



SOUTH DAKOTA CATHOLIC CONFERENCE

**Amendment L and the Common Good:
A Statement from the Bishops of South Dakota**

October 16, 2026

In the November 3 election, voters will decide a ballot question designated as Amendment L: “An amendment to the South Dakota Constitution Requiring that a Proposed Constitutional Amendment or Revision Receive an Affirmative Vote of Sixty Percent of the Votes Cast.”

We have in the past taken positions on ballot measures that had an objective moral content, such as measures to legalize abortion and recreational marijuana. We opposed these measures as they would have promoted behavior that, according to the Catholic Magisterium, is intrinsically evil.

Amendment L is different. It proposes a change to the political process that cannot, of itself, be classified as good or evil. Yet this doesn’t mean Amendment L 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.

Forming a sound judgment on Amendment L requires that we evaluate its likely practical effects on our lives, culture and politics. This is a complicated process, and we believe Catholics acting in good faith might arrive at different conclusions. We urge the faithful to apply the principles of Catholic social teaching to Amendment L as they discern how to vote.

As bishops, we have applied these principles to Amendment L and have concluded the measure deserves our support. We believe passage of Amendment L will advance the common good for the following reasons:

- **Amendment L would contribute to the protection of the fundamental human rights enshrined in the constitution**

In our republican form of government, the constitution is a foundational legal structure that defines the fundamental relationship between citizens and their government. America’s founding fathers believed that foundation shouldn’t be easily changed, as it protects fundamental human rights and the common good for future generations. This aspiration is also reflected in the preamble of the South Dakota constitution, which states that a fundamental purpose of the document is to “preserve to ourselves and to our posterity the blessings of liberty.”¹

¹ Constitution of the State of South Dakota, <https://sdlegislature.gov/Constitution>

To ensure that our liberties are indeed preserved for posterity, a higher bar should be required to amend the constitution. This is why the federal constitution requires approval of a *two-thirds majority* in the House and Senate as well as ratification by *three-fourths* of the states.

Catholic social teaching informs us that the political community must be constructed in a manner to protect “the rights and duties of the person,” and these rights “constitute an objective norm on which positive law is based and which cannot be ignored by the political community...”²

St. Pope John Paul II further taught that a “sound democracy” must be based on innate human and moral values “**which no individual, no majority and no State can ever create, modify or destroy, but must only acknowledge, respect and promote.**”³ While Amendment L does not guarantee that unprincipled changes could never be made to the state constitution, it would mitigate that threat by requiring a broader consensus for passage.

- **Amendment L supplements the “checks and balances” that protect minority rights**

One of the problems that vexed America’s founders was the worry that a majority of 51 percent could vote to impose some fundamental injustice on the other 49 percent of the population. This is also a concern of Catholic social teaching, which states that political authorities must interpret the common good “not only according to the guidelines of the majority but also according to the effective good of all the members of the community, including the minority.”⁴

Elsewhere, the Church has spoken favorably about “checks and balances” that restrain the exercise of human power: “...it is preferable that each power be balanced by other powers and by other spheres of responsibility which keep it within proper bounds. This is the principle of the ‘rule of law’, in which the law is sovereign, and not the arbitrary will of individuals.”⁵

The challenge of protecting minority rights is not theoretical. In 2024, we saw in the Amendment G campaign an effort to deprive a vulnerable minority – preborn children – of their fundamental human rights. Preborn children have no voice and no vote – underscoring how those who *do* have a voice and vote can use that power to deprive others of their rights. Amendment L would not guarantee that a majority could never abuse the rights of a minority group. Yet by requiring a broader consensus for constitutional changes, it would make such scenarios far less likely.

- **Amendment L would advance the goals of the principle of subsidiarity**

A central pillar of Catholic social teaching is the principle of *subsidiarity*, which teaches “...neither the state nor any larger society should substitute itself for the initiative and responsibility of individuals and intermediary bodies.”⁶ The U.S. Catholic bishops have further elaborated, “The principle of subsidiarity reminds us that larger institutions in society should not overwhelm or interfere with smaller or local institutions...”⁷

² Compendium of the Social Doctrine of the Church, 388.

³ Evangelium Vitae, 71.

⁴ Compendium of the Social Doctrine of the Church, 169.

⁵ Ibid., 408 (quoting John Paul II, Centesimus Annus, 44)

⁶ Catechism of the Catholic Church, 1894.

⁷ United States Conference of Catholic Bishops, Forming Consciences for Faithful Citizenship, 48.

It is an unfortunate feature of our ballot measure system that it opens the door for powerful, out-of-state interests and funding to press an agenda that does not emerge organically from the local political and social culture of South Dakota. Compared to other states, South Dakota is sparsely populated and has low-cost media markets for political advertising. This makes it a tempting target for national groups that would use the state as a “guinea pig” for constitutional experiments. This places South Dakotans in the difficult position of having to make huge personal and financial sacrifices to oppose measures backed by out-of-state interests and funding that would be unlikely to succeed in the normal channels of local, representative government.

During the Amendment G campaign in 2024, approximately \$1.6 million was spent to place a “right to abortion” in our state constitution. Two-thirds of this money came from out-of-state sources, and almost half came from a single source: a political action committee founded by Governor J.B. Pritzker of Illinois. Thus, we have the unseemly picture of the governor of one state spending money to alter the fundamental governing document of another state. While Amendment L wouldn’t directly prohibit this kind of out-of-state interference, it would erect a powerful disincentive by requiring a broader consensus before amendments could be passed.

• Conclusion

We would not argue that South Dakota’s existing state constitution is perfect, or that it could not be improved by future amendments. Nevertheless, we must account for the reality that numerous harmful amendments have advanced in recent decades that the Church has felt compelled to oppose out of concern for protecting the common good. We have already mentioned the egregious effort in 2024 to add a right to abortion to our constitution. The Church has opposed constitutional amendments to create a right to use recreational marijuana (Amendment A – 2020) and several amendments that sought to expand state-sponsored gambling.

Amendment L would not preclude harmful proposals from being advanced in the future. But it would enact a valuable safeguard by ensuring that only amendments that enjoy broad-based public support would become part of our permanent constitutional order. In this regard, it should be emphasized that Amendment L leaves untouched the existing process of passing ordinary *statutes* through ballot measures. These would still require only a simple majority (50 percent plus one) for passage. While this process too is subject to some of the problems we have identified earlier (e.g., interference from out-of-state interests), there is an important difference: flawed statutes can be amended by the people’s representatives through the legislative process. But the legislature has no unilateral power to fix a problematic constitutional amendment.

The success or failure of Amendment L will have important ramifications for our shared life as South Dakotans. We pray that our reflections above will be considered seriously by the faithful for the sake of the common good.

+ Scott E. Bullock

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