

RESOLUTION NO. 2023- 19

A RESOLUTION AFFIRMING THE COMMITMENT OF THE COUNTY OF COLUMBIA, STATE OF ARKANSAS TO PROTECTING THE UNALIENABLE RIGHT TO LIFE OF EVERY PERSON; AND DECLARING COLUMBIA COUNTY, ARKANSAS TO BE A PRO-LIFE COUNTY

WHEREAS, Ark. Code Ann. §14-1-108 (Act 699 of 2023, enacted April 11, 2023, effective August 1, 2023) provides, in part, that a county by resolution may state the policy of the county to be Pro-Life; and

WHEREAS, the Declaration of Independence declares that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, including the right to life; and

WHEREAS, the Arkansas Constitution, Amendment 68, states that the policy of the state is to protect the life of every unborn child from conception until birth; and

WHEREAS, it is the duty of state and local government to protect the unalienable right to life of every person within their respective jurisdictions; and

WHEREAS, the United States Supreme Court found in *Poelker v. Doe*, 432 U.S. 519 (1977), that the United States Constitution does not prohibit a municipality using democratic processes from expressing a preference for normal childbirth rather than abortion.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF COLUMBIA, STATE OF ARKANSAS:

SECTION 1. That the policy of Columbia County is to promote and protect the dignity and humanity of all persons at all stages of life from conception until natural death.

SECTION 2. That Columbia County is to be known as a “Pro-Life County”.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF AUGUST, 2023

APPROVED: W. Doug Fields
W. DOUG FIELDS
COLUMBIA COUNTY JUDGE

ATTEST: Tammy J. Wilcz
TAMMY J. WILCZ
COLUMBIA COUNTY CLERK

Filed on the 15th day of Aug 2023
By Tammy J. Wilcz DC

General Information

WHAT IS A PRO-LIFE RESOLUTION?

From time to time state legislatures, local school boards, county quorum courts, city councils, or other elected bodies pass resolutions to make a statement about a particular issue. A resolution is often used to express approval or disapproval of something that the elected body cannot legally vote on, such as a matter being handled by another jurisdiction, protected by a constitution, or covered by a court ruling. A resolution is a formal way of expressing an opinion or stance that is usually for or against an issue. Sometimes resolutions serve as a call for some other elected person or body to take a particular action. Most resolutions are non-binding which means that they cannot become law and they do not require anyone to take any action. A non-binding resolution cannot be enforced nor does it require anyone to do anything. A pro-life resolution is a statement made by a local elected body that affirms the dignity of human life. There are no laws prohibiting elected bodies from passing resolutions.

HISTORY AND STATUS OF PRO-LIFE RESOLUTIONS AND ORDINANCES

In 2019, Waskom, Texas became the first city in the nation to declare itself to be pro-life. Since then, approximately 40 cities and a few counties across the nation have passed ordinances or resolutions to protect the unborn and affirm the dignity of human life.

These proposals differ from city to city. Some are city or county ordinances that ban abortion. Others are resolutions that affirm the dignity of human life. Some establish sanctuary cities for the unborn. Others designate safe cities. The ones banning abortion have not fared as well in court as the ones passing resolutions.

Seven cities in Texas passed ordinances that criminalized abortion. Planned Parenthood dropped a lawsuit against those cities when they agreed to modify their ordinances. In referenda, Santa Rosa County, Florida and Lubbock, Texas passed ordinances prohibiting abortion.

So far cities or counties in Arkansas, Texas, Mississippi, Nebraska, Utah, Florida and Illinois have designated themselves to be pro-life. Texas has about 29 of these cities and Mississippi has nine “safe cities for the pre-born.” In August of 2019, Springdale became the first city in Arkansas to declare itself pro-life.

REASONS FOR ACT 392

The Arkansas Legislature passed Act 392 in 2021. This law affirms a right that cities, counties, and other municipalities already have. Act 392 affirms the right of cities to pass a pro-life resolution. In addition, the law contains model language for communities to use in drafting their own resolution. Lawmakers and legal experts have reviewed the language and they believe it will avoid lawsuits.

Act 392 is necessary, because court cases involving abortion have caused some policymakers to assume that no measures that deal with abortions can be upheld by the courts. Those assumptions are untrue. Arkansas

and many other states have enacted scores of laws pertaining to abortion, and the courts have upheld them. Resolutions pertaining to abortion have been passed in places around the country with no legal issues. As far as we know, no pro-life resolution anywhere in the country has been challenged.

On a deeper level, the reason for Act 392 is to prompt communities to take a public stand for the dignity of human life. In doing so, citizens across Arkansas will come to understand that they can respect the dignity of human life by standing up for the unborn and by upholding the dignity of every life until the moment of natural death.

As the dignity of human life is honored, our communities will reap the blessings that righteousness brings. As communities across Arkansas declare their pro-life stance, our state will continue to lead our nation in reducing the demand for abortion and in respecting the disabled and the elderly.

WHY PASS A PRO-LIFE RESOLUTION?

Cities or counties should pass pro-life resolutions because the hearts and minds of their citizens need to change. Too many people still believe abortion is the only solution to an unplanned pregnancy. Too many people are beginning to think that assisted suicide is the only way for a person to have dignity in their final days.

Many current office-holders have campaigned on their pro-life stand. Voters who support those elected officials because they are pro-life expect those elected officials to support pro-life policies. By passing a pro-life resolution, elected officials who are pro-life can keep that promise to voters and to their own conscience.

When citizens see their leaders take a stand for the dignity of human life many of those citizens will follow. No community wants to be named among those who saw wrong and failed to right it, who saw injustice and failed to stand against it, or who saw death and failed to stop it.

History tells us that there are blessings that follow righteousness. Put simply, cities and counties should pass pro-life resolutions because it is the right thing to do.