

Chair Longmuir, Vice Chair Fegley, and members of the Committee:

On behalf of the American Civil Liberties Union (ACLU) of North Dakota, I stand in opposition to House Concurrent Resolution 2030 acknowledging the Kingship of Jesus Christ.

While concurrent resolutions in North Dakota do not have the force of law, they are an official expression of the opinion or will of the North Dakota Legislative Assembly. By explicitly recognizing the “Kingship of Jesus Christ,” HCR 3020 signals governmental preference for Christianity over other faiths and non-religion, which is a clear violation of the Establishment Clause of the First Amendment and creates an environment of religious favoritism, alienating those who do not share the endorsed beliefs.

It is a fundamental principle of religious freedom that the government cannot require individuals to express a belief in God. As the Supreme Court has explained: “[i]f there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.”¹

HCR 2030 also is in direct contradiction with the fundamental principles and protections established in Article I, Section 3 of the North Dakota State Constitution:

“The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall be forever guaranteed in this state, and no person shall be compelled to attend, erect or support any place of worship, or to maintain any ministry, against his consent; nor shall any control of or interference with the rights of conscience be permitted. No religious test shall ever be required as a qualification for any office or public trust, nor shall any person be rendered incompetent to be a witness or juror on account of his opinion on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the state.”

The North Dakota Constitution guarantees that no person shall be compelled to support any place of worship or ministry against their consent. While this resolution does not force religious participation, it still sends a message that North Dakota’s government aligns itself with one religious tradition, which is not only unconstitutional, but also impertinently inappropriate in a state that serves a diverse population. North Dakota has been rated the most religiously diverse state in the country.² North Dakota residents practice a variety of religions and faiths, and many are nonreligious. Passing this resolution is unnecessary and sends the message that North Dakota prefers people who believe in Jesus over those who do not. No one should feel unwelcome or rejected by their state government because of their religious beliefs.

Religious belief is a deeply personal matter that should be determined by individuals and faith communities, not promoted by the state. This resolution says that the state government

¹ *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642, (1943).

² Keith Darnay, [North Dakota is nation’s most religiously diverse state: survey](#), KX News (Sep. 15, 2022).

holds an official position that Jesus Christ is King and that all North Dakotans agree. This undermines the religious freedom of all citizens by excluding members of the community whose religious views do not align with the expressed opinion of the state. When the state takes an official stance on religious doctrine, even in a non-binding way, it frames governmental and societal conformity to a particular worldview and marginalizes its citizens who practice other faiths or hold secular beliefs. True religious freedom means the government remains neutral, showing no preference for religion or non-religion to ensure all citizens—regardless of their beliefs or practices—are treated equally under the law.

In the end, enacting this resolution would tell citizens of the state that hold different religious beliefs that they “are outsiders, not full members of the...community, and an accompanying message to [only certain] adherents that they are insiders, favored members of the community.”³

The ACLU of North Dakota urges lawmakers to reject HCR 3020. While not holding the weight of law and seen by some as merely symbolic, this resolution is a powerful symbol and statement that clearly erodes the constitutional protections that safeguard religious liberty for all people. The government’s role is not to promote religious doctrine but to protect the rights of every individual to worship—or not worship—according to their conscience.

The ACLU of North Dakota urges the House Political Subdivisions Committee to give a resounding “Do Not Pass” recommendation on HCR3020 and protect the fundamental rights of all North Dakotans.

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³ *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)).