

Thou Shalt Not Incite Moral Behavior?: Proposed State Legislation Provokes Significant Question

The North Dakota House Judiciary Committee voted an 11-3 “do pass” recommendation for a proposed bill to protect against lawsuit for schools and teachers posting the Ten Commandments in classrooms.

Last month, the Republican-led Senate approved the proposal in a 34-13 vote.

Grand Forks Herald reports:

Pitching Senate Bill 2308 on Wednesday, March 24, Sen. Janne Myrdal, R-Edinburgh, listed a litany of social ills – sex trafficking, child sex abuse and crowded jails – that she said could be remedied with displays of the Ten Commandments in North Dakota schools. She encouraged her colleagues to move the measure forward despite arguments that displays of the religious texts could offend those outside the Christian or Jewish traditions.

According to *The Associated Press*, the intention of the legislation is not to impose religious beliefs but to promote moral behavior.

Myrdal stated, “I would think murder is more offensive than, ‘Thou shall not kill.’ I would think theft is more offensive to all of us sitting here than, ‘Thou shall not steal.’”

Further, Myrdal stated, “No religion opposes the Ten Commandments—atheists do.”

Even so, in response to legal counsel and the consultation of education groups, a legislative committee amended the bill to require accompanying historical documents with the posting of the Ten Commandments.

In 1980, a federal judge overturned a North Dakota law that required the Ten Commandments posted in schools. However, those in favor of the proposed legislation point out that this would only authorize, not require, schools to post the historical text.

Myrdal explained that this isn't a mandate. "It's absolutely local control."

Even if this legislation is passed and lawsuits ensue, all is not lost.

Professor Erwin Chemerinsky, the dean of the University of California, Berkley School of Law, and Stephen Wermiel, a professor of Constitutional law at American University in Washington, D.C., make a considerable observation: Today's conservative-controlled Supreme Court could dismiss the Ten Commandments precedent should a North Dakota case reach the high court.

Myrdal urges her colleagues to stand firmly, even in the face of possible legal challenges. "We do that all the time," she said. "We back off of good, solid cultural principles because we're scared to death of lawsuits. But I would suggest to all of us that we're lawmakers, and we have the ability and opportunity and responsibility to challenge what is lawful or not."

Over her 5 years as a senator she has tenaciously stood for her beliefs and values, evidenced by her proposal of pro-family and pro-life bills. According to Family Policy Alliance, Myrdal has "a long history of service on key family issues. She previously worked for 12 years in missions and relief work for Youth with a Mission." {eo}