

## National University of Ireland, Maynooth

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From the Selected Works of Seth Barrett Tillman

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Extract from Rotunda & Nowak, Treatise on  
Constitutional Law (4th ed. Supp. 2011) citing  
Tillman & Tillman's A Fragment on Shall & May

Seth Barrett Tillman



Available at: [https://works.bepress.com/seth\\_barrett\\_tillman/212/](https://works.bepress.com/seth_barrett_tillman/212/)

## THE PRESIDENTIAL OATH

§ 9.18

### § 9.21 The Presidential Oath *[New]*

Our pithy Constitution prescribes the exact language of the oath that the President must take.

“Before he enter on the Execution of his Office, he shall

take the following Oath or Affirmation:

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.<sup>1</sup>

A few times in our history, Presidents have failed to recite the oath correctly the first time. History records that Calvin Coolidge, Chester A. Arthur, and Barack Obama did not recite the oath correctly. In each case, out of an abundance of caution, they have repeated the oath.<sup>2</sup> For example, President Obama did not recite these exact words when he took the oath on January 20, 2009,<sup>3</sup> and repeated it the following day, in a private ceremony.<sup>4</sup>

The phrase ("So help me God"), is not part of the Constitutional oath. It is extra language, but many Presidents have added it, going back perhaps as far as George Washington.<sup>5</sup>

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<sup>1</sup>U.S. Const., Art. II, § 1, cl. 8.  
Tillman & Tillman, A  
Fragment on Shall and May, 50  
Am. J. Legal Hist. 453, 456-57  
(2010) (discussing the distinction  
between "shall" and "will" in the  
Presidential Oath Clause, U.S.  
Const., Art. II, § 1, cl. 8. . . .