

THE MISSISSIPPI PERSONHOOD AMENDMENT: An Overview

Abortion is arguably the greatest moral evil in our nation today. As tragic as this holocaust is, there has been little most of us could do about it, until now.

One of the presuppositions underlying the argument in favor of abortion is that the fetus is not a person, or at least not a “full” person entitled to all the rights and privileges of other citizens. In fact, in *Roe v. Wade* the Supreme Court noted that if the “suggestion of personhood [of the preborn] is established, the [abortion rights] case, of course, collapses, for the fetus’ right to life is then guaranteed specifically” by the Fourteenth Amendment.

Denying the humanity of a class of persons may sound familiar; it is how slavery was justified at the time of our founding, and how exterminating the Jews was justified under Nazi Germany. It was wrong then, and it is wrong now. Scripture and science agree that the unborn child is fully human from the moment of conception.

As Dr. Seuss put it so well, “A person’s a person no matter how small.”

While amending the federal constitution is not feasible, Mississippi allows constitutional amendments by means of a citizen initiative. And that is what we have done: The personhood amendment would define “person” to include every human from the moment of fertilization or the beginning of life by artificial means. Now, we must gather over 89,000 signatures from all over the state by the end of September in order to get the measure on the ballot in the next statewide election and let the people vote on it. The actual text is simple:

Be it Enacted by the People of the State of Mississippi:

SECTION 1. Article III of the constitution of the state of Mississippi is hereby amended BY THE ADDITION OF A NEW SECTION to read:

Section 33. Person defined. As used in this Article III of the state constitution, "The term 'person' or 'persons' shall include every human being from the moment of fertilization, cloning, or the functional equivalent thereof."

This initiative shall not require any additional revenue for implementation.

As simple as the amendment is, its effect could be profound. In 1998, the Mississippi Supreme Court ruled that our state constitution protected a right to abortion; this amendment would reverse that decision. In addition, under the wrongful death statute, courts in Mississippi have struggled with the question when a lawsuit can be brought for the death of an unborn child; this amendment would settle that question, too.

Undoubtedly there will be litigation. As it now stands, the odds are that we would lose, at least in the lower courts. But no one can accurately predict the future, and many believe that the current Supreme Court is more favorably inclined to overturn Roe than any before. And even if not, the question remains: If it is the right thing to do (and it is), if not now, when? And if not us, who?

We believe that now is the critical time. President Obama has promised to make passage of the Freedom of Choice Act (“FOCA”) a priority in his administration. At the stroke of a pen, FOCA would wipe out every single restriction on abortion enacted over the past 36 years, both state and federal, and make abortion fully available all over the country at every stage of fetal development right up until birth. This threat alone should be reason enough to get behind the personhood amendment.

We also believe that Mississippi is the most pro-life state in the union. If a personhood amendment is ever to be enacted into law, Mississippi may stand the best chance of doing it.

Moreover, one of the hallmarks of true Christianity has always been compassion for the helpless. From the days of Christians rescuing abandoned babies from Roman persecution, to Amy Carmichael’s orphanage and saving young girls forced into prostitution, to modern adoptions of unwanted children both here and abroad, Christians have always stood up for the most vulnerable and rescued the perishing.

We have before us today a one-of-a-kind opportunity to stand up for the unborn, and to speak out for those who for 36 years have been denied a voice in the ongoing slaughter of untold millions.

Their silence is understandable; ours is inexcusable.

We face a monumental task, with limited resources and little time within which to act. But our cause is just, and our God is able.