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Missouri Right to Life Statement on "Personhood" Initiative Petition

Pro-life supporters may hear about a proposal to put a constitutional amendment on the ballot in Missouri that would declare every human being to be a legal person from the moment biological existence begins. While it expresses the truth about humanity and personhood, it will have no effect on the federal constitution. Abortion law is controlled by the federal constitution, as interpreted by the U. S. Supreme Court. The federal constitution supersedes anything to the contrary in state constitutions or state laws. Thus, the proposed amendment to the Missouri constitution would not stop a single abortion.

The court said in *Roe* that it would not allow Texas, and by extension any state or branch of government, to overcome the constitutional right to abortion (as conjured up by the Court) by adopting a certain "theory" of human life. *Roe*, [410U.S.at 162](#). The Court has not changed its mind since *Roe*, and it knew the facts of human development at that time. Therefore, if the amendment is meant to be a direct attack on *Roe v. Wade*, it is poorly advised. Direct attacks in law, as in war, lead to defeat if they are mounted in the wrong circumstances. It gains nothing to act without a strategy that has a decent chance of succeeding.

Since the amendment will have no effect on *Roe*, then we have to wonder what its point is. Does it regulate the behavior of a single abortionist? No. Does it pronounce a new principle in Missouri law that could educate people to greater support for life? No. Missouri law has acknowledged since 1986 that every human being is a person from conception, subject to the decisions of the Supreme Court (as any such law must be). Section 1.205, RSMo. Will the amendment give a boost to worthy pro-life candidates on the ballot in the same election? No. In the states where a similar amendment has been put onto the ballot, it has had the opposite effect.

We cannot fall victim to the American weakness of being impatient about change. Sometimes, Americans think that human hearts are as malleable as aluminum and steel, and if we can learn in one decade how to hurl manned space capsules to the moon and back, we ought to be able to stop abortion in a similarly short time. The world does not work like that. Pro-lifers have dedicated themselves to the hard discipline of perseverance that real change requires. The laws enacted in the last 36 years have saved millions of lives, closed abortion clinics, and helped to open the eyes of the public to the horrors of abortion. We will continue to forge ahead with laws and education that will produce real results and save real lives.