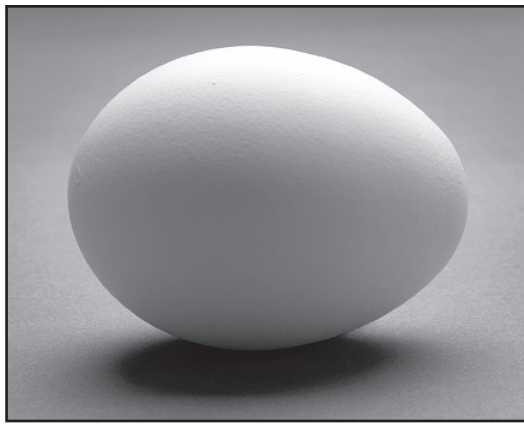


# THIS.....IS A PERSON.



**NO! IT'S A CHICKEN!!!**

## THIS.....

1. Be it enacted by the people of the state of Colorado:
2. Article II of the constitution of the state of Colorado is amended BY THE ADDITION
3. OF A NEW SECTION to read:
- 4.
5. **Section 31. Person defined**
- 6.
7. AS USED IN ARTICLE II, SECTIONS 3, 6, AND 25 OF THE COLORADO
8. CONSTITUTION, THE WORDS "PERSON" AND "PERSONS" SHALL INCLUDE
9. ANY HUMAN BEING FROM THE MOMENT OF FERTILIZATION

## IS A TURKEY.

On November 4, 2008, the people of Colorado will be asked to approve or disapprove the above Ballot Initiative # 36 "Definition of a person." It's not on the ballot yet, but as soon as its sponsors find 75,000 certifiably stupid people in Colorado to sign their petition, it will be on the ballot, and you, the voter, will have to choose. The U.S. Constitution defines a person as existing from the moment of live birth. Initiative #36 is unconstitutional on its face. If adopted, it would mean that live birth is not a significant legal event. This idea has many absurd and catastrophic consequences, but the principal purpose of its sponsors is to outlaw safe abortion. Read on. Here is my editorial on this matter published in *The Colorado Statesman* on July 27, 2007.

### When Is an Egg Not an Egg?

By Warren M. Hern, M.D.\*

Reprinted from *The Colorado Statesman*, July 27, 2007

\*Director of the Boulder Abortion Clinic.

An egg is a person. No, an egg is a chicken. A fertilized human egg is a person. An acorn is a tree. A seed is an apple. A set of plans is a house. A blastocyst is a "pre-born baby." An adult human being is a "pre-dead corpse." Up is down. Black is white. War is peace. Facts are not important. Belief is what matters. And people who know the truth will tell you what to believe.

Anti-abortion fanatics have been saying for decades that a human embryo – or even a fertilized human ovum – is a person. The "Human Life Amendment" was introduced in Congress in 1975 by Senator Jesse Helms. It defined a fetus as a person. Colorado's anti-abortion fanatics now want to define a fetus as a person existing "from the moment of fertilization." Their purpose, of course, is to outlaw all abortions.

The US Constitution refers to "All persons born..." not "all persons conceived..." or "all fertilized eggs..." No live birth, no person. To be sure, this is an arbitrary judgment that is defined by our culture. In some cultures, a person does not exist until the first 3 or 6 months or first birthday has passed. Among the Shipibo Indians of the Peruvian Amazon, with whom I have worked and studied for over 40 years, a baby is not given a name – and thereby personhood – until it is at least 3 months old. There is an important reason for this. In some Amazon villages, as many as 20-30% of the children die before they are a year old. A child's death hurts.

Stating that a person exists from the moment of live birth solves a practical problem. It is almost impossible to know when conception, however defined, occurs. Does conception mean the moment that the sperm penetrates the covering of the ovum, or does it mean when the fertilized ovum (zygote) divides and forms a morula (clump of 16 cells)? Does conception occur when a blastula (hollow clump of cells) forms, or does conception refer to implantation of the blastocyst into the endometrial surface of the uterine wall? What if the fertilized egg gets hung up in the Fallopian tube and forms an ectopic ("out of place") pregnancy that can easily kill the woman?

Does it matter that a woman may spontaneously abort ("miscarry") a pregnancy before she is even aware of it? Does it matter that this may happen in at least 75% of all conceptions? What about a spontaneous abortion (miscarriage) that happens when the woman is aware of the pregnancy? This happens in about 10-15% of all known pregnancies. Is the spontaneously aborted embryo a person? What if the woman smokes or drinks or takes drugs or rides the roller-coaster or hangs out with weird people? Is she guilty of homicide if she has a miscarriage because some or all of these activities are known or thought by some to cause damage to the embryo or cause a miscarriage? Who will document this damaging behavior, and who decides what is damaging?

Does the census-taker count each known pregnancy as a person? What if there are twins or triplets? Who would know this, and how would they find out? Must each woman submit to a pregnancy test or a vaginal-probe ultrasound exam? How accurate are pregnancy tests? Which tests? There are various kinds with various levels of sensitivity. What if the positive pregnancy test is registering a hydatidiform mole (a kind of pregnancy that does not result in formation of an embryo), a choriocarcinoma (a kind of highly malignant cancer) or a chorioadenoma destruens (another kind of cancer)? Are these pregnancies counted as persons? They all resulted from fertilization of an ovum by at least one sperm.

How will the positive pregnancy test counts affect the census, and how will this affect political representation? Are districts in which women use less birth control likely to get more representatives because there are more fertilized eggs and embryos that count as persons? How will the people living in high birth-control use (or low-fertility) districts feel about having less representation than fetuses, embryos and even hydatidiform moles? Senior citizens may not like this.

If women object to being forced to submit to regular pregnancy tests, we can just throw them in jail as they did during Romania's communist dictatorship under Nicolae Ceaucescu from 1965 to 1989. Women were required to produce children in order to have more workers and soldiers. After all, that's what women are for, right?

If a pregnant woman gets a passport, does she also get one for her 6-week embryo? How will immigration authorities know if a legally registered woman is not sneaking an unregistered and undocumented embryo into the country? The border patrol will need a lot of pregnancy tests.

For more commentary by Warren M. Hern, go to [www.drhern.com](http://www.drhern.com) > News and Publications > Bibliographies

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