Joint Statement of the Catholic Bishops of North Dakota in Support of Constitutional Measure 1

We support Measure 1 because it will promote the common good, protect the integrity of our state Constitution, and help preserve North Dakota's pro-life laws.

On November 3, North Dakotans will vote on Constitutional Measure 1, which would increase the threshold required to amend the North Dakota Constitution from a simple majority to 60 percent of voters.

We have in the past taken positions on ballot measures that had an objective moral content, such as the recent measure to legalize recreational marijuana. We opposed measures like this because they would promote behavior that, according to the Catholic Church, is intrinsically evil. Constitutional Measure 1 is different. It proposes a change to the political process that, in itself, is neither inherently good nor inherently evil. Yet this does not mean Measure 1 is devoid of moral implications. We often encounter political proposals that may be "morally neutral" in their direct content, but which can nevertheless have concrete effects on the common good – for better or for worse.

We strongly support Constitutional Measure 1 because we believe it will advance the common good of our state. North Dakota's Constitution is the foundational document that establishes the basic framework of state government and protects the fundamental rights of its citizens. Such a document should not be changed as easily as an ordinary statute.

Measure 1 is a common-sense safeguard against amending our state Constitution too easily. The North Dakota Constitution has been amended 168 times since it was ratified in 1889, compared with only 27 amendments to the U.S. Constitution since 1789. The Constitution should provide stability and protect fundamental rights for future generations, while ordinary statutes should remain available to address changing circumstances through the legislative process.

Measure 1 would require a broader consensus before our state's foundational document could be changed. A 60 percent threshold does not prevent constitutional amendments; it simply ensures that amendments adopted into our permanent constitutional framework have widespread support among North Dakotans.

This additional protection is especially important because constitutional amendments are much more difficult to correct once they are adopted. A problematic statute can be changed by the Legislature. But the Legislature has no unilateral authority to correct a constitutional amendment. Measure 1 would therefore provide an important safeguard against constitutional changes that may later prove harmful to the common good.

Measure 1 would also strengthen the checks and balances that protect minority rights. A simple 51 percent majority should not always be sufficient to impose a fundamental change on the remaining 49 percent, particularly when that change is placed permanently in the state Constitution. Requiring broader agreement helps ensure that constitutional changes reflect a genuine consensus rather than the temporary political circumstances of a particular election.

Measure 1 would protect North Dakota from outside interests trying to establish immoral laws in our state. Because North Dakota is relatively small and has inexpensive media markets, national organizations can spend substantial sums here to influence ballot measures. A higher threshold would make it more difficult for well-funded outside interests to fundamentally alter our Constitution without broad support from North Dakotans.

This concern is not theoretical. Since the fall of *Roe v. Wade* in 2022, national pro-abortion organizations have increasingly pursued state constitutional amendments when they have been unable to achieve their objectives through legislatures or courts. States with simple-majority requirements like Ohio, Missouri, and Montana have seen abortion provisions added to their constitutions with less than 60 percent of the vote. Florida, by contrast, requires 60 percent approval for constitutional amendments, and its 2024 abortion amendment failed to reach that threshold despite receiving 57.17 percent of the vote.

We believe North Dakotans should learn from these experiences. Our state should not make it easy for national organizations and outside interests to fundamentally alter our Constitution through a narrowly divided election that lacks the broad support of the people of our state.

For those who value the protection of unborn children, this issue is particularly important. North Dakota has enacted laws protecting unborn human life, and those protections could be placed at risk if abortion advocates succeed in amending the state Constitution. A 60 percent threshold would provide an additional safeguard against constitutional changes that could undermine North Dakota's commitment to protecting unborn children.

At the same time, Measure 1 does not prevent North Dakotans from changing state law. Ordinary statutory ballot measures would continue to require only a simple majority, and the Legislature would retain its authority to amend statutes as circumstances change. The measure simply recognizes the important distinction between ordinary laws and the state Constitution.

Constitutional Measure 1 is not a guarantee that every future constitutional amendment will be good, nor does it make our Constitution impossible to change. Rather, it establishes a modest and reasonable safeguard: before a change becomes part of North Dakota's permanent constitutional order, it should have the support of at least 60 percent of the voters.

We believe this is good governance. It protects the stability of our Constitution, encourages broad consensus, limits the ability of outside interests to reshape our state, protects minority rights, and helps preserve North Dakota's ability to protect unborn children.

For the sake of the common good and the future of our state, we urge North Dakotans to vote YES on Constitutional Measure 1.