

Article VI



Clauses 1-3

WHAT IT SAYS

[1] 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.

[2] 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.

[3] 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; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

SOLEMNLY SWEARING: THE OATH OF OFFICE

While the Constitution specified the precise words that Presidents of the United States take in their inaugural oaths, it left it to Congress to determine the oath that other federal officials would take. The first bill that passed the U.S. Senate in 1789 was the Oath Act, which set out a short oath for members of Congress and civil servants: “I do solemnly swear that I will support the Constitution of the United States.” This oath served its purpose until the secession of the Southern states raised alarming questions about the loyalty of members of Congress and the executive branch to the federal government. Fearing traitors in its midst, Congress in 1862 enacted an Ironclad Test Oath in which people proclaimed their past and future loyalty to the Constitution. This oath required members to swear that they had never voluntarily borne arms against the United States, or aided, recognized, or supported a government hostile to the United States. When the war ended, Radical Republicans in Congress used this oath to prevent former Confederates from taking seats to which they were elected. In 1868, they began to relax this requirement, but did not repeal the so-called Ironclad Test Oath until 1884. Today, federal officials “solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and 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.”

WHAT IT MEANS

The new Constitution recognized that the debts of the previous government under the Articles of Confederation were still valid.

If a state law is in conflict with federal law, federal law must prevail. Referred to as the “supremacy clause,” this article declares that the Constitution and the laws and treaties of the federal government are the highest in the land. While state courts rule on state laws, the federal courts can step in and order changes if the state laws go against federal law.

All federal and state officials must take an oath of allegiance to the Constitution. Although state officials have a duty to obey their own state constitutions and laws, their first loyalty must be to the U.S. Constitution. To ensure freedom of religion, public officials cannot be required to practice or pledge allegiance to any particular religion in order to hold office.



“The Federal Constitution is a perfect and entire thing, an edifice put together not for the accommodation of a few persons, but for the whole human race; not for a day or a year, but for many years, perhaps a thousand, perhaps many thousands.”

— The poet Walt Whitman
in an article entitled
“The Federal Constitution”
(1856)

