

Oaths and Religious Tests in Colonial New York: Continuity of Supremacy, Allegiance, and the Honor-Dishonor Framework

By Grok – An integrated analysis of oaths, professions of faith, and religious tests in New York's constitutional evolution, incorporating the provided verbatim text on Governor Sloughter's commission and assembly practices. This formal overview confirms the linkage to the Oaths of Allegiance and Supremacy Act 1688 (1 William and Mary, c. 8), extending prior discussions on Reformed establishment and sovereignty tensions.

1. Alignment with the Oaths of Allegiance and Supremacy Act 1688

The verbatim text provided accurately reflects the provisions of the Oaths of Allegiance and Supremacy Act 1688 (1 William and Mary, c. 8), enacted in the wake of the Glorious Revolution and effective from May 1, 1689. This statute prescribed revised oaths of allegiance and supremacy, supplanting prior versions to ensure fidelity to the Protestant monarchs William III and Mary II while explicitly repudiating papal authority. The language matches the statutory form verbatim, including the abjuration of the "damnable doctrine" allowing deposition or murder of excommunicated princes by papal decree, and the declaration against foreign ecclesiastical jurisdiction within the realm.

This statute's application in colonial New York under Governor Henry Sloughter (appointed 1689, arrived 1691) represents a direct importation of English post-Revolution constitutional safeguards, adapting them to provincial governance. It bridges the Dutch Reformed era (1621–1664) with English rule, reinforcing Protestant

supremacy while addressing sovereignty anxieties tied to Catholic allegiances—echoing the Duke of York's earlier conversion (ca. 1668) and the broader fear of divided loyalties.

Annotation for Verbatim Text: The oaths under Governor Sloughter's commission (ca. 1691) derive from 1 William and Mary, c. 8 (1688/1689), mandating allegiance to William and Mary, abjuration of papal deposition doctrines, and denial of foreign ecclesiastical authority—enforced alongside the Test Act of 1673 (25 Car. II., c. 2) to exclude Catholics and nonconformists, thereby perpetuating religious conformity as a qualification for public office in colonial New York.

2. Historical Context and Dates: Integration into New York Governance

The oaths and Test were not abstract impositions but operational requirements embedded in New York's assembly from its inception, reflecting continuity from English statutory law:

1688/1689 (1 William and Mary, c. 8): Enacted post-Glorious Revolution to secure Protestant succession. Verbatim oaths:

Allegiance: "I, A.B., do sincerely promise and swear, that I will be faithful and bear true allegiance to Their Majesties King William and Queen Mary; so help me God."

Supremacy and Abjuration: "I, A.B., do swear that I do from my heart abhor and detest and abjure, as impious and heretical, that damnable doctrine and Position, that Princes excommunicated or deprived by the Pope or any authority of the See of Rome may be deposed or murdered by their subjects, or any other whatsoever.

And I do declare, that no foreign Prince, Person, Prelate, State, or Potentate, hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. So help me God, etc."

This applied universally after May 1, 1689, extending to colonies like New York.

1672 (25 Car. II., c. 2 – The Test Act): Required public officeholders to receive the Anglican sacrament and declare against [transubstantiation]:

"I, A.B., do declare that I believe that there is not any transubstantiation in the sacrament of the Lord's Supper, or in the elements of Bread and Wine, at or after the consecration thereof by any person whatsoever." This barred Catholics and most dissenters, enforcing Anglican conformity.

1691 (New York Assembly Organization): On April 9, 1691, assembly members took these oaths and the Test. Queens County Quakers' refusal—opting for a signed "engagement" under perjury penalty—led to their dismissal, illustrating enforcement rigidity. This incident underscores the oaths' role in excluding nonconformists, tying back to Reformed-era prohibitions (e.g., 1621 Dutch West India Company charter) while adapting to English Protestant norms.

These mechanisms persisted through the colonial period, as noted, until post-Revolution reforms.

3. Professions of Faith and Oaths: Ties to Honor and Dishonor

Building on prior analyses (e.g., Belgic Confession, 1561/1619; Heidelberg Catechism, 1563/1619), these English oaths reinforced the honor-dishonor paradigm prevalent in early modern society. Oath-taking invoked both secular allegiance (to the crown) and non-secular fidelity (to Protestant doctrine via "so help me God"), where breach constituted perjury and dishonor—rendering one untrustworthy in public life.

- **Public Mindset (Pre- and Colonial Era):** As reflected in common law traditions (e.g., Magna Carta influences, 1215), honor was inextricably linked to oath-keeping. A man without honor was "dishonorable," socially and legally marginalized. In New York, this manifested in assembly dismissals (e.g., 1691 Quakers), echoing Dutch Reformed covenants where fidelity to church-state unity was paramount. The 1215.org resource (as previously referenced) aptly captures this ethos: Oaths solidified status; violation equated to self-exclusion from trust-based governance, whether secular (allegiance to sovereigns) or non-secular (abjuration of papal claims).
- **Sovereignty Implications:** The abjuration clause directly addressed Catholic "dual allegiance" fears—spiritual obedience to the Pope as Vicar of Christ conflicting with civil loyalty. This perpetuated the "divided sovereignty" tension from the Duke of York's era (1668–1688), where personal Catholicism clashed with Protestant frameworks.

4. Evolution to Constitutional Neutrality

The first New York Constitution (1777) omitted explicit oath provisions, signaling a shift. The 1821 Constitution formalized a

neutral oath:

"I do solemnly swear (or affirm)... that I will faithfully discharge the duties of the office... according to the best of my ability," adding: "no other oath, declaration, or test shall be required as a qualification for any office of public trust." This clause, retained thereafter, repudiated religious tests, reacting against colonial impositions like those under Slougher.

5. Broader Significance for New York History

This sequence—Dutch Reformed supremacy (1621), English Protestant continuity (1664), oath-enforced exclusion (1691)—positions New York as a crucible for religious liberty debates. It "puts you where you need to be" by tracing establishment's decline: From fused church-state (Reformed era) through sovereignty safeguards (William and Mary oaths) to disestablishment (19th-century constitutions). Oaths served as honor's litmus test, embedding public perceptions of fidelity that influenced governance long after.

6. The Enduring Tension: Conscience-Bound Allegiance vs. Adaptable Authority

At the heart of these colonial oaths lies a deeper principle that shaped the entire arc from Reformed establishment to revolutionary disestablishment: allegiance sworn in the Christian name, or "so help me God," bound the conscience directly to an eternal, unchanging divine authority. **This vertical tie—to God rather than solely to crown, parliament, or any temporal power—served as a built-in limit on absolute sovereignty.** As long as conscience answered first to the Creator, no regime could demand unqualified, total submission without risking conflict with that higher duty.

This structure made the consolidation of unchecked power inherently difficult. A one-world or supranational order, or any system seeking perpetual adaptability through force or redefinition, faces resistance when allegiance remains anchored to personal conscience before God. By contrast, shifting loyalty toward abstract entities—*persona ficta* such as states, corporations, or global institutions—allows those structures to evolve, expand, or enforce uniformity without the friction of eternal accountability. The colonial oaths preserved that conscience firewall; later secular neutralizations (e.g., "swear or affirm" options and the ban on religious tests) began to erode it, enabling governance that could change with the times—sometimes by coercion—unencumbered by divine veto.

In this light, New York's early constitutional history reveals not just a progression toward liberty, but a recurring struggle over where ultimate allegiance resides: with the individual soul before God, or with malleable human constructs that can be reshaped at will. This synthesis integrates seamlessly with prior discussions, providing a chronological and philosophical anchor for annotations in historical texts. For further refinement or additional sources, specify.

7. The Patriotic Inversion: Continental Congress Resolution Embedded in New York's 1777 Constitution

The New York Constitution of April 20, 1777, opens with a lengthy preamble that directly quotes the Continental Congress resolution of May 10/15, 1776, as the legal and moral basis for severing ties with Britain. **This inclusion is no mere footnote; it is the Patriots' deliberate voice declaring the old oaths and allegiances null and void.**

Verbatim Excerpt from the Preamble (adopted at Kingston, April 20, 1777):

"And whereas the Continental Congress did resolve as followeth, to wit:

“Whereas His Britannic Majesty, in conjunction with the lords and commons of Great Britain, has, by a late act of Parliament, excluded the inhabitants of these united colonies from the protection of his Crown; and whereas no answers whatever to the humble petition of **the colonies for redress of grievances and reconciliation with Great Britain has been, or is likely to be, given, but the whole force of that kingdom, aided by foreign mercenaries,** is to be exerted for the destruction of the good people of these colonies; and whereas it appears **absolutely irreconcilable to reason and good conscience** for the people of these colonies now to **take the oaths and affirmations necessary for the support of any government under the Crown of Great Britain,** and it is necessary that the exercise of every kind of authority under the said Crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies for the preservation of internal peace, virtue, and good order, as well as for the defense of our lives, liberties, and properties, against the hostile invasions and cruel depredations of our enemies: Therefore

“Resolved, That it be recommended to the respective assemblies and conventions of the United colonies, where no government sufficient to the exigencies of their affairs has been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.”

This resolution—recommended by Congress and embraced by New York's framers—explicitly deems continued oaths to the Crown "irreconcilable to reason and good conscience." It inverts the prior colonial framework: where once allegiance was enforced vertically to the monarch (with conscience as a potential check), the Patriots now assert that true conscience demands suppression of Crown authority and erection of government "under the authority of the people." The voice is unapologetically revolutionary—appealing to necessity, self-defense, and moral duty before God—while planting the seeds for the conscience firewall that would evolve into constitutional protections against religious tests and establishments.

This preamble bridges the colonial oath era directly to independence: the same "good conscience" invoked in abjuration oaths against papal power is now turned against the British Crown itself. It marks the decisive shift from divided or coerced allegiance to sovereign self-government rooted in popular will and divine rectitude.

Note: the above was solidified and affirmed in the holdings of: United States Supreme Court: **First Landmark Case**

CHISHOLM v. GEORGIA 2 U.S. (2 Dall.) 419 (1793) pp471-472 ...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects... with none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty."