

Pro-Life Coalition Letter Opposing Alabama IVF Legislation

March 4, 2024

Governor Ivey,

We write to you as pro-life organizations united in opposition to the passage of current legislation headed to your desk (SB 159/HB 237) that would grant civil and criminal immunity to "any individual or entity providing goods or services related to in vitro fertilization,"¹ even if their actions cause death or damage to embryos created through IVF.

If enacted, this sweeping legislation would slam the door on any protections for the most vulnerable Alabamians, prevent families from seeking justice for the death or harm caused to their children, and leave a trail of destructive, immoral implications in its wake. We urge you to veto this legislation.

It is an indisputable scientific fact that human life begins at the moment of fertilization.² The moment of fertilization, when an individual human zygote is formed, marks the starting point of each human being's life. The embryonic period is simply one stage of development in the life of a human being—just like the fetal, childhood, adolescent, and adult stages of life.

A child in the embryonic stage of development is of incalculable value to his or her family, and though young, is not of any less worth to their parents than a child at three months in the womb, nine months in the womb, or after the very moment of birth. Both science and logic have made it clear that embryos must be accorded the same human rights and level of dignity that all other human beings — at every developmental stage of life — are granted.

In the past, Alabama has courageously defended the intrinsic equal dignity of every human being, regardless of age, size, location, stage of development, or condition of dependence. Alabama law currently provides commonsense legal protections for human beings created through IVF and simply requires fertility clinics to exercise due care over the lives that they create.

If this legislation is signed into law, it would have catastrophic consequences and would withdraw existing legal protections for Alabama's most vulnerable persons, simply because those persons were created through IVF. It would provide blanket civil and criminal immunity even for criminal and intentionally tortious acts committed in connection with IVF — such as a doctor

¹ <https://www.legislature.state.al.us/pdf/SearchableInstruments/2024RS/SB159-int.pdf>,
<https://legiscan.com/AL/text/HB237/2024>

² <https://www.princeton.edu/~prolife/articles/embryoquotes2.html>

who secretly uses his own sperm to create embryos, deliberately implants someone else's child into a different IVF mother's womb, or intentionally destroys the embryos he creates against the wishes of the parents. We implore you to consider the ethical dilemmas that such legislation would create, regardless of any one person's political or religious beliefs. IVF is not a morally neutral issue and it would be a grave mistake to rush through any legislation without seriously considering the ethical questions and very real consequences of leaving a procedure as consequential as creating human life unregulated.

Alabama must not rush to enact ill-considered legislation. It is imperative to note that during last week's hours of heated debate over this legislation across both chambers, lawmakers from both major political parties in the state raised numerous objections to the House and Senate bills. Many citizens of the state of Alabama share these same concerns. Yet, this legislation passed overwhelmingly without resolving those objections. We implore the elected officials of Alabama to slow down and study the ethical implications of this highly complex topic. These questions must be addressed before any legislation is passed, which could cause irreversible damage to the thousands of embryos, parents, and women in this state who would be at the mercy of such a monumental decision.

We urge you to veto this legislation as a rash reaction to a troubling situation. While we understand and share the legislators' concern for families struggling with infertility, this unjust measure will ultimately harm these families and jeopardize the lives of precious children.

Any political determination that takes up the question of how we treat and protect human lives — no matter how young — must resist an ideology that treats human beings as expendable commodities. Any legislation on this issue must take into consideration the millions of human lives who face the fate of either being discarded or frozen indefinitely, violating the inherent dignity they possess by virtue of being human.

We call on you to stand opposed to this legislation and lead with courage on an issue that holds such moral gravity.

Sincerely,

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