

Push for ‘Personhood’ Amendment Represents New Tack in Abortion Fight

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[Edited, excerpts, emphasis added, all text within brackets [] added]

A constitutional amendment facing voters in Mississippi on Nov. 8, and similar initiatives brewing in half a dozen other states including Florida and Ohio, would declare a fertilized human egg to be a legal person, effectively branding abortion and some forms of birth control as murder.

With this far-reaching anti-abortion strategy, the proponents of what they call personhood amendments hope to reshape the national debate.

“I view it as transformative,” said Brad Prewitt, a lawyer and executive director of the Yes on 26 campaign, which is named for the Mississippi proposition. “Personhood is bigger than just shutting abortion clinics; it’s an opportunity for people to say that we’re made in the image of God.”

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The amendment in Mississippi would ban virtually all abortions, including those resulting from rape or incest. It would bar some birth control methods, including IUDs and “morning-after pills,” which prevent fertilized eggs from implanting in the uterus. It would also outlaw the destruction of embryos created in laboratories.

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The drive for personhood amendments has split the anti-abortion forces nationally. Some groups call it an inspired moral leap, while traditional leaders of the fight, including [Vatican-proxy] National Right to Life and the Roman Catholic bishops, have refused to promote it, charging that the tactic is reckless and could backfire, leading to a Supreme Court defeat that would undermine progress in carving away at *Roe v. Wade*.

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The Mississippi amendment aims to sidestep existing legal battles, simply stating that the term person or persons shall include every human being from the moment of fertilization, cloning or the functional equivalent thereof.

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But many leaders of the anti-abortion movement fear that the strategy will be counterproductive. Federal courts would almost surely declare the amendment unconstitutional, said James Bopp Jr., a prominent conservative lawyer from Terre Haute, Ind., and general counsel of National Right to Life, since it contradicts a woman’s current right to an abortion in the early weeks of pregnancy.

“From the standpoint of protecting unborn lives it’s utterly futile,” he said, “and it has the grave risk that if it did get to the Supreme Court, the court would write an even more extreme abortion policy.”

[Pope-appointed] Bishop Joseph Latino of Jackson, Miss., said in a statement last week that the Roman Catholic Church does not support Proposition 26 because the push for a state amendment could ultimately harm our efforts to overturn *Roe vs. Wade*.

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<http://www.nytimes.com/2011/10/26/us/politics/personhood-amendments-would-ban-nearly-all-abortions.html? r=2>

A version of this article appears in print on October 26, 2011, on Page A16 of the New York edition with the headline:

Voters in Mississippi to Weigh Amendment on Conception as the Start of Life.

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