TWO KINGDOMS AND CHRISTIAN LIBERTY

Rules Do Not Stay Loyal

North Dakota's Measure 1, the Unborn, and the Two Kingdoms

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This essay was written in the last days before North Dakota voted on Constitutional Measure 1 on Tuesday, November 3, 2026. By the time you read it, the votes have likely been counted. I have left it as written, because the question underneath it does not end with the count. Rules like this one come back, here and in other states, and so does the temptation to baptize them.

The Measure

In the final weeks before the 2026 general election, a message went around North Dakota churches, Christian Facebook groups, and pro-life networks: a Yes vote on Measure 1 is the pro-life vote. Right to life organizations made the case. The state's Catholic bishops issued a joint statement urging a Yes. Plenty of Lutherans I know took it as settled.

So it is worth slowing down and asking what Measure 1 actually does.

It raises the vote needed to amend the North Dakota Constitution from a simple majority to 60 percent. It applies to every constitutional amendment, whether it begins as a citizen petition or is referred to the ballot by the Legislature. It does not touch statutory measures, which would still pass with a simple majority. And it says nothing at all about abortion, the unborn, marriage, or any other moral question. It is a rule about how rules get made.

The pro-life argument for it is straightforward. Several states have written abortion rights into their constitutions by citizen initiative, some with less than 60 percent of the vote. If an outside campaign brought a similar amendment to North Dakota, the difference between 50 and 60 percent might decide it. A higher bar is a wall, and walls protect.

That is a serious argument, made by people who care about children who cannot speak for themselves. I do not dismiss it. But I want to show why the question belongs where it belongs, and why that changes how Christians ought to talk to one another about it.

Two Hands

Lutherans confess that God rules the world in two ways. With His right hand He rules His church through the Word and the sacraments, killing with the Law and making alive with the Gospel. There He works faith, forgives sins, and gives eternal life, and He does it through means He has chosen and commanded.

With His left hand He rules the world through civil government, law, reason, and the ordinary vocations of citizens, parents, magistrates, and workers. There He restrains evil and preserves order so that the neighbor can live and the Gospel can be preached. "Everyone must submit himself to the governing authorities, for there is no authority except that which is from God. The authorities that exist have been appointed by God" (Romans 13:1).

The Augsburg Confession (Article XVI) teaches that lawful civil government is a good creation and ordinance of God, and that Christians may serve in it, make laws, judge cases, and take part in public life without sin. The Apology defends that same article against

those who would make the Christian life a withdrawal from civic duty. The left-hand kingdom is not a lesser place for a believer. It is where most of our neighbor-love actually happens.

But the two hands work differently. In the right-hand kingdom we ask, "What has God said?" and we stop there. In the left-hand kingdom, God has also given us the Law written on the heart (Romans 2:14-15), and on some questions that Law speaks plainly. The deliberate killing of an innocent child is one of them. A Christian does not need a referendum to know that it is wrong, and he should use his vote and his voice to protect the unborn.

Most questions on a ballot, though, are not of that kind. They are questions of means rather than ends: how to fund a school, how to structure a court, how many signatures a petition needs. God does not answer them with a verse. He answers them by giving us reason, experience, counsel, and the freedom to weigh competing goods. That is not a weakness of the left-hand kingdom. It is how God designed it.

Where Measure 1 Lives

Measure 1 is a question of means. It asks how hard the constitution of a state should be to change. Scripture does not tell us whether that number should be 50 or 60 percent, or two-thirds, or a vote in two successive elections. The Bible does not contain a theory of state constitutional amendment.

That does not make the question unimportant. It makes it a question of civil prudence, and civil prudence is exactly where faithful Christians can and do come down in different places.

There are real arguments for Measure 1. A constitution is meant to be a stable foundation, not a second statute book. A higher bar requires broad agreement before the foundation shifts. Well-funded outside campaigns have used the initiative process in many states, and a supermajority makes it harder for a narrow, momentary majority to lock its preferences into the state's highest law. And yes, it would make a future abortion amendment harder to pass.

There are real arguments against it. It moves power away from ordinary citizens and toward the status quo. It would apply to amendments the Legislature itself proposes, as well as to those citizens bring. And a 60 percent bar would apply to every future amendment, including any amendment that someday seeks to protect the unborn in the North Dakota Constitution. A wall keeps things out in both directions.

A Christian can weigh those considerations and vote Yes. A Christian can weigh them and vote No. Neither one has betrayed the unborn by doing so, and neither one has the right to bind the other's conscience on a matter where God has not spoken.

The Irony

I will admit to noticing something. Measure 1 itself needs only a simple majority to pass. We are being asked to use a simple majority to make sure a simple majority can never do the same thing again.

That is not a scandal. It is how constitutional change works. But it should make us a little humble about the instinct behind it. It is the same instinct a ruling party has when it wants to scrap the filibuster, or a minority party has when it wants to keep it: change the rules while you hold the votes, because you are confident the rules will always serve you.

They will not. Rules do not stay loyal to the people who wrote them. The procedure that protects your position this decade will be used against your position the next. Every Christian who has watched a denomination's bylaws get turned against the confession they were written to protect knows this already. The left-hand kingdom is a fallen place, run by sinners, and that includes us. "Put not your trust in princes, in the son of man, who cannot save" (Psalm 146:3). Nor in thresholds.

What This Asks of Us

None of this means Christians should be indifferent to Measure 1 or to the cause of life. It means three things.

First, judge a procedural measure as a procedural measure. Ask what kind of constitution you want North Dakota to have in twenty years, under governments and majorities you cannot predict. Vote on that question. If you conclude the higher bar is wise, vote Yes. If you conclude it is not, vote No. But do not let a label tell you which answer is the Christian one.

Second, do not treat your neighbor's different answer as unfaithfulness. A brother in the pew who voted the other way on Measure 1 may love the unborn every bit as much as you do. He simply weighed a question of prudence differently. That is what Christian liberty looks like in civic life.

Third, keep fighting for life where the question is not one of prudence. Protecting innocent human life is not a matter of procedure. Support pregnancy centers. Care for mothers in hard circumstances. Welcome children, including the ones who arrive at inconvenient times. Vote for laws that protect the unborn. Speak plainly when life is on the ballot. Jeremiah told the exiles in Babylon to seek the welfare of the city where God had sent them and to pray for it, because their own welfare was bound up in it (Jeremiah 29:7). That is still our calling in Valley City, in Bismarck, and in Fargo.

After the Count

Whatever North Dakota decided on Tuesday, the decision is now part of the rules, and like all rules it will outlive the campaign that made it. Someone will one day use it for a purpose its supporters never imagined. Someone will one day try to change it again. That is the nature of the left-hand kingdom. It is provisional, it is fallible, and it is good, because God made it and works through it.

And it is not where our hope is. Our hope does not rest in Article III of the state constitution or in any threshold printed there. It rests in Christ, who was handed over by the authorities of this world and raised by the Father, and who now gives Himself to us in His Word and sacraments every Lord's Day, regardless of who won.

"Give to Caesar what is Caesar's, and to God what is God's" (Matthew 22:21). Give Caesar your careful, prayerful vote. Give God your trust.

Scripture quotations are from the Berean Standard Bible (BSB), except Psalm 146:3, which retains the wording supplied by the author.