

Personhood

ALABAMA

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www.PersonhoodAlabama.com

ALABAMA PERSONHOOD LEGISLATION TALKING POINTS (HB409, HB405, SB301)

Why are there two types of personhood bills?

1. **Alabama Personhood Amendment, House Bill 409**, would add the following amendment to the Alabama Constitution:

“The term person as used in the Constitution of Alabama of 1901, shall include any human being from the moment of fertilization or the functional equivalent thereof.”

2. **Alabama Personhood Statute, House Bill 405 and Senate Bill 301**, would add the following statute to the Alabama Code:

“The term 'persons' as used in the Code of Alabama 1975, shall include any human being from the moment of fertilization or the functional equivalent thereof.”

The Personhood Amendment, HB409, would let the voters decide, at an upcoming election, whether to amend the Alabama Constitution to give all human beings from the moment of fertilization the status of “person” under the state Constitution and rights protected therein. The Alabama Personhood Statutes, HB405 and SB301, would take effect more immediately and would protect unborn children as “persons” in the Code but not in the Constitution.

How Many States Have Passed Personhood Laws?

No state has passed a comprehensive personhood statute or amendment *yet*. Mississippi voters will have the opportunity in November 2011 to approve a personhood amendment. At least 8 other states so far this year have introduced personhood legislation. A personhood statute was introduced in the Alabama Senate last year (SB301) but was buried in committee.

Will Personhood Legislation Stop Abortion?

Personhood laws protect the unborn as much as the born, therefore prohibiting the direct killing of an innocent unborn human being.

Isn't *Roe v. Wade* the “Law of the Land”?

The Supreme Court in the *Roe v. Wade* opinion and subsequent cases wrongly claimed there was a constitutional right to abortion, but even the *Roe* decision itself left the door open for states to protect the unborn, stating, “[Texas] argue[s] that the fetus is a person within the language and meaning of the Fourteenth Amendment. . . . If this suggestion of personhood is established, the appellant's case, of course, collapses, for the fetus' right to life would then

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be guaranteed specifically by the [Fourteenth] Amendment.” Part of the basis for the *Roe* decision was that Texas law did not consistently recognize the unborn child as a legal person. Personhood would finally raise the unborn child to enjoy equal protection of the laws that the mother already enjoys. Personhood would certainly be challenged in court by the abortion industry as a threat to the false notion that a woman has a right to end the life of her unborn child, but it is a constitutional exercise of a state's power to define “person.”

Isn't It Part of the Woman's Body?

The preborn baby is not part of the woman's body, but has his or her own body within mom. Half the time the fetus is a boy. Always the mother is female. Her son's Y chromosome cannot be part of her body. He's a genetically distinct individual.

Could a Mother Be Arrested for Miscarriage?

No. A natural miscarriage would not be punished just as a mother is not punished when her born child tragically dies by natural causes or other causes other than the fault of the mother. An induced or chemical abortion, however, is an artificial miscarriage for the purposes of ending an unborn person's life and would be prohibited under a personhood law.

Do Eggs Have Rights?

Neither sperm nor eggs have rights, but the joining of the two, *i.e.*, fertilization, is the biological beginning of a separate human life. Confusing an egg with a new human organism is biological and moral ignorance. The Carnegie Institute's world-renowned Stages of Early Human Development lists terms with “no scientific usefulness” and says that “the term ‘egg’ is best reserved for... the breakfast table.”

Won't a Personhood Law Outlaw Contraceptives?

No, recognizing personhood has no effect on contraceptives because true “*contra-ception*” only prevents conception (fertilization). However, personhood would prohibit any chemical abortion that kills the youngest boys and girls before or after they implant in their mother's womb. When the abortion industry says that personhood would outlaw contraceptives, it's lying. These people have spent decades telling women that such chemicals did not kill a living embryo. Women should know whether or not a chemical would kill their children. A personhood law will end the lies.

Will Personhood Stop Stem-Cell Research or Treatment?

No. Personhood laws clearly state that every human being is a person, which only makes it illegal to kill human beings. Therefore, the only stem-cell research affected by a personhood law would be embryonic stem cell research, which has largely proven to be unsuccessful. Adult stem cell research, which has proven widely successful and is currently being used to successfully treat over 70 diseases and injuries, does not require the killing of a human being and will still be legal.

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Will Personhood Stop In-Vitro Fertilization (IVF)?

No. A personhood law will actually make IVF fertilization SAFER. IVF would absolutely still be legal; the only change is that it would be illegal to purposely kill embryo children created via IVF—a practice to which many fertility clinics already adhere, and nearly every mom undergoing IVF would agree with. Embryos formed but not implanted by IVF may be adopted as “snowflake children” by other parents, but they may not be destroyed.

Won't Personhood Hurt Rape and Incest Victims?

Consider the horror of abortion for non-consensual incest. Cruelly, the abortion clinic typically covers up the crime of incest by sending the victim back home to her abuser—the very criminal who impregnated her and then may have coerced her into an abortion. Abortion for incest emboldens a criminal to rape his young relative, helps him escape being caught and tempts him to repeat his crime. It is not compassionate to kill a baby, fuel rape and increase a woman's suffering. Personhood helps people understand that there are no hard cases when deciding to welcome a baby. You don't kill a child because her father is a criminal. As recently documented by Live Action Films, abortion clinics in Alabama and nationwide often refuse to comply with mandatory reporting laws for suspected child rape.

Where Do Rights Come From?

Human rights do not come from the government or from the majority (consider America and slaves, Germany and Jews); nor from the doctor or hospital. Human rights come from our Creator, at the moment we are created, as the United States Founding Fathers made clear in the Declaration of Independence and the framers of the Alabama Constitution made clear in Section I. The Declaration of Independence affirms what those who believe in God have always known. “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life...” We have human rights because we are made in our Creator's image and likeness, which is why parents, unlike animals, have a moral obligation to protect and love our children, born and preborn.

Fetus Recognized as a Child from the Beginning:

3,500 years ago the Mosaic Law in the Bible recognized the preborn child as a person and Jeremiah 1:5 quotes God, “Before I formed you in the womb I knew you.” 2,400 years ago Hippocrates, the “father of medicine” wrote in the Hippocratic Oath, “I will not... cause an abortion.” Moms have always talked about the “baby” in their womb. And throughout history the child's amazing development has been known through miscarriage (which is tragic but a natural death, as contrasted with abortion which is deliberate murder). And today 4D ultrasound shows for all to see what has always been known—the precious humanity of the child in the womb.