



## Representing Secular Americans In The Constitution State

### **Oaths and Affirmations – Fact Sheet** **Standardizing Connecticut's Oaths for the Religious and Nonreligious**

#### **What is the Fundamental Intention of Connecticut's Oaths?**

Oaths are taken to emphasize that the person taking the oath is making a binding promise to fulfill the duties or uphold the principles expressed in those oaths. These purposes are subverted when the person is obligated to swear according to beliefs that he/she does not hold.

#### **What Needs to be Addressed in the Existing Oaths?**

A number of them are discriminatory and unconstitutional. Six of the twenty-one oaths specified in the current statute, require the oath-taker to swear to a deity. To many of our citizens, that is not meaningful, and it violates their principles. In those six cases, for individuals to be administered an oath that they can affirm with integrity, individuals are required to request an alternate oath. Requesting an alternate oath requires them to disclose their beliefs or non-beliefs, which may delay the oath-taking process, be uncomfortable, even risk friendships and careers for those involved.

#### **What Does the Proposed Act Do and Not Do?**

Fifteen of Connecticut's oaths already (and properly) contain wording that covers both religious and non-religious oath-takers. The proposed act would standardize the six remaining oaths to contain similar wording with respect to affirming the oath-taker's earnest intention to honor the oath.

#### **In What Way is the Current Law Unconstitutional?**

When an oath-taker is forced to request a non-theistic version of the oath, he/she is identifying his/her non-theistic beliefs. Such an identification requirement is unconstitutional. The United States Supreme Court unanimously declared in *Torcaso v. Watkins* (1961) that the U. S. Constitution forbids the federal and state governments from imposing a religious test as a requirement for public service and from compelling any person to "profess a belief or disbelief in any religion."

#### **What Consequences are Faced by Oath-Takers Who Identify as Non-theists?**

If someone reveals his/her non-belief, it may lead to stigma and discrimination in the workplace, in running for office, and in the broader community. Since more than one-third of Connecticut's residents identify as nonreligious, this is not a minor issue.

There is an ongoing history of discrimination against those of various beliefs in the United States. Even now, many states have unconstitutional laws barring atheists from public office or testifying in court. There are recurring incidents of unconstitutional discrimination, ostracism, retaliation, and death threats against students and others who insist on their right to avoid pledges or songs that involve a deity, or who seek a public education that is free of religion.

#### **How Does the Act Make the Law Stronger?**

The act would insure that every citizen takes a meaningful oath consistent with his/her scruples and conscience. That would encourage service to the best of everyone's ability, rather than an oath that would start their service by affirming something that they don't really mean. Every oath taker deserves no less.