

Unborn child has 'inalienable' right to life 'at all stages of development': Alabama Supreme Court

BY COLIN KERR, Tue Apr 22, 2014

MONTGOMERY, AL, April 22, 2014 (LifeSiteNews.com) — Children in the womb should have the same legal standing as other children, the Supreme Court of Alabama ruled Friday.

The [decision](#) upheld the prior conviction of Sarah Janie Hicks for "the chemical endangerment of her child," when she exposed her unborn baby to cocaine. The boy, [referred](#) to as "JD," was born testing positive for cocaine.

The 8-1 decision reaffirmed the Alabama Supreme

Court's [ruling](#) in a similar case last year that the word "child" includes "unborn child."

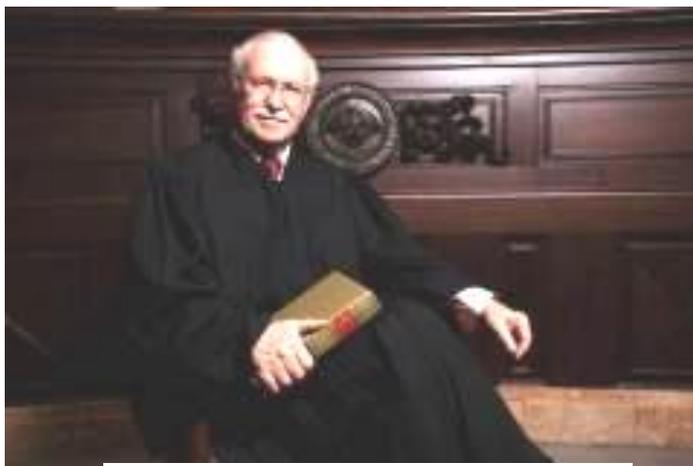
Friday's decision was a review of the lower Court of Criminal Appeals' conviction of Hicks.

According to Justice Tom Parker, who wrote the majority [decision](#), "It is impossible for an unborn child to be a separate and distinct person at a particular point in time in one respect and not to be a separate and distinct person at the same point in time but in another respect. Because an unborn child has an inalienable right to life from its earliest stages of development, it is entitled not only to a life free from the harmful effects of chemicals at all stages of development but also to life itself at all stages of development. Treating an unborn child as a

separate and distinct person in only select respects defies logic and our deepest sense of morality."

Fr. Pavone, national director of Priests for Life, [referred](#) to the decision as a unique instance of "common sense and logical consistency."

"In ruling that a child is a child whether born or unborn, the Alabama justices have cut through decades of tortured, twisted rationales and issued a national call for courts to recognize the obvious – all humans have the right to life."



Alabama Supreme Court Justice Tom Parker

Justice Parker said, "Courts do not have the luxury of hiding behind ipse dixit assertions," which means that courts cannot rule simply to uphold the legal status quo but must, in this case, "allow the law of non-contradiction" to come into play, in order to "recognize a child's inalienable right to life at all stages of development."

Until this is the case, the judge added, "our grief is not for the Constitution alone; we also grieve for the millions of children who have not been afforded equal value, love, and protection since Roe."

"In contrast to the reasoning of Roe and Casey, Alabama's reliance upon objective principles has led this court to consistently recognize the inalienable right to life inherently possessed by every human being and to dispel the shroud of doubt cast by the United States Supreme Court's violation of the law of non-contradiction," said Parker.

