

## Proponent Testimony for The *Value Them Both* Constitutional Amendment for Life

### Joint Senate Judiciary and House Federal and State Committee

Melissa McAllister

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Dear Chairman Barker, Chairman Wilborn and Members of the Joint Committee

“We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain on alienable rights, that among these are life, liberty and the pursuit of happiness. – That to secure these rights, governments are instituted among men, driving their just powers from the consent of the governed...”  
(Declaration of Independence, July 4, 1776.)

Kansas became a state on January 29, 1861. Kansas government was instituted among Kansans to secure every Kansas citizen’s certain, unalienable rights. Kansas government derives it’s just powers from the consent of the governed. We, the people of Kansas, voice the consent of the governed.

The Preamble to the Kansas Constitution proclaims: “We, the people of Kansas, grateful to the Almighty God for our civil and religious privileges, in order to ensure the full enjoyment of our rights as American citizens, do ordain and establish this Constitution of the state of Kansas...” (Preamble to the Kansas state constitution, 1857).

Kansas government exist to protect the inalienable rights of Kansas. We, the people of Kansas, are not only to be represented in the lawmaking, legislative arm of Kansas government, but our well-being and concerns are the only reason that legislative branch of government exists.

Hodes & Nauser vs Schmidt removes the power of legislation in regard to the pro-life issue out of the rightful hands of the legislature and places it in the hands of the judiciary. This violates our right as consent of the governed to make and altar our Kansas Constitution and government. Furthermore, it threatens the protection of unborn life violating the civil liberty of unborn Kansas citizens. “Civil liberty is an exemption from the arbitrary will of others, which exemption is secured by established laws...” (Noah Webster, American dictionary of the English language, New Haven, 1828.)

In his farewell address, Washington warned, “The basis of our political systems is the **right of the people** to make and to alter their Constitutions and Government. But, the Constitution which at any time exists, until changed by an explicit and authentic **act of the whole people** is secretly obligatory upon all”. (George Washington, Farewell Address, 1796)

Civil liberty and consent of the governed pleads the case of the Value Them Both Amendment. Our Kansas Constitutional right to consent of the governed provides for the security of our civil liberty. This is what we Kansans seek to uphold. Let we, the people of Kansas, vote on this constitutional amendment named Value Them Both.

Thank you for this opportunity and for all your work for the people of Kansas.

Respectfully,

Melissa McAllister