the differing types of offices that work to uphold the Constitution.

Formative Performance Task

Students should use the Baldwin draft copy of the Constitution and the web page from Cornell Law school to gain evidence about differing types of officials who take an oath of office. Use the "Branches of the U.S. Government" web page from USA.gov to read about the duties of the differing types of officials.

Supporting Question 1

Featured Source A

Officials Required to take Oaths of Office

Excerpt

[Abraham Baldwin's Draft Constitution, 1787 Artic.](#)

[Branches of the US Government, USA.gov](#)

[Oath of Office for all officials except the Presid.](#)

Source:

United States Constitution draft annotated by Abraham , MS 1703, Georgia Historical Society, Savannah, Georgia.

Branches Of the U.s. Government, <https://www.usa.gov/branches-of-government>

5 U.s. Code § 3331 - Oath Of Office, <https://www.law.cornell.edu/uscode/text/5/3331>

Supporting Question 2

Supporting Question	What is the significance of taking an oath?
Formative Performance Task	Explain the significance of an oath. Identify important words that are said, items that are used, and people who are present when someone is taking an oath of office.
Featured Sources	<ul style="list-style-type: none">● Source A: The Oath of Office

This question asks students to consider the significance of taking an oath of office.

Formative Performance Task

In order to identify commonly used words in different types of oaths of office students should read "The Oath of Office" from the United States House of Representatives and listen to the recording of camp counselors taking an oath to uphold the principles of the summer camp where they will be working during the summer of 1940.

Students should also analyze or compare the two photographs to identify items used in a swearing in ceremony as well as people who may be present. This evidence should help students explain why an oath is significant.

Supporting Question 2

Featured Source A

The Oath of Office

Excerpt

[The Oath of Office Bill, United States House of Representatives](#)

[Camp Council Meeting, oath of office recording, LOC](#)

[Leah Ward Sears first female Supreme Court Justice in Georgia pictured taking the oath of office as Chief Justice in 2005, GHS](#)

[Griffin Bell \(Americus, GA\) receiving the attorney general oath of office from Chief Justice Warren E. Burger in January 1977, GHS](#)

Source:

The Oath Of Office Bill

<https://history.house.gov/Historical-Highlights/17..>

[photograph], Leah Ward Sears papers, MS 2427, Georgia Historical Society, Savannah, Georgia.

[photograph], Griffin B. Bell papers , MS 2305, Georgia Historical Society, Savannah, Georgia.

Todd, C. L. & Sonkin, R. (1940) *Camp Council Meeting; Oath of Office*. Shafter FSA Camp, August 5. [Audio] Retrieved from the Library of Congress, <https://www.loc.gov/item/toddbib000101/>.

Supporting Question 3

Supporting Question	Is making a pledge the same as taking an oath?
Formative Performance Task	Explain how a pledge is different than an oath.
Featured Sources	<ul style="list-style-type: none">• Source A: The Pledge to the Georgia State Flag

This question asks students to differentiate between a pledge and an oath.

Formative Performance Task

Students should use all of the sources to help identify the 5 W's of the Pledge to the Georgia State Flag. Students should answer the following questions in order to identify differences and possible similarities in taking an oath and making a pledge.

1. Who says the pledge?
2. What does the pledge mean? ("Wisdom, Justice, Moderation")
3. Where would someone say the the pledge?
4. Why are words from the pledge also written on the state flag?
5. How is a pledge different than an oath?

Supporting Question 3

Featured Source A

The Pledge to the Georgia State Flag

Excerpt

[The pledge to the Georgia State flag, Justia US Law](#)

[Joint Resolution Giving official recognition to the pledge of allegiance to the flag of the United States, 1945, LOC](#)

[Reciting "I pledge allegiance," etc., public school. Norfolk, Virginia, 1941, LOC](#)

["On May 8, 2003, Georgia's governor signed H. B. 380, which created a new state flag, displayed here by \(L-R\) Senator George Hooks, Alfred Holt Colquitt Chapter 2018 member Mrs. John A. Sunaway, and Secretart of State Cathy Cox."](#)

Source:

2010 Georgia Code :: Title 50 - State Government :: Chapter 3 - State Flag, Seal, And Other Symbols :: Article 1 - State And Other Flags :: § 50-3-2 - Pledge Of Allegiance To State Flag

<https://law.justia.com/codes/georgia/2010/title-50..>

Joint Resolution Giving official recognition to the pledge of allegiance to the flag of the United States, 1945, LOC, <http://www.loc.gov/law/help/statutes-at-large/79th..>

Vachon, J., photographer. (1941) *Reciting "I pledge allegiance," etc., public school. Norfolk, Virginia* Norfolk Norfolk. United States Virginia, 1941. Mar. [Photograph] Retrieved from the Library of Congress, [https://www.loc.gov/item/2017811963/.](https://www.loc.gov/item/2017811963/)

[image], George B. Hooks papers, MS 1783, Georgia Historical Society, Savannah, Georgia.

Summative Performance Task

Compelling Question	Why does the Constitution require an oath of office?
Argument	Construct an argument (e.g., detailed outline, poster, essay) in response to the compelling question using specific claims and relevant evidence from historical sources, while acknowledging competing views.
Extension	Read the “No Religious Tests Clause” article from Const. and discuss the relationship between oaths and religion.

Argument

Students should make an evidence-based argument to explain the reasons why the United States Constitution requires officials to take an oath of office.

Extension

The clause in Article VI that contains the section about oaths of office is referred to as the "No Religious Tests Clause". Discuss with students the relationship between religion and oaths and why this clause was included in the Constitution.

Taking Informed Action

Understand	Read the summary of H.R. 3980 , a bill regarding the Pledge of Allegiance being recited in schools daily.
Assess	Assess the role the Pledge of Allegiance plays in students' daily lives.
Action	Debate the purpose of this legislation.

Most likely students are familiar with the Pledge of Allegiance. Take the opportunity to discuss and debate the merits or criticisms of taking the Pledge of Allegiance.

- [Oaths of Office Inquiry Bibliography.docx](https://s3.amazonaws.com/idm-generator/u/6/4/4/b/5602/644b8b4d61190059309377947bf5fcf3998bcd77.docx) (https://s3.amazonaws.com/idm-generator/u/6/4/4/b/5602/644b8b4d61190059309377947bf5fcf3998bcd77.docx)

