

Chapter 23: Lawful Oaths and Vows

K. C. Juntunen

1 Intro

Renihan enumerates three reasons for having a chapter on oaths in our confession¹:

1. The first is the gravity of oath taking.
2. The second is the abuse of oath-taking by the civil magistrate. There was a practice called *oath ex officio* in which, as Goodwin described it, “a man was put upon it to accuse himself in matter of fact.” There’s not always a fifth amendment. But note that this matter of oath-taking forms a kind of linkage between religious worship in the last chapter, to matters of state in the next.
3. Oaths and vows are outright rejected by radical reformers like the Anabaptists who fear that by taking an oath, they may take the Lord’s name in vain.

Sam Waldron spends most of his commentary on the lawfulness of oaths. My personal experience tells me the Anabaptist position on this is the more popular one, so I’ll start by discussing the lawfulness of oaths.

Matthew 5:33ff:

³³ Again, ye have heard that it hath been said by them of old time, Thou shalt not forswear thyself, but shalt perform unto the Lord thine oaths: ³⁴ But I say unto you, Swear not at all; neither by heaven; for it is God’s throne: ³⁵ Nor by the earth; for it is his footstool: neither by Jerusalem; for it is the city of the great King. ³⁶ Neither shalt thou swear by thy head, because thou canst not make one hair white or black. ³⁷ But let your communication be, Yea, yea; Nay, nay: for whatsoever is more than these cometh of evil.

¹Renihan. Location 9106.

James 5:12:

¹² But above all things, my brethren, swear not, neither by heaven, neither by the earth, neither by any other oath: but let your yea be yea; and your nay, nay; lest ye fall into condemnation.

These two passages seem like a closed case. How can it be lawful to swear at all?

We need to read these two passages in light of the whole counsel of God. The “analogy of faith” is an important hermeneutical principle. Monergism.com² explains that “since all scriptures are harmoniously united with no essential contradictions, therefore, every proposed interpretation of any passage must be compared with what the other parts of the bible teach.” So, lets take a moment for a quick survey some other Scriptures.

In Genesis 15, the Lord promised the land to Abraham’s descendants. In Genesis 26, during a famine, the Lord tells Isaac not to go down to Egypt, and refers to the Genesis 15 episode, saying “I will perform the oath which I sware unto Abraham thy father.” Hebrews also, in chapter 6, verse 13 says, “when God made promise to Abraham, because he could swear by no greater, he sware by himself.” This is enough to tell us that it’s lawful for God to swear. Is it lawful for men to swear?

In Genesis 24, Abraham commands his servant swear by the Lord to not take a wife for Isaac from the Canaanites, but to take one from Abraham’s native country. But maybe this is descriptive, rather than prescriptive?

In Exodus 22, the law requires,

¹⁰ If a man deliver unto his neighbour an ass, or an ox, or a sheep, or any beast, to keep; and it die, or be hurt, or driven away, no man seeing it: ¹¹ Then shall an oath of the LORD be between them both, that he hath not put his hand unto his neighbour’s goods; and the owner of it shall accept thereof. . .

In Numbers 5, the law requires a woman accused of adultery to be placed under oath.

Deuteronomy 29:12-14 equates a covenant with an oath: “¹² That thou shouldest enter into covenant with the LORD thy God, and into his oath, which the LORD thy God maketh with thee this day:”

In Joshua 2 the spies swear an oath to the woman who hid them.

²<https://www.monergism.com/thethreshold/articles/onsite/qna/analogyfaith.html>

In Joshua 9, the Gibeonites trick the Israelites into swearing an oath, and they remain faithful to the oath³.

Well, maybe it's just an Old Testament thing? A few verses before Jesus said "swear not at all," he said "¹⁷ think not that I am come to destroy the law, or the prophets." And "¹⁹ Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven: but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven." So the Old Testament hasn't spoiled yet. But let's see what's in the New Testament.

First, remember how Christ was silent when accused before the Sanhedrin. He was at one point, however, put under oath by the high priest in Matthew 26. "⁶³ But Jesus held his peace. And the high priest answered and said unto him, I adjure thee by the living God, that thou tell us whether thou be the Christ, the Son of God." Jesus took the oath as seriously binding. "⁶⁴ Jesus saith unto him, Thou hast said."

Paul swore plenty:

Romans 9:1 I say the truth in Christ, I lie not, my conscience also bearing me witness in the Holy Ghost...

2 Corinthians 11:31 The God and Father of our Lord Jesus Christ, which is blessed for evermore, knoweth that I lie not.

Galations 1:20 Now the things which I write unto you, behold, before God, I lie not.

1 Timothy 2:7 Whereunto I am ordained a preacher, and an apostle, (I speak the truth in Christ, and lie not;) a teacher of the Gentiles in faith and verity.

Whatever Jesus meant when he said "swear not at all," he didn't intend to contradict the Scriptures. He's talking about a particular behavior, and He actually fills in some context himself. He says don't swear by heaven, earth, Jerusalem, or your head. People were swearing by everything except God in an effort to avoid running afoul of the third commandment. And, if they had invoked God in their oaths, why would this break the third commandment? Because they intended to break the ninth commandment. They wanted to swear, and then bear false witness. "By Merlin's beard, the fish was this big." There was a habit of casual, empty, and flippant oaths. The third

³At least until King Saul (see 2 Samuel 21:1).

commandment is principally about oath-taking, and Jesus didn't abolish it in his Sermon on the mount. He merely upheld the ninth.

Alexander Whyte, in his *Exposition on the Shorter Catechism* discusses oaths in his chapter on the third commandment. He mentions Jesus' words in Matthew 5:33ff saying this:

This is a most instructive example of our Lord's popular teaching, but it has little or nothing to do with the matter in hand [the third commandment]. He is here dealing with one of the most common vices among His fellow-countrymen. The whole sermon, and eminently this part of it, is directed against the perversions and exaggerations, the glosses and refinements under which it may almost be said the moral law lay buried in our Lord's day; and hence the paradoxical and startling words He sometimes makes use of, as if just to set men to think what the law of God really is, and what obedience to it really implies.

As he often did, Jesus was addressing legalism. This is real legalism: when you avoid the spirit of the law, and try to work out just how far we can go without *technically* breaking it. So they'd say as long as you don't swear by the Lord, you're not breaking the third commandment, while never considering the ninth. James merely echoes the Matthew 5 passage. But the burden of these passages is more about the ninth commandment, than the third.

Dickson offers several arguments in his commentary on the Westminster⁴. Here are a few:

1. Isaiah 65:16 says that the nations, when converted to Christ, will swear oaths.
2. The angel in Revelation 10:6 swears "by him that liveth for ever and ever." Dickson argues that "that we should not fear to do on earth that which is done in heaven."

⁴cited from Renihan. Location 9209.

2 Lawful oaths (§ 1-4)

2.1 Their definition (§ 1)

A lawful oath⁵ is a part of religious worship, wherein the person swearing in truth, righteousness, and judgment, solemnly calleth God to witness what he sweareth,(1) and to judge him according to the truth or falseness thereof(2)

- 1. Ex 20:7; Dt 10:20; Jer 4:2.
 - Ex 20:7: “Thou shalt not take the name of the LORD thy God in vain; for the LORD will not hold him guiltless that taketh his name in vain.”
 - Dt 10:20: “Thou shalt fear the LORD thy God; him shalt thou serve, and to him shalt thou cleave, and swear by his name.”
 - Jer 4:2: (Swearing by the Lord, rather than other gods.) “And thou shalt swear, The LORD liveth, in truth, in judgment, and in righteousness; and the nations shall bless themselves in him, and in him shall they glory.”
- 2. 2Ch 6:22-23.
 - (Solomon dedicating the temple.) “If a man sin against his neighbour, and an oath be laid upon him to make him swear, and the oath come before thine altar in this house; ²³ Then hear thou from heaven, and do, and judge thy servants, by requiting the wicked, by recompensing his way upon his own head; and by justifying the righteous, by giving him according to his righteousness.”

Notice that oaths are categorized as “a part of religious worship.” This phrase links us back to the last chapter where acts of worship are delineated in paragraphs 5 and 6. Paragraph 5 describes *public* worship as we’ll engage in this morning. The more generic *religious* worship encompasses both public, Lord’s Day worship, and private worship with your family, in your closet, or any other kind. Oaths are a solemn act of worship which isn’t part of regular Sunday worship, and usually does happen in public.

Renihan says, “that when we take a lawful oath, we do it as part of our worship of God. Probably, the oath will be taken publicly, as in a court

⁵Somehow oaths wound up in the same semantic domain as cussing, and blasphemy. This is likely through the connection of proper cursing. See Joshua 6:26, and note that any oath comes with an attached curse.

of law, but when taking it, the person involved must realize that he does this first and foremost before the court of heaven, and so must have an appropriate demeanor⁶.”

The ingredients of an oath:

- Invoke God: “solemnly calleth God to witness”
 - This entails a curse.
- A matter to be sworn: “what he sweareth”
- Truth, Righteousness, and Judgment, or discernment in speech: don’t swear to something you’re not sure of.

2.2 Their sanctity, and propriety (§ 2)

The name of God only is that by which men ought to swear; and therein it is to be used, with all holy fear and reverence; therefore to swear vainly or rashly by that glorious and dreadful name, or to swear at all by any other thing, is sinful, and to be abhorred;(3) yet as in matter of weight and moment, for confirmation of truth, and ending all strife, an oath is warranted by the Word of God;(4) so a lawful oath being imposed by lawful authority in such matters, ought to be taken.(5)

- 3. Mt 5:34,37; Jas 5:12. [Our confession correctly offers these two passages as proof texts having to do with frivolous, and dishonest oath-taking.]
- 4. Heb 6:16; 2Co 1:23.
 - “For men verily swear by the greater: and an oath for confirmation is to them an end of all strife.”
 - “Moreover I call God for a record upon my soul, that to spare you I came not as yet unto Corinth.”
- 5. Ne 13:25. (An example of a lawful authority imposing lawful oaths?)

And I contended with them, and cursed them, and smote certain of them, and plucked off their hair, and made them swear by God, saying, Ye shall not give your daughters unto their sons, nor take their daughters unto your sons, or for yourselves.

⁶Renihan. Location 9120.

It follows by consequence from the last paragraph. If an oath is religious worship, then it's wrong to invoke anyone other than God. Earlier, we talked about people flippant swearing by anything under the sun to avoid taking the Lord's name in vain. This paragraph addresses those who don't even care about avoiding that.

When you swear an oath, you acknowledge the Lord as a supreme judge, and as righteous. In passages like Deuteronomy 10:20, and Jeremiah 4:2, the Lord brings up swearing by his name in the context of renouncing other Gods. His people are to give up swearing by other Gods, and swear by Him only instead. This is because an oath, like prayer, is an acknowledgment of God⁷.

- Think about what it means when Kash Patel swears on a *Bhagavad Gita* (or Ramaswamy, if he wins Ohio). Here's what Colossians says about Kash Patel's gods: "having spoiled principalities and powers, he made a shew of them openly, triumphing over them in [the cross]." They swear on defeated demons—in our country.
- What does it mean when Mamdani, or Ilhan Mar swears on a Koran?
- What does it mean when an atheist swears on the Bible, or on nothing at all? When he swears on a Bible he's lying. When he swears on nothing, he makes himself God.

Our confession here acknowledges that a lawful oath may be imposed by a lawful authority, and says we ought to take it. It says such a thing is warranted by the Word of God, alluding to Hebrews 6:16. Renihan references the 1LCF46, which says "It is the magistrate's duty . . . to protect all under them from all wrong, injury, oppression and molestation⁸." So, in the course of that duty, the magistrate is justified in imposing oaths. So what about Nehemiah?

⁷Catholics think differently about this. They, at least in my estimation, think of prayer as mere communication. Since it's legitimate to ask a neighbor or a king for something, so it's acceptable to give thanks to them as well. Since saints are not dead, they also can be addressed. Whereas Protestants may see oaths and vows as a special case, or subspecies of prayer, Catholics seem to take it as a different category. Their definition of an oath is very similar to ours. Exceptions include 1) that they take an oath on a saint or relic as indirectly swearing by the Lord himself—an argument in their favor might even be made from Jesus' reasoning in Matthew 5:33ff. And 2) an elder with the proper authority (Keys, right?) can commute vows, and are able to compute some kind of exchange rate between good deeds, and vows.

⁸Renihan. Location 9226.

2.3 Their solemnity (¶ 3)

Whosoever taketh an oath warranted by the Word of God, ought duly to consider the weightiness of so solemn an act, and therein to avouch nothing but what he knoweth to be truth; for that by rash, false, and vain oaths, the Lord is provoked, and for them this land mourns.⁽⁶⁾

- 6. Lev 19:12; Jer 23:10.

- “And ye shall not swear by my name falsely, neither shalt thou profane the name of thy God: I am the LORD.”
- “For the land is full of adulterers; For because of swearing the land mourneth; The pleasant places of the wilderness are dried up, And their course is evil, and their force is not right.”

Why is oath-taking solemn, and weighty? It’s not just because the Lord is involved. It’s because oaths entail curses. Ruth swore in such a way to emphasize this aspect. “Where thou diest, will I die, and there will I be buried: the LORD do so to me, and more also, if ought but death part thee and me.” (Ruth 1:17) In 2 Kings 2:23, “king Solomon sware by the LORD, saying, God do so to me, and more also, if Adonijah have not spoken this word against his own life.” Then he has Adonijah put to death.

In both the Savoy, and the Westminster this paragraph says “it is a sin to refuse an oath.” But our confession softens it. Waldron suggests that maybe there was a soft spot for the Anabaptists here. I don’t know about that, but, I think it’s more likely that it could point to a little friction with the State as well. I can imagine some magistrate putting a non-conformist under oath, and asking whether he preached at such and such a baptist church. Without the fifth amendment, it seems to me, your only recourse would be to refuse an oath.

But we also add something the Westminster lacks. The last clause about rash, empty, and false oaths is added by our confession. Renihan remarks about this phrase, “for them this land mourns.” It’s a deliberate reference to Jeremiah 23:10, and Renihan says it “draws a direct line from Old Testament Israel to contemporary England. Since England was considered to be a Christian nation, perhaps it is not surprising to read these words⁹.”

Unless our land can now be said to be a pagan land, we could say our land mourns for vain and false oaths. The oaths of office-holding pagans,

⁹Renihan. Location 9243.

and atheist utopians are at best vain, but most often observed to be false as well.

2.4 Their sincerity (§ 4)

An oath is to be taken in the plain and common sense of the words, without equivocation or mental reservation.⁽⁷⁾

- 7. Ps 24:4.

This paragraph ought to go without saying, but it can't. Knowing fallen humanity, once we are cornered by a real oath, we'll start getting funny with language. Does this sound familiar to anyone? "It depends on what the meaning of the word 'is' is. If [...] 'is' means is and never has been, [...] that is one thing. If it means there is none, that was a completely true statement." That's Bill Clinton explaining how it's possible he wasn't lying when, talking about Monica Lewinsky, he swore "There's nothing going on between us." That was a master class in equivocation.

Our confession deletes something from this paragraph that I think it would have been good to keep. The WCF continues,

[A lawful oath] can not oblige to sin; but in any thing not sinful, being taken, it binds to performance, although to a man's own hurt(b): nor is it to be violated, although made to heretics or infidels(c).

- b: 1 Samuel 25:22, 1 Samuel 25:32-34, Psalm 15:4
- c: Ezekiel 17:16, Ezekiel 17:18-19, Joshua 9:18-19, 2 Samuel 21:1.

I can't think of why this is deleted. Renihan doesn't bring it up. Waldron does, but only says it was removed "probably for purposes of abbreviation¹⁰." So the Confession was just 35 words too long? I really don't think that's good enough.

3 Lawful vows (§ 5)

A vow¹¹, which is not to be made to any creature, but to God alone, is to be made and performed with all religious care and

¹⁰Waldron, p. 332.

¹¹Browsing the web, I found that, although Menonites do make wedding vows, according to the forum I found, none of them was sure why because of their abstinence from

faithfulness;(8) but popish monastical vows of perpetual single life,(9) professed poverty,(10) and regular obedience, are so far from being degrees of higher perfection, that they are superstitious and sinful snares, in which no Christian may entangle himself.(11)

- 8. Ps 76:11; Ge 28:20-22.
 - “Vow, and pay unto the LORD your God:”
 - “And Jacob vowed a vow, saying, If God will be with me, and will keep me in this way that I go, and will give me bread to eat, and raiment to put on, ²¹ So that I come again to my father’s house in peace; then shall the LORD be my God: ²² And this stone, which I have set for a pillar, shall be God’s house: and of all that thou shalt give me I will surely give the tenth unto thee.”
- 9. 1Co 7:2,9. Let every man have his own wife; better to marry than to burn.
- 10. Eph 4:28. “Let him that stole steal no more: but rather let him labour, working with his hands the thing which is good, that he may have to give to him that needeth.”
- 11. Mt 19:11. [Christ, speaking of the permanence of marriage. . . leading his disciples to conclude that it’s good to not marry.] “All men cannot receive this saying, save they to whom it is given.”

3.1 Their exclusive recipient

Waldron asks and answers the question, “what’s the difference between oaths and vows?” His answer,

Vows are solemn promises made to the Lord. Oaths are solemn promises made before the Lord, but to men. The purpose of the oath is confirmation. The purpose of the vow is commitment.

swearing. Roman Catholics, aren’t too different from us. The Eastern Orthodox don’t do wedding vows, they say, because God is the celebrant of the sacrament of marriage. I think Protestants are justified in swearing vows to God in marriage. One reason would be that, in 1 Cor. 7:5, Paul uses a Greek word that usually means fraud to refer to not rendering “due benevolence.” So, for Paul, a cold marriage bed is a kind of unfaithfulness which presupposes a vow.

3.2 Their careful performance

Renihan points out that “religious care” here is synonymous with “holy fear and reverence” from paragraph 2.

3.3 Their popish perversion

We’re reminded of the context in which our Confession is written because it calls out the superstitious belief that a higher degree of perfection can be achieved through celibacy, or poverty. “Regular obedience” here isn’t talking about proper obedience to the law of God, but refers to the rules of orders of monks, or nuns.

4 Examples

4.1 Federal Oaths of Office

<https://www.supremecourt.gov/about/oath/oathsofoffice.aspx> <https://www.supremecourt.gov/about/oath/textoftheoathsofoffice08-10-2009.pdf>

Article VI of the constitution says,

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.

The Constitution here doesn’t define the text of any oath here, but it does specify that the oath shall be an oath “to support this Constitution.”

This “religious Test” phase has been used to smuggle in pluralism. When it was written, it referred to Congregationalists, Baptists, Presbyterians, *etc.* It is said that the concept of oaths has evolved. It’s evolved in the same way that the concept of marriage has evolved. That is to say oaths have evolved to the point of not being oaths. The first casualty is accountability.

4.1.1 Ketanji Brown Jackson

Humphrey’s *v* Jackson and the constitutional concept of separation of powers¹².

Does this sound constitutional?

I guess I have a very different view of the dangers, and real-world consequences of your position than what you explored with Justice Kavanaugh. My understanding was that independent agencies exist because Congress has decided that some issues, some matters, some areas should be handled in this way by non-partisan experts, that Congress is saying that expertise matters — with respect to aspects of the economy, and transportation, and the various independent agencies that we have. So, having a president come in and fire all the scientists, and the doctors, and the economists, and the PhDs, and replacing them with loyalists and people who don’t know anything, is actually not in the best interest of the citizens of the United States. These issues should not be in presidential control. So, can you speak to me about the danger of allowing, in these various areas, the president to actually control the Transportation Board and potentially the Federal Reserve, and all these other independent agencies. In these particular areas, we would like to have independence, we don’t want the president controlling. I guess what I don’t understand from your overarching argument is why that determination of Congress — which makes perfect sense given its duty to protect the people of the United States, why that is subjugated to a concern about the president not being able to control everything.

The short version of what she’s saying is that unelected “experts” are guided by their own conceptions of the “best interest of the citizens,” and are therefore above and beyond the control of any representatives of those citizens.

4.2 David Letterman

Well it’s a sad night because we’ve reached the end of George W Bush’s presidency and that means we have to unload what was a tremendous, rich, heavy-laden vein of comedy for us like— Like mining a dense vein of coal, by God...

¹²<https://jonathanturley.org/2025/12/09/humphreys-estate-and-jacksons-experts-supreme-court-justice-o>

This is flippant usage. He invoked God only for the rhetorical snap of it—humorously evocative of a prospector. Though he had the truth on his side, it was a vain oath.

4.3 Naturalization Oath of Allegiance to the United States of America

I hereby declare, on oath, that **I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen;** that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely, without any mental reservation or purpose of evasion; **so help me God.**