



Written by [Raven Clabough](#) on March 6, 2019

Alabama Court Recognizes Aborted Fetus as a Person With Rights in Landmark Pro-life Victory

Pro-lifers are celebrating a major victory in Alabama after the Madison County probate court ruled that an aborted baby is a person with rights on Tuesday. The Madison County probate court's ruling is the first of its kind in the United States.



In the landmark ruling, the court determined Ryan Magers, a father of an aborted baby, has the right to sue the Alabama Women's Center for performing the abortion, as well as the employees of the center and the pharmaceutical company that created the medication used in the procedure on behalf of the aborted baby.

Magers filed suit in early February 2019 stating that his girlfriend aborted their baby against his wishes at six weeks gestation in 2017.

Magers said, "I just tried to plead with her and plead with her and just talk to her about it and see what I could do, but in the end, there was nothing I could do to change her mind."

Magers filed a petition for letters of administration with the Madison Probate Court to serve as the personal representative of the baby's estate, the Daily Wire reports.

Magers' attorney, Brent Helms, asserts that this already marks a major victory. "This is the first estate that I'm aware of that has ever been opened for an aborted baby," Helms said.

Helms explains that the only right the estate has is to sue, and Magers is now able to sue on behalf of "Baby Roe's" estate.

Because Alabama state law recognizes that life begins at conception, Magers has a strong case, and Helms believes the case could reach the Supreme Court, reports WAAY 31 ABC News.

"We are confident, and this is a step in the right direction," Helms said.

The Alabama Women's Center has until April 1st to respond to the suit.

Magers contends that while he knows the suit will not bring back his baby, he did it because he wanted to represent all of the men who are without a voice when it comes to abortion. "Even though there's nothing I can do for the situation I was in, there is something I can do for the future situations for other people," Magers explained.

"I'm here for the men who actually want to have their baby. Even though there's nothing I can do for the situation I was in, there is something I can do for the future situations for other people," he continued. "I believe every child from conception is a baby and deserves to live."

In the wake of the recent slew of anti-life legislation passed in Democratically controlled states



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throughout the country, pro-life lawmakers have made strides to protect the sanctity of life.

Last week, the Missouri House passed the most restrictive abortion bill in the United States designed so that if any one provision is overturned, another provision is available to take its place.

According to the *Washington Times*, House Bill 126 combines most abortion restrictions proposed in recent years into one measure, including abortion bans when a fetal heartbeat is detected (approximately six weeks gestation) and when a fetus can feel pain (around 20 weeks, according to the legislation). The [bill](#) also prohibits elective abortions for reasons having to do with race, gender, or diagnosis of Down syndrome.

Additionally, the legislation cites a state law that determines brain activity to be a sign of life and bans abortions once brainwaves are detected, generally at eight weeks gestation. The bill also implements 14-week abortion bans, 18-week abortion bans, and 21-week abortion bans. It also features a “trigger clause” that would ban all abortions except for medical emergencies if *Roe v. Wade* was overturned.

The bill now awaits a Senate vote, and though the bill has enough support to pass in the Senate, Democrats are threatening a filibuster. If passed, however, Republican Governor Mike Parson has already stated he would sign it into law.

LifeNews reports several other states — Arkansas, Louisiana, Mississippi, North Dakota, and South Dakota — have also enacted bans that would be triggered if *Roe v. Wade* was overturned.

Iowa lawmakers have advanced a state constitutional amendment on Tuesday that makes clear there is not a right to abortion guaranteed by the state, LifeNews has also reported. It is expected to pass the state senate on a party line vote. If it passes the state legislature, it would be placed on the ballot for voters to decide if it should be added to the Iowa Constitution.

Pro-lifers in Congress have attempted to make strides by introducing the Born Alive Abortion Survivors Protection Act, which would prohibit healthcare professionals from refusing to give medical care to babies who survive abortions. In a letter [published](#) at The Public Discourse, leaders of the American College of Pediatricians and several other medical groups have articulated their support for the bill, explaining that abortions are never necessary, especially when a woman is in the third trimester, when the baby becomes viable. The letter adds that cases of women’s lives being endangered by a pre-born infant early in the pregnancy are exceedingly rare.

Unfortunately, Democrats have repeatedly refused to support the legislation, prompting critics to decry the Democratic Party as the “pro-infanticide” party.



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