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# The Human Life Amendment

*Model Legislation & Policy Guide*



*Advancing the Human Right to Life  
in Culture, Law, and Policy*

# INTRODUCTION

States seeking a meaningful and effective mechanism to protect human life should consider the enclosed state constitutional amendment. A version of this amendment was originally drafted by Paul Benjamin Linton, Esq.,<sup>1</sup> adopting language from the Arkansas and Rhode Island state constitutions.

Besides being simple, practical, and clear, there are several merits to this proposed language: it has been enacted in other states, it has been shown to be effective, and it can go into effect and do some good now that *Roe v. Wade* is overturned.

Section 1 of the proposed amendment, which enunciates a state policy to protect the life of an unborn child from conception until birth, is based on § 2 of Amendment 68 to the Arkansas Constitution. It is aspirational and would guide the interpretation of existing and future state laws by all branches of state government.

Section 2 is based on Article I, § 2 of the Rhode Island Constitution and is intended to prevent any branch of state government, including the judiciary, from manufacturing a “right” to abortion under the state constitution. It would also effectively overturn any existing state judicial decisions creating such a “right.”

Finally, Section 3 is based on § 1 of Amendment 68 to the Arkansas Constitution and is intended to prevent state funding of abortion to the extent permitted by federal law.

For more information and drafting assistance, please contact AUL at (202) 298-1478 or [Legislation@AUL.org](mailto:Legislation@AUL.org).

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<sup>1</sup> Paul Benjamin Linton, Esq. is an attorney in private practice in Illinois and a former General Counsel of Americans United for Life. He is also the author of *Abortion and State Constitutions: A State-by-State Analysis* (Carolina Academic Press 2008).

# THE HUMAN LIFE AMENDMENT

**Section 1.** The policy of [*Insert name of State*] is to protect the life of every unborn child from conception to birth.

**Section 2.** Nothing in this Constitution shall be construed to grant or secure any right relating to abortion or the public funding thereof.

**Section 3.** No public funds shall be used to pay for any abortion, except to save the life of the mother [*or as may be required by federal law*].

For further information regarding this or other AUL policy guides, please contact:

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