



**FAMILY  
COUNCIL**

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**AUGUST 2018  
UPDATE LETTER**

## **DEAR FRIENDS,**

"There ain't nothin' good about a war."

That's what my uncle Fred Kesterson told me as he lay on his deathbed at the VA Hospital in Little Rock. His face was unflinching as he spoke. Fred knew what he was talking about. He was part of the third wave of soldiers that landed amid enemy mortar and artillery fire on Omaha Beach on D-Day, June 6, 1944. As an anti-tank gunner, he fought his way across Europe for most of the next year.

Many years ago I knew another veteran named Sherman Cline who had similar experiences during the war. In the 1980's Holocaust Deniers—people who claimed the Holocaust was a hoax or grossly exaggerated—still had a large following. I asked Mr. Cline point-blank if he believed the Holocaust happened. "Don't let anyone tell you it didn't," he said. "I saw it."

Mr. Cline was among the soldiers who liberated the concentration camp Dachau in April of 1945. In gruesome detail he told me about seeing the guard posts, the electric fences, the walking skeletons in striped prison uniforms, and the dead corpses stacked like cordwood. He also told me about sleeping on the cold ground and marching for miles on feet that were so swollen he was afraid he wouldn't be able to put his boots back on if he took them off, so he just wore them for an entire month.

In my book, Sherman Cline and Fred Kesterson are heroes. They defeated the Nazis and rescued the Jews from extermination. But I think if they were here today, they probably would say that they would just as soon wish none of it had ever happened—the war, the Holocaust, and everything in between. There's no doubt that our part in World War II was just and necessary, but it became that way in part because evil went unchecked for so long. While the politicians of the 1930s bickered, Western Civilization nearly collapsed. In the end, the job of preserving the Free World fell not to diplomats, but to farm boys like Fred Kesterson and Sherman Cline.

Today our culture is locked in another struggle for survival: A struggle for hearts and minds. Some days, it seems that evil is gaining the upper hand. Every day this struggle plays out on TV, in godless classrooms, and in the courts of activist judges—in capitol buildings dominated by powerful lobbyists and in politically correct church sanctuaries. The fog of this war clouds the hearts and minds of people, rendering many unable to discern right from wrong, or know truth. Evil and its lies cannot go unchecked indefinitely. For quite some time, the ACLU and others have fostered the lie that a godless society is what we need. A generation or two later, we're beginning to taste the bitter pill of schools without God, churches without God, and government without God. Truth and common sense teach us that a spiritual awakening is our only hope.

The late Chuck Colson once observed that salvation doesn't arrive on Air Force One. In his final speech before he died, Colson said, "I think cultures are changed over the backyard fence and the barbecue grill. I don't believe they're changed from the top down." Prime ministers and presidents won't stop the spread of evil, preserve freedom, or take the gospel to our neighbors. That task always has and always will fall to ordinary people like you and me. That is why Family Council exists—to be salt and light. With your help, we are waging war. We are pushing back the darkness with the light of God's truth, and we are fighting moral rot by weaving biblical principles into our laws. Every dollar you give us and every prayer you pray for us is a powerful weapon in that war to end abortion, secure religious liberty, preserve marriage, and honor God. And now let me tell you more about how you and I are waging this war—and how you can help us continue to wage it.

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Family Council  
President Jerry Cox

## MY THOUGHTS: WE NEED TO CLIP THE SUPREME COURT'S WINGS

In June U.S. Supreme Court Justice Anthony Kennedy announced his retirement. The news sparked reactions ranging from joy to outrage. As of this writing the U.S. Senate has not confirmed Justice Kennedy's replacement. The fallout from Justice Kennedy's retirement shows that the U.S. Supreme Court has become far too powerful. An 81-year-old judge should not throw the United States of America into turmoil by hanging up his robe after decades of service. Liberals are terrified at the thought of getting another Gorsuch or Scalia on the court, and conservatives are worried that a nominee who looks good on paper and in the confirmation hearings will turn out to be a lemon once he or she is on the bench. I doubt the resignation of a sitting U.S. President would cause as much national anxiety.

I agree there's a lot at stake, and I hope we get a conservative majority on the court, but Justice Kennedy's retirement underscores that our federal judges have become too powerful. Our Founding Fathers never meant for nine justices to hold so much sway. Conservatives and liberals ought to be able to agree it's time to clip the U.S. Supreme Court's wings. If we don't rein in the U.S. Supreme Court, the stakes are simply going to get higher every time one of those nine seats becomes vacant.

### U.S. Supreme Court Justice Anthony Kennedy's Retirement Bodes Well for Arkansas

There's a lot at stake any time a vacancy has to be filled on the U.S. Supreme Court, but that is especially true in the case of Justice Kennedy. Justice Kennedy was nominated by President Reagan, but he has long been an unpredictable swing vote. Justice Kennedy's decisions have run the political spectrum from left to right. President Trump and the U.S. Senate have the opportunity to replace a swing vote on the U.S. Supreme Court with a conservative justice.

**So why does this bode well for Arkansas?** Arkansas has several pro-life laws currently being challenged in court. These good laws require abortion facilities to contract with doctors who have hospital admitting privileges; ensure abortion clinics that fail Health Department inspection are promptly shut down; prohibit certain abortions in which an unborn child is dismembered; require abortionists to request some of a woman's medical records before performing certain abortions; require abortion facilities to report abortions on underage girls; and prevent aborted babies from being bought or sold for medical research.



Arkansas' Attorney General could argue half a dozen pro-life cases before the U.S. Supreme Court in the next three years. If the court includes five conservative justices, Arkansas' pro-life laws are much more likely to stand.

### U.S. Supreme Court Affirms Rights of Pregnancy Resource Centers

In June the U.S. Supreme Court struck down a California law that required pregnancy resource centers to tell women that abortion is available at little or no cost; the law also required the centers to give the women a telephone number to call to learn more about qualifying to have an abortion paid for with tax dollars. The law was written in such a way as to deliberately target pro-life pregnancy resource centers, effectively requiring them to promote abortion. The court struck the law down, saying it violated the centers' rights to free speech and free exercise of religion.

**Pregnancy resource centers empower women with real options besides abortion.**

Pregnancy resource centers empower women with real options besides abortion. Many of them offer state-of-the-art, medical-grade equipment and services. Many provide ultrasounds and pregnancy testing. They offer maternity clothes and baby supplies. Many also provide parenting classes or counseling services. Best of all, these services typically are offered to women and their families free of charge. Abortion advocates have tried to paint pregnancy resource centers as "fake medical clinics" that promote junk science. The Supreme Court's ruling affirms that pregnancy resource centers are legitimate organizations that have the same liberties as anyone else. That's good for Arkansas' pregnancy resource centers as well as California's.

**Our office is still working to launch a new foundation that will help support Arkansas' pregnancy resource centers.** Our goal is to have that program in place in the coming months.

*U.S. Supreme Court Associate Justice Anthony Kennedy announced his retirement in June.*

## Keeping an Eye Out for Proposals That Tax Churches and Charities

Last year the Arkansas Legislature created a Tax Reform and Relief Task Force responsible for proposing reforms to Arkansas' tax policy. The task force cannot change Arkansas law, but it can propose changes to the legislature ahead of the 2019 legislative session. Since December the task force has heard presentations and reviewed proposals to change Arkansas' tax structure.

A couple of proposals offered up so far touched on the subject of taxing passive income and property that belongs to churches. Some churches own parsonages, vans, and other property that the church members and staff are able to use, and some invest in bank accounts that earn interest. Some own camps and retreat centers. Church income and church property like this generally are not taxed in Arkansas.

I have spoken with members of the Tax Reform and Relief Task Force who assure me they have no intention of recommending Arkansas tax churches. I also have spoken with one senator who told me in no uncertain terms that church property ought to be taxed. At the end of the day, I don't think our lawmakers will deliberately levy a tax on churches. I also believe most of our legislators agree church property ought to be exempt from state property taxes. But it's possible as tax laws are reformed that a proposal could inadvertently tax some church property or income. For example, a law generally changing property taxes for nonprofit organizations could indirectly affect churches. We don't want to see churches hit with any additional taxes. That's why we plan to work with Arkansas' lawmakers to ensure state tax reforms don't inadvertently increase the taxes on churches.

## Groups Pushing For Casinos in Arkansas

Several groups are working with the Quapaw and Cherokee Indian tribes in Oklahoma to pass a constitutional amendment expanding the number of casinos in Arkansas. Currently Oaklawn Racetrack in Hot Springs and Southland Greyhound Park in West Memphis operate casino games. This latest amendment establishes casinos in Pine Bluff and Russellville, and it lets Oaklawn and Southland offer additional forms of gambling. If this amendment passes, Arkansas will have a lot more gambling. In western Mississippi, counties that have casinos suffer the same poverty rates as counties directly across the river in Arkansas, indicating casinos are not improving Mississippi's economy. Casinos in Mississippi promised to dedicate a portion of their proceeds to improve roads. One person in Greenville, Mississippi, said the only road their casino paid to pave was the road leading to the casino. Casinos take money from the poor, increase bankruptcies, put additional financial strain on families, and drain money from the local economy. It's impossible for a community to gamble its way to prosperity. You can put a stop to this by voting against the casino amendment this November.



Governmental Affairs Assistant  
Charisse Dean

## POLICY POINTS: WE NEED TO END COMMERCIAL SURROGACY

By Charisse Dean

With the rise of *in vitro* fertilization and fertility treatments in recent years, surrogacy has become a hot topic. Many people are familiar with "altruistic surrogacy," where a couple who cannot

have children arranges for a female friend to carry and give birth to a child for them. However, a common, but less well known practice is commercial surrogacy.

**There are plenty of problems with commercial surrogacy.**

In commercial surrogacy arrangements, companies pay women tens of thousands of dollars to bear children for wealthy clients. Advertisements online currently promise women in Arkansas \$50,000 to work as commercial surrogates. Companies are looking for commercial surrogates in Arkansas, because Arkansas' surrogacy laws are among the most lax on earth. The European Union rightly prohibits commercial surrogacy altogether, as do most states in the U.S. and many countries around the world. Arkansas is one of only a few jurisdictions where women can be paid to bear children for total strangers.

There are plenty of problems with commercial surrogacy, but here are a few: First, it turns women and children into commodities. As far as commercial surrogacy contracts are concerned, the woman who gives birth isn't a mother; she's an employee. And the baby is not a child; it's a product. Second, commercial surrogacy is tantamount to buying and selling children. In Arkansas it is illegal to pay a woman to put her child up for adoption once the child is born, because we recognize that it is wrong to buy or sell kids. The same ought to apply to surrogacy. Finally, commercial surrogacy robs adoptive children of parents. Instead of adopting a child who needs a family, couples are paying commercial surrogates to produce children for them. Last year Family Council worked on legislation prohibiting commercial surrogacy. Unfortunately, we were not able to run the legislation before the session ended. We hope to work to prohibit commercial surrogacy next year.

## Here Are Some of Our Plans for Coming Months

Here's a very quick snapshot of just a few things we have planned for coming months:

- 1. Voter's Guides.** November 6 will be here before we know it. Voters need to know who their candidate are and what their candidates stand for. That's why we are going to distribute thousands of voter's guides this fall. I will send you a free copy of the 2018 Arkansas Voter's Guide in a few weeks. If you would like to preorder additional copies of the guide for your family or your church, call our office at (501) 375-7000.
- 2. New Videos.** Every Tuesday and Thursday we publish videos covering current events. Charisse Dean also releases video commentary regularly as part of our Family Time with Family Council video series. Check out our website or Facebook page to watch these videos.
- 3. Equipping Ministers.** We are continuing to send Pastor Briefs regularly via mail and email. These briefs help explain what the Bible says about current issues like abortion, suicide, marriage, religious liberty, civil justice, and others.
- 4. Drafting Legislation.** In January the Arkansas Legislature will convene at the Capitol in Little Rock. We are already working on draft legislation that we hope the Arkansas Legislature will pass next year. We have several ideas for legislation that will protect unborn children and promote the sanctity of human life.
- 5. Funding Pregnancy Resource Centers.** We are forming a nonprofit foundation that will provide funding for pregnancy resource centers. Pregnancy resource centers provide valuable resources to young women with unplanned pregnancies—typically free of charge. Pregnancy resource centers hold one of the keys to ending abortion in Arkansas. That's why we want to support the important work they do.

## HERE ARE THREE THINGS YOU CAN DO TO HELP US RIGHT NOW

As you can see, we are hard at work, and we need your help. Here are three things you can do right now:

- 1. Pray.** We need your prayers. I am confident nothing we do will succeed without God's blessing. Please ask God to lead us in our work and to give us protection from our adversaries.
- 2. Spread The Word.** Please share this letter with your friends and neighbors. Tell other people about the work we are doing, and help them get connected with Family Council.
- 3. Give.** If you are able, I hope you will send a generous, tax-deductible donation to Family Council today. Your gift will help us educate voters, draft legislation, save the lives of unborn children, and promote religious liberty. Enclosed is a response card and return envelope you can use to mail in your donation right now. You can give securely online at [FamilyCouncil.org](http://FamilyCouncil.org).

**Thank you for standing with us.** You are such an important part of our work. There's simply no way we would be here without you. I hope you will call us if there is ever anything we can do for you.

Sincerely,



Jerry Cox, President

*Thank you!!*

P.S. The U.S. Supreme Court just handed pregnancy resource centers a big victory. We're keeping an eye out to ensure new tax proposals don't hurt Arkansas' churches. We're getting ready to distribute thousands of voter's guides ahead of the November election. We're also working on legislation for 2019, and we're preparing to launch a new foundation that will help fund Arkansas' pro-life pregnancy resource centers. Your support is making all of this work possible. I hope you will send a generous, tax-deductible donation, if you are able.