

# **LEGAL EXPERTS SUPPORTING THE CONSTITUTIONALITY OF STATE-LEVEL PERSONHOOD LEGISLATION IN SC (2001), MISS (2009), ALA (2011), and OK (2012):**

"PERSONHOOD" is the key to **ENDING** child-murder-by-'abortion'. A plain reading of the [5th](#) and [14th](#) Amendments of the [U.S. Constitution](#), and analogous due process and equal protection language in the State Constitutions [ for example, Article I., Section 3. of the [South Carolina Constitution](#) ], indicates that legal status and therefore protection of constitutional rights, is granted to '**PERSONS**' in these provisions. The issue of personhood for the 'fetus' as being the preeminently critical issue was *specifically addressed* by a US Supreme Court Justice during the October 11, 1972 [Roe v. Wade](#) Oral Reargument. [ Go to these internet links to both a [transcript](#) and the actual [audio](#) of the October 11, 1972 [Roe v. Wade](#) Oral Reargument. ]

Provided below are four examples of legal experts supporting State-level Personhood legislation in **SC, MISS, ALA, and OK:**

- 1) **Herb Titus** is an attorney, constitutional scholar, author, the founding Dean of College of Law/Gov't at Regent University.
- 2) **Mathew Staver** is present Dean of the School of Law at Liberty University; and [Liberty Counsel](#) founder and chair.
- 3) & 4) Judge **Roy Moore**, Chief Justice of the [Alabama Supreme Court](#), is President Emeritus of [Foundation for Moral Law](#).

[Written Statement of Herb Titus supporting H.3252, "Right to Life Act of South Carolina" given to South Carolina House Judiciary Constitutional Laws Subcommittee on April 25, 2001](#)  
[H.3252 - "Right to Life Act of South Carolina" \(SC Personhood Bill in 2001-2002 Session of SC General Assembly\)](#)  
(Herb Titus also testified at this SC House Judiciary Constitutional Laws Subcommittee hearing live by telephone)

[Liberty Counsel - Legal Memorandum \(pp. 1-4, 9-11\) supporting Mississippi Personhood Amendment \(2009\)](#)  
Mississippi [Amendment #26](#) - Personhood Constitutional Amendment ballot initiative [certified](#) for [November 8, 2011](#) [Mississippi State Election](#). / Mississippi Secretary of State - Elections | Initiatives - [26 Definition of a Person](#)  
§• [PETITION FOR INITIATIVE MEASURE](#) • [TO AMEND THE MISSISSIPPI CONSTITUTION](#)

[Alabama Personhood Legislation Talking Points \(HB409, HB405, SB301\) \(2011\)](#)  
HB409 - Personhood Constitutional Amendment (House); HB405, SB301 - Personhood Statutes (House, Senate)  
Source: Ben DuPré, Personhood Alabama c/o Foundation for Moral Law (April 12, 2011) [ [Current posting](#) ]

[Foundation for Moral Law / The Adoption Law Firm - Amici Curiae Legal Brief in the Supreme Court of the U.S. defending Oklahoma Personhood Amendment blocked by OK State Supreme Court from reaching OK voters](#)  
PERSONHOOD OKLAHOMA v. BRITTANY MAYS BARBER, ET. AL., No. 12-145  
On Petition for Writ of Certiorari to the Supreme Court of Oklahoma; Submitted: August 31, 2012  
Roy Moore, Ben DuPré, John Eidsmoe / Foundation for Moral Law; Sam McClure / The Adoption Law Firm

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**THE 1973 ROE V. WADE OPINION REVEALS THAT ESTABLISHING PERSONHOOD FOR THE PREBORN AT FERTILIZATION, WITH NO 'EXCEPTIONS', IS THE KEY TO ENDING CHILD-MURDER BY 'ABORTION'.**  
[ However, Roe v. Wade itself is a fraud, denying preborn personhood, and making a 'strawman' argument with the 14th Amdt. ]

[Roe v. Wade, 410 U.S. 113 \(1973\)](#) (Opinion published January 22, 1973) [Findlaw.com](#)  
"The appellee and certain amici argue that the fetus is a "person" within the language and meaning of the Fourteenth Amendment. In support of this, they outline at length and in detail the well-known facts of fetal development. [If this suggestion of personhood is established, the appellant's \[ pro-abortion \] case, of course, collapses,](#) [410 U.S. 113, 157] [for the fetus' right to life would then be guaranteed specifically by the Amendment.](#) The appellant [ pro-abortion side ] conceded as much on reargument. ... " [ emphasis added ]

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**THE KEY, CRITICAL, FIRST, CONSTITUTIONAL ISSUE IN ROE V. WADE (1973) WAS WHETHER OR NOT THE 'FETUS' ( PRE-BIRTH HUMAN BEING ), WOULD BE RECOGNIZED IN LAW AS A LEGAL 'PERSON':**  
[ Note: American Constitutional Law even recognizes **Corporations** as legal 'Persons', but *not* preborn Human Beings !!! ]

Excerpt from [transcript](#) (edited) of Reargument ( October 11, 1972 ) of *Roe v. Wade* before the US Supreme Court:

US Supreme Court Justice:

"**And the basic constitutional question, initially, is whether or not an unborn fetus is a person, isn't it ?**" [ [p. 827](#) ]

Mr. Robert Flowers (Assistant Attorney General, State of Texas):

"**Yes, sir, and entitled to the constitutional protection.**" [ [p. 827](#) ]

US Supreme Court Justice: "**And that's critical to this case, is it not?**" [ [p. 828](#) ]

Mr. Robert Flowers (Assistant Attorney General, State of Texas): "**Yes, sir, it is. ... (continued).**" [ [p. 828](#) ]