



Written by [Alex Newman](#) on February 20, 2012

Virginia & Oklahoma Move to Recognize Personhood at Conception

Lawmakers in Virginia and Oklahoma approved “personhood” legislation last week to recognize that human life begins at conception, drawing praise from pro-life activists and fury from abortion advocates. Analysts say neither of the bills would immediately ban abortions, but a prohibition would kick in if and when the Supreme Court’s *Roe vs. Wade* ruling is undone.



The [Personhood movement](#) has been working hard at the state level recently to legally define human life as beginning at the moment of conception. The idea received strong support from numerous pro-life organizations, but a well-funded fear-mongering campaign waged by pro-abortion activists — often [funded](#) by tax dollars — scared enough voters in [Colorado](#) and [Mississippi](#) to kill the measure, at least for now.

Both Colorado and Mississippi held popular elections to decide whether to amend their state constitutions to legally recognize the personhood of unborn children. Those measures failed. But in Oklahoma and Virginia, by contrast, lawmakers are taking the lead in defining personhood in state statutes instead, following a nationwide trend by state legislatures in [efforts](#) to [protect the unborn](#).

Oklahoma State Senators overwhelmingly approved the bipartisan personhood bill late last week, with 34 votes in favor and only 8 against. It is widely expected to pass in the state House of Representatives, too. And analysts say Oklahoma Gov. Mary Fallin, who has been supportive of state efforts to defend life, will likely sign it into law.

“The Personhood Act is a strong, clear statement that it is the policy of the State of Oklahoma to protect innocent children,” [wrote](#) Oklahomans for Life Chairman Tony Lauinger. He also noted that the U.S. Supreme Court was likely to uphold the law in the event of a legal challenge, as similar language in Missouri law has already withstood legal scrutiny by the high court.

“It would provide valuable evidence that Oklahoma has a compelling state interest in protecting children in the womb in court cases involving other pro-life laws, now and in the future,” said Lauinger, who also serves as the executive vice-president of the National Right to Life Committee. “The Personhood Act, thus, is a very important bill for reflecting the value that Oklahoma places on each innocent human life.”

The legislation has caused a quite a stir among activists on both sides with language affirming that the unborn, starting at conception, should enjoy the “rights, privileges, and immunities available to other



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persons." But Oklahoma lawmakers emphasized that even if the bill becomes law, it would not ban the termination of pregnancies, contraception, or in-vitro fertilization.

"Oklahoma is a conservative pro-life state-we are proud to stand up for what we know is right," [said](#) Republican Senate Pro Tempore President Brian Bingman. "This bill is one of many Senate Republicans have advanced which affirms the right to life and I am proud to support it."

The legislation was briefly in the international media spotlight after Democrat state Senator Constance Johnson, who supports abortion, offered an [amendment](#) that said sperm should also be protected. The amendment was tabled, but it gave pro-abortion activists an opportunity to attempt to ridicule lawmakers standing for life.

In Virginia, the House of Delegates approved similar personhood legislation early last week. The bill defines life as beginning at conception and, like Oklahoma's, recognizes that unborn children at every stage of development should enjoy all of the rights and privileges available to other persons.

"We need to get back to the respect for life that we used to have in this country that's been lost," Republican Delegate Robert Marshall, the sponsor of the bill, [told](#) CNN. Other lawmakers agreed, and the personhood bill passed overwhelmingly through the GOP-controlled lower House.

The state Senate will take up the bill this week, but it is expected to face tougher opposition in the upper chamber - evenly split between Republicans and Democrats. Gov. Bob McDonnell has promised to review the legislation if it reaches his desk, although he has not yet committed to signing it.

A second bill approved by the Virginia House of Delegates last week would require an ultrasound before abortions to ensure that there is informed consent when a woman makes the decision to end the life of her child. Lawmakers and supporters of the legislation said it was crucial for women to have all of the relevant information.

"This may be the most important decision that she ever makes in her life," [said](#) bill sponsor Delegate Kathy Byron on the House floor. "And we determined over a decade ago that we were going to ensure that a woman has a right to have all the information avail to her before making that decision."

Critics, meanwhile, claimed allowing women an opportunity to see their child before choosing an abortion was somehow an "attack on women." But it was not immediately clear how or why more medically accurate information could be construed as an attack.

The Virginia State Senate had already passed the legislation on February 1. And Gov. Bob McDonnell, who has publicly expressed support for the measure, is widely expected to sign it into law.

Abortion advocates have promised to challenge any and all pro-life legislation that becomes law — both in Virginia and in Oklahoma. But an ultrasound measure in Texas requiring proper informed consent before abortions could be performed was [recently upheld](#) in federal court. And the personhood statutes were modeled on language that has already been litigated and upheld at the Supreme Court.

Despite the enormity of the battle, activists pushing state-level [personhood measures](#) are optimistic about their prospects. "I have absolute certainty we'll see personhood as law," Personhood USA President Keith Mason [told](#) the *New York Daily News*. "There's a good chance it could happen this year. ... We're really just starting out as a movement."

Indeed, state legislatures across America have been taking more and more [action](#) in recent years to protect the unborn. But Planned Parenthood - the largest abortion provider in America - and its allies have been waging a [relentless campaign](#) to kill any challenges to unrestricted abortion.



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Because money is fungible, critics of Planned Parenthood often [point out](#) that taxpayers themselves can be said to be paying for the relentless pro-abortion lobbying and litigating. And whenever state or federal lawmakers attempt to [rein in the organization](#) or end its taxpayer subsidies, vicious attacks and lawsuits [quickly follow](#).

But despite the efforts of the powerful abortion lobby, Americans overwhelmingly support restrictions on abortion — a poll released last month found that virtually 8 in 10 people [support banning abortion after the first trimester](#). And surveys show that the American people are becoming [increasingly pro-life](#) as time goes on.

Advocates for the unborn often disagree about the best way to protect life in the face of a Supreme Court ruling purporting to strike down restrictions nationwide. Some activists support constitutional amendments, others hope to overturn *Roe vs. Wade* by adding pro-life justices to the high court or [removing its jurisdiction over the issue by law](#). Still more hope to achieve results by [working](#) at the state level.

No matter where the battle goes or what forms it takes, however, it appears increasingly likely that America's four decades of legalized abortion will come to an end sooner or later. And after almost 40 years, it has become clear that pro-lifers do not intend to give up.

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