

IN FOCUS

RIGHT

WING

WATCH



RETURN TO WICHITA:

25 Years After The Summer Of Mercy,
The Rescue Movement Plots Its Next Steps

By Miranda Blue





Banners outside South Wind Women's Center display photos of abortion providers and clinic workers killed by anti-choice extremists.

In the summer of 1991, the anti-abortion protest group Operation Rescue led a siege of Wichita, Kansas, which made national news and galvanized both sides of the abortion debate. Sometimes by hundreds at a time, protesters physically blocked the doors of Wichita's three abortion clinics, focusing special attention on the clinic led by Dr. George Tiller, one of the few doctors in the country to offer late-term abortions. The "Summer of Mercy" was meant to last one week; it ended up lasting nearly seven. By the end of it, 1,781 anti-abortion activists had been arrested, many multiple times. The governor of Kansas supported the protesters, and President George H.W. Bush's Justice Department stepped in on their behalf. The summer ended with a rally that attracted 25,000 people and featured Christian Coalition leader Pat Robertson.

Soon afterward, disputes among the leaders of Operation Rescue tore the organization apart. It split into two groups, Operation Rescue and Operation Save America, both of which claim the mantle of the original organization. A leadership vacuum empowered the most radical members of the movement to fully embrace violence as a way of interfering with legal abortion. The surge of violence that followed included the assassinations of abortion providers, bombings and arsons. Tiller was the target of an assassination attempt in 1993; in 2009, he was murdered in his Wichita church by a man who had hung around the fringes of the new Operation Rescue.

In July 2016, 25 years after the Summer of Mercy, some of the same protesters and some new faces convened in Wichita for the "Summer of Justice." The Summer of

Justice, though it was billed as an anniversary event, was a faint reflection of the 1991 protests. Operation Save America (OSA), which claims to be the true descendant of Operation Rescue, has held national events in cities around the country for more than a decade, expanding its focus to include opposition to gay rights and Islam. OSA claimed that 650-700 people participated in the Summer of Justice. A visual estimate put the attendance at the group's nightly rallies at around 200-250. Roughly half identified themselves as having come from out of state; many were children.

Whereas the 1991 Summer of Mercy paralyzed the city of Wichita, the 2016 protests often dissipated by lunchtime.

Bonyen Lee-Gilmore, a spokeswoman for Planned Parenthood Great Plains who spent the week of the protests in Wichita, said that the Summer of Justice was "sleepy" compared to the thousands of people who swarmed the city in 1991. "There's nothing like the Summer of Justice to show how much they've become on the fringe," she said. "Twenty-five years ago, you see 10,000 people turn out and shut down the city, and now they've got hundreds of people and they're filling morning shifts [outside the clinics] and not enough to fill the whole day. So you see the shift in where that side of the movement is going."

Michelle Kinsey Bruns, a longtime clinic escort and feminist activist who spent the week monitoring the protests in Wichita, said in an email, "OSA's turnout was not only small, but kind of sad."



Maryland, who was at least until recently a member of the influential and secretive conservative brain trust, the Council for National Policy. Peroutka brought with him his pastor and colleague, David Whitney, also an outspoken theocrat and neo-Confederate. Flip Benham, a former OSA leader who, as the father of Religious Right martyr-heroes David and Jason Benham, has been embraced by mainstream leaders such as Senator Ted Cruz and recently met with Donald Trump, made a surprise appearance and received a warm welcome.

These activists mingled with figures who have been involved in or openly sympathetic to the violent fringes of the anti-abortion movement. The featured speaker at one night's rally was Matt Trehwella, one of 34 activists who in the early 1990s signed the so-called "Defensive Action Statement," a document stating that the murder of abortion providers is justifiable homicide. (Another signer of the statement, Paul Hill, later put his words into action when he murdered an abortion provider and his bodyguard in Florida.)

Also in Wichita was John Brockhoeft, a Defensive Action Statement signer and member of the violent anti-abortion Army of God network who has spent time in prison for arson and an attempted bombing of abortion clinics. As recently as 2013, Brockhoeft said that the time he spent in prison for the violence was "worth it." (The Army of God is a loose network of anti-abortion activists who believe that violence is justified in defense of their cause—several have put that belief into action, committing acts of violence including the murder and attempted murder of abortion providers. One Army of God member was Eric Rudolph, who admitted to carrying out the 1996 Olympic Park bombing in Atlanta, bombing a gay bar and committing anti-abortion violence.)

"I've seen more protesters outside of other clinics on a routine Saturday morning than Operation Save America was able to muster for a so-called national event, on a milestone anniversary of the 'rescue movement's' most triumphant moment," she said. "A Wichita police officer told me that their level of preparedness was 'overkill' for OSA's actual turnout. I'm incredibly grateful that they were ready for a much larger, more disruptive crowd, because going by the tactics of anti-choice extremists in general and of OSA in particular in recent years, a circus was certainly possible. But OSA just wasn't able to make it happen."

But beneath the lackluster turnout was a surprising sense of OSA's increased influence, even as the group becomes more radical. DuVergne Gaines, who runs the Feminist Majority Foundation's National Clinic Access Project, said that while the attendance at OSA events has remained "very static" at around 200 despite the group's efforts to draw more people to its cause, what matters is "the people who are part of the 200."

"The numbers may not be there," she said, "but the message is more virulent."

At the Summer of Justice, activists with ties to the mainstream conservative movement mingled with those with explicit ties to anti-abortion violence. Gordon "Dr. Chaps" Klingenschmitt, the controversial Religious Right activist and Colorado state representative, attended. So did Michael Peroutka, a self-styled constitutional scholar, philanthropist to Christian nationalist causes, Southern secessionist and Republican county councilman in

"The numbers may not be there," she said, "but the message is more virulent."

Another Summer of Justice attendee was Patrick "Doc" Johnston, an Ohio physician who, according to The Colorado Independent, once took to the Army of God website to lambast an activist who argued against the murder of abortion providers and has promoted "the view that gays and lesbians should be put on trial for capital crimes." (Johnston denies being a member of the violent group.) Johnston took the stage at one evening's rally to promote a movie he is directing that will star David and Jason Benham.

Although the attendance was relatively small, the mood at the Summer of Justice was one of defiance. The message was that a small group, working against the prevailing culture, could slowly convince law enforcement officers and elected officials to defy laws that they believe are unconstitutional or unbiblical. The activists' opposition to abortion rights went hand in hand with a hostility to the increasing acceptance of LGBT people and even the changing roles of women in society.

Alarming, some of the activists' agenda has started to gain a toehold in the radical edges of conservative politics. Rusty Thomas, the leader of OSA, met this year with Maricopa County, Arizona, Sheriff Joe Arpaio and former Graham County, Arizona, Sheriff Richard Mack, who, through his Constitutional Sheriffs and Peace Officers Association, encourages law enforcement officers to defy federal laws such as gun regulations that they believe are unconstitutional. Thomas reported that he presented both sheriffs with his views on the "doctrine of the lesser magistrate," the idea that state and local officials must defy laws they find to be unjust. Trehwella, who signed the statement in support of murdering abortion providers, says he has met with state legislators around the country to discuss this doctrine of anti-government defiance. In December 2015, he reported that he was set to meet with legislators, the governor and the attorney general of Kansas.

The activists' opposition to abortion rights went hand in hand with a hostility to the increasing acceptance of LGBT people and even the changing roles of women in society.

The group Abolish Human Abortion, which was heavily represented in Wichita, was a driving force behind a proposed law in Oklahoma this year that would have classified abortion as first-degree murder. A few months later, the state's legislature passed an only slightly less radical bill that would have made performing an abortion a felony; it was vetoed by the state's Republican governor.

Earlier this year, the Texas Republican Party approved a platform that included anti-abortion language that had been promoted by the group Abolish Abortion Texas. The platform plank included the kind of defiance of abortion laws that OSA's wing of the movement has been promoting: "We call upon the Texas Legislature to enact legislation stopping the murder of unborn children, and to ignore and refuse to enforce any and all federal statutes, regulations, executive orders, and court rulings, which would deprive an unborn child of the right to life." OSA's Thomas applauded the Texas activists on Facebook.

"There's so much rhetoric and boasting, but they just cannot deliver the numbers that they pretend they can bring out,"

Gaines said. "So it's not as if they are able to find more broad appeal, it's just that more of these more radical elements are willing to partner with them that have gained footholds in some of these positions of power."

Protest and Violence

Summer of Justice participants gathered every morning at 7:00 at a central hotel, where they broke up into groups and were sent to locations around the city and state to protest.

Pat McEwan, a missionary and protest veteran who gave announcements at the group's nightly rallies, suggested one night that for all of the hotel's faults, the protesters might have been put there for a reason: Many of the staff members seemed to her to be of Indian descent and therefore might be Hindu. "Maybe you're there to show the face of Jesus to those people," she said.

Groups were sent daily to South Wind Women's Center, the clinic that former Tiller employee Julie Burkhart opened at the site of the slain doctor's clinic four years after his death, and to Wichita's Planned Parenthood clinic, which had started offering medication abortions a few months earlier.

One day, teams were sent to the homes of two abortion providers, where they distributed "adopt an abortionist" fliers containing the providers' photos and home addresses and urging neighbors to write them letters and distribute copies of the flyer around the city. One day, Cal Zastrow, an OSA activist who cofounded the Colorado group Personhood USA, led a large group to Kansas City, where they protested at two abortion clinics, at a hospital and in an abortion provider's neighborhood. At other times, protesters were spotted at the Keeper of the Plains, an iconic statue in Wichita that Dave Daubenmire, an Ohio-based activist who spoke at the event and hosted a daily webcast, called "pagan central" and at the home church of Christian LGBT rights activist Matthew Vines, which Daubenmire called "a homo church."

The many children involved in the event participated in protests in the mornings and attended seminars at the event's host church in the afternoons.

In preparation for the protests, Burkhart's clinic had hung banners along its walls showing the pictures of victims of anti-choice violence, including Tiller, and displaying testimonials from some of the clinic's patients. Protesters, including many children, surrounded the building and lined the busy street that passes it, holding signs, preaching and reading from the Bible. One morning, a protester yelled at a security guard who was stationed on the clinic's roof, trying to convince him to quit his job. That same day, there was one counter-protester standing along the street with a homemade cardboard sign. He said that he was there because he felt "horrible" for women who had to go through this scene to access the clinic.

Another morning, when the children were scheduled to lead an event in front of South Wind, I drove there to meet with Burkhart. As I drove along the main thoroughfare that leads to the clinic, I was greeted with smiles and waves by protesters who lined the street holding large, gruesome signs.

As soon as I slowed to turn into the clinic's fenced-off parking lot, the mood changed. A woman holding a microphone near the parking lot's entrance, seeing that I was a woman entering the clinic alone, started yelling at me over a loudspeaker and urging me to back out of what she assumed was my plan to have an abortion. A



Operation Save America's leader, Rusty Thomas, promised in an email to supporters that the harassment would continue.

A few minutes later, I came back out to the parking lot to retrieve something from my car. A man had taken over the loudspeaker to educate passersby about the difference between Jesus and Mohammed; seeing me, the woman immediately took back the microphone and started to directly address me again.

The same scene was repeated when I left the clinic, as the woman with the loudspeaker told me that all that South Wind wanted from me was my money while they, the protesters, had spent much of their own money and taken time off to be there for me. The effort to display compassion and sacrifice might have been more convincing if it did not come over a loudspeaker from someone who clearly was not particularly interested in my personal comfort.

This is nothing unusual for Burkhart's clinic, which sees frequent protests. Neither, sadly, is it a particularly unusual experience for many women seeking abortion or other care at women's health clinics.

Burkhart, who was in the process of opening a clinic in Oklahoma, was one of the providers who had Operation Save America protesters descend on her house during the Summer of Justice. She said that while she's had protesters come to her home before and has "walked through much more intense situations" than what was playing out in front of her clinic that week, that week's demonstration "feels harder" and was "more trying emotionally."

The pressure the protests put on her family had taken a toll, she said, and the constant presence of police cars outside her house served as an ongoing "reminder" of the hostility she faces.

David S. Cohen, a Drexel University law professor who has cowritten a book about the everyday harassment and intimidation that abortion providers face, said that this sort of harassment is so rattling because it "takes place against a backdrop of violence."

"It would be one thing if people showed up at your house to protest you for engaging in whatever activity that you engage in with your work, but there's no history of violence against people like you," he said. "It would be an invasion of privacy, you'd be concerned that there are people protesting at your house, you wouldn't be happy about it, but you might not then go to the next step and think, my life's at risk. But in this world, given that 11 people have been murdered since 1993 ... I think that all of the lower-level harassment that happens takes place against that backdrop and sends the message that you should fear for your safety because maybe people like me who stand in front of the clinic on a Saturday morning or whatever day aren't going to be the ones to murder you, but our message is going to get across to someone who is crazy enough to do that."

As the Summer of Justice came to a close, Operation Save America's leader, Rusty Thomas, promised in an email to supporters that the harassment would continue. "The goal is to recruit 24 churches to cover the death camps every day they are open," he wrote. "One pastor has committed to raise up good soldiers of Jesus Christ to greet the two abortionists at their homes every morning when they go to 'work' and when they come home. There is no tranquility with child sacrifice and the shedding of innocent blood."

Some OSA activists, while they promised to reject violence, showed a troubling ambivalence about Tiller's assassination. Flip Benham, in his surprise address to the event, accused the faithful in Wichita of failing to keep the city "abortion-free" after Tiller's murder. "I think it's a downright disaster what the church has done," he said. "How you can have a





church in the city of Wichita when all the abortion mills are gone and you're free, you're abortion-free for ... four years, and then to allow that stuff back into your city. Woe be to us, the church of Jesus Christ in the city of Wichita."

Donna Lippoldt, a Kansas activist who was one of the few women to speak at the event, made a similar charge,

attempting to walk a fine line between disapproving of Tiller's murder and rejoicing in the resulting closure of his clinic, the last one that had been left in Wichita:

For 18 years we were out there [in front of Tiller's clinic], from then until May 31, 2009, and that's when George Tiller was shot. And I want you to know that every, every week for 18 years, that man heard the gospel. He heard the gospel. He didn't listen, but he heard it and we witnessed to him. And I remember I was sitting in church when one of the elders came up and brought a piece of paper and said to me ... George Tiller has been killed. You know, I began to weep because I wanted it to be different, I wanted him to come to Jesus, and it just didn't happen that way. But we were abortion-free for three years and 10 months in Wichita. ...

But God in his mercy did shut down that death camp. And it was an altar to Moloch, that's what it was, that's where child sacrifice happens. And I want you to know that when an abortion clinic closes down, no matter how happy you are, you have to maintain the altar of God. And I'm here to tell you we did not do that. And for that I stand here and repent to you. We were so relieved the child killing was done, that Wichita was no longer the abortion capital of the nation, but we did not maintain the altar. And you know what God's word says, when you get rid of an evil spirit, if you don't maintain it, it will come back at you with a vengeance. ... But you are here to help us with that.

Daubenmire shared similarly ambiguous thoughts on Tiller's murder during a live webcast from Wichita one morning. Commenting on the display that South Wind had put up with the pictures of abortion providers and abortion clinic workers who have been killed by anti-abortion terrorists, he said:

That clinic was closed for three years after Tiller was killed. I had somebody accost me yesterday, I said that he was murdered and somebody got really mad and said, 'No, no, that guy wasn't murdered. That wasn't murder. He got what he deserves.'

And so— if we really, guys, if we really believed those were babies, if we really believed it, George Tiller would be the greatest mass murderer in the history of

America. Sixty-five thousand. Can you imagine, what would that corner there in Wichita, Kansas, what would it look like if right there in that street corner some poor homosexual had been shot there? Could you imagine the memorial that they would have to that gay guy? Can you imagine? Yet 65,000 people died at that little clinic, and they honor the murderer.

In an attempt to deflect charges that they condone violence, the event's organizers required every attendee to sign a pledge to be "peaceful, prayerful and non-violent in both word and deed" and to refrain from "any actions or words that would appear violent or hateful to any witnesses of this event."

In a press conference before the start of the event, OSA leader Thomas claimed that his group does not promote violence, but instead is working to prevent the "terrorism" and "violence" that has come upon America in punishment for legal abortion:

We are not here to do harm. And under God's blessing, we are praying God uses us to prevent harm, further harm to this city. We are not the danger to this city, but we are addressing the actual danger to this city. A lot of us are still biblically illiterate. We do not understand,

there is a principle in the Bible; it's called sowing and reaping. And if we dare commit child sacrifice and shed innocent blood and sow domestic terrorism in the womb, this is spiritual gravity that we cannot escape. We will reap terrorism. Violence begets violence, blood touches blood, it breaks out like a plague. So we have come here not to threaten anybody, but prayerfully making peace through Jesus Christ Our Lord, we end the threat against Wichita, Kansas, and our nation.

Gaines of the Feminist Majority Foundation said that OSA had been put "on the defensive" in part because of an ad campaign her group ran in the Wichita Eagle and an affiliated website it created highlighting some of the participants' most extreme statements. The nonviolence pledges that participants signed, she said, were a "mockery."

The group's "embrace of a figure like Matt Trehwella, who is most renowned for his position advocating for and sympathizing with the justifiable homicide of abortion providers, is extremely dangerous," she said. "And now the people they are able to recruit and partner with are being exposed to those ideas in a much, much more overt and unabashed way."



Betrayal and Consequences

Despite the small crowd, the mood at the Summer of Justice was not one of defeat but of betrayal—by the mainstream anti-abortion movement, by the federal government, by the church—and determination to convince state, county and city officials to defy the courts and the federal government by outlawing abortion in their own jurisdictions.

Rusty Thomas, the OSA leader, presented attendees with what he called the five premises of a “paradigm shift” to end abortion: “courts cannot make law,” “*Roe vs. Wade* is legal fiction,” “abortion is murder,” “rally the lesser magistrate to defend the preborn” and “establish justice by completely abolishing abortion.” To drive the point home, Thomas had these five premises printed on the back of T-shirts, which many attendees wore.

At the event’s first rally, Thomas expounded on the “abortion is murder” premise.

“God does not want us to regulate baby murder, he wants us to end it,” he said, in a dig at anti-abortion groups that have attempted to curtail abortion access by imposing onerous regulations on clinics and banning individual procedures.

He had the audience say the words “abortion is murder” aloud before faulting other anti-choice groups for ignoring this principle and attempting to treat women who choose abortion as “victims” when they are in fact perpetrators.

Now, here’s the thing, brothers and sisters. The pro-life movement has been very squeamish about coming into agreement when it comes to this assessment of this brutal act. In fact, the pro-life movement, to a large degree, has increased the victims when it comes to abortion. Listen to me. Now, I get it. I understand, there may be incredible circumstances, incredible pressure that is placed upon young women where they’re actually forced to make a choice they don’t want to make. I understand. There is that part of the equation. And to that degree, God knows they may fall under the category of a victim. But the majority—brothers and sisters, you’ve been out on the streets, you have seen the response of mothers and fathers. When we call out to them, when we cry out to them to have pity on their baby, to offer a better choice that would lead to life and not death and blessing and not cursing, you have seen them respond. And most of the time, they are indignant, they are vile, they are blasphemy [sic], they are vulgar, they utter profanities.

And yet the pro-life movement would consider that mother and that father a victim of abortion. And I tell you, the God of the Bible does not in no way consider them the victim. There is one victim when it comes to the abortion. It is that innocent child in the womb. Now, brothers and sisters, as I’ve said, he who defines wins. If we cannot define abortion as murder, if we can’t define this as a crime and an injustice, how can we end this?

How can we establish justice when we can’t even define the crime?

To drive home his point, Thomas showed a video of Tony Miano, a former Los Angeles police officer who argues that women who have abortions should face punishment for murder.

Rusty Thomas suggested that Republican politicians and the anti-abortion movement have been intentionally failing to end abortion so that they can maintain political power and continue their fundraising.

Thomas suggested that Republican politicians and the anti-abortion movement have been intentionally failing to end abortion so that they can maintain political power and continue their fundraising:

The thing we must all understand, and this is the great error of the pro-life movement: God does not want us to regulate baby murder. He wants us to end it! End it! We need to win it! We have to understand, brothers and sisters, these babies are not dying so that we can raise funds. They’re not dying so that we can start ministries. They’re not dying so that we can gain political power in the United States of America, where they become a football between the Republican Party and the pro-life industry. People are making money off the broken backs and the blood of innocent children. And it keeps them in power, and they make money.

Matt Trehwella had similarly harsh words for the rest of the movement:

Consider the cozy arrangement the pro-life groups and the Republicans have created for each other. The pro-life groups offer legislation that nibbles at the edge of abortion—this ensures their continued existence, as yet another measure will have to be introduced and fought over the following year and the year after that and the decade after that. The Republicans, who like to pay lip service to the preborn and see value in having them used as political footballs, are more than happy to accommodate the small, incremental legislation



proposed by the pro-life groups. Why? Because it gets them labeled as pro-life and it gets them elected, it gets them votes. So the pro-life organizations legitimize the Republicans and the Republicans legitimize the pro-life organizations. They both win. You know who loses? The preborn child who they both disingenuously pretend to care about but whose suffering and bloodshed they refuse to end. Evil.

OSA's leaders warned of harsh consequences for the movement's inability to end legal abortion. Flip Benham, speaking at a rally on the event's first evening, repeated his previous claim that the September 11, 2001, terrorist attacks were part of God's "judgment" for legal abortion. He told Summer of Justice participants that his protest and arrest, along with Cal Zastrow's, at an anti-abortion demonstration near the White House days earlier had been a "warning" from God about the impending attacks.

Thomas, meanwhile, connected the issue of legal abortion to the racial tensions that were bubbling over across the country as two high-profile, videotaped killings of African-American men by police officers were followed by the assassination of five police officers guarding a protest in Dallas. One night, Thomas read the audience an open letter he had drafted to police departments across the country, telling them that they could end the violence if they would only rise up and convince their elected officials to defy federal law on abortion rights:

We beseech police departments throughout America to rise up and demand the governor of their respective states to call a special session. Police officers need to insist their states immediately outlaw abortion, grant the police the authority to shut down any death camp

in their jurisdiction, and arrest those who participate in the barbaric act of abortion. Peace will never return to America as long as our country protects violence in the womb. We can shout black lives matter, blue lives matter, or all lives matter till the cows come home, but until preborn lives matter, no lives matter, including the police.

One of the activists' goals was to recruit police officers to their cause of defying the law. On the day that Thomas issued his open letter to police officers urging them to defy federal law on abortion, a group of OSA activists gathered at a Wichita police memorial in what they portrayed as a show of support after the shooting of five police officers in Dallas. As the Feminist Majority Foundation's duVergne Gaines pointed out, they were on one hand "advocating

One of the activists' goals was to recruit police officers to their cause of defying the law.

the defiance of federal law, which police officers also enforce" and on the other hand "attempting to ingratiate themselves" with the Wichita police department, even as they had cost the city a large amount of money and staff time in providing police coverage of their week-long protest.



Interposition

The Summer of Justice took place during the same week as the Republican National Convention in Cleveland, a scheduling conflict that Rusty Thomas said in his opening press conference had not been intentional. But it wasn't exactly surprising that the Summer of Justice's organizers had not paid too much attention to national politics when they were planning their event. Even as other anti-abortion protesters, including rival Operation Rescue leader Troy Newman, descended on Cleveland to cheer on the GOP's inclusion of harsh anti-abortion language in its platform, the activists in Wichita had all but given up on national politics and the federal government as an agent for change.

Instead, they were proposing something local and radical: undoing abortion rights by declaring abortion illegal under the Constitution and the Bible and convincing local and state officials to defy federal laws on abortion.

Dave Daubenmire, whose work has been funded by Michael Peroutka, conveyed the extent to which the group had given up on trying to influence the federal government in a speech in which he blamed "sissified Christianity" and the "effeminized church" for driving men away from the church and toward political leaders.

"Where's the Christian Donald Trump?" he asked. "Where's that man that will stand forth like that and declare the truth that he's declaring, that will take on political correctness? I'm not talking about Trump. Where are the men of God? Where have we been? And we, we, we've created Donald Trump. We have. Our sissified Christianity, men afraid to say anything, hiding behind their wives."

Daubenmire said that there's an "awakening going on in America" among men who feel downtrodden and who are saying in the election, "You know what? I'm looking for somebody who's going to talk straight and going to kick some butt. I'm tired of these phony Christians who get into office and then they don't do nothing."

"So we ought to be encouraged by that," he said. "It tells me the average working guy is waking up. And what an opportunity for us, right now, to begin to reach out to those guys who are just hanging on the edge, hanging on the edge of their faith, hanging on their edge, it's time now that we can give them a cause to fight for."

Daubenmire's ministry was selling T-shirts at the event, worn by many attendees, driving home his point that salvation would not be found in party politics: "Jesus is the Judge. Therefore: Abortion is Murder. Homosexuality is Sin. Islam is a Lie. Evolution is a Delusion. Feminism is Rebellion. Liberalism is False Religion. Conservatism is Pretend Salt."

One attendee's T-shirt made the point even more succinctly: "Make America Great Again: Repent!"

OSA wasn't proposing a complete retreat from politics. Instead, speaker after speaker urged officials to work around the federal government and the federal courts to impose what they saw as real law—their own interpretation



of the Constitution and the Bible—at a local and state level.

Matt Trehwella, the radical activist who signed the document backing "justifiable" homicide of abortion providers, has written a book called *The Doctrine of the Lesser Magistrates*, in which he argues that lower government officials have the duty to defy, or "interpose" against, "unjust/immoral laws or decrees," such as those legalizing abortion and "sodomy." At one evening's rally, Trehwella laid out his theory of what he calls the "interposition of the lesser magistrates."

Too many conservatives, he said, believe the "fiction" that



the *Obergefell* same-sex marriage decision is “the law of the land” and are pushing for what he said was a futile attempt to reverse it with a constitutional amendment. Instead, he said, the solution is to be found outside the federal government:

Because people believe this fiction, people are left with hand-wringing, waiting for the next presidential campaign to get the next Supreme Court justice. The GOP loves using this fiction to get us to vote for their presidential candidate every four years. And yet, when you just do a little perusal of history, you’ll notice that when *Roe v. Wade* was ruled upon, six of the nine justices were Republican-appointed, and for the

next 34 years after that, the GOP-appointed justices outnumbered the Democratic-appointed justices either 7-2 or 8-1. Thinking there is nothing better or else that can be done, people hand-wring. We need to understand that there is no federal solution to America’s ills, immoralities and injustices. Rather, the federal government is the problem.

Trewhella praised as an example of this “interposition” a statement issued by a number of conservative scholars and organized by the American Principles Project following the *Obergefell* decision that called for “constitutional resistance” against the ruling.



On the other hand, he harshly criticized the mainstream anti-abortion movement for focusing on making incremental gains in the courts rather than simply defying the federal judiciary on abortion:

The incrementalists have had plenty of time to prove their method is correct. They've had over 40 years. Their policy and paradigm is a failure. In fact, many incrementalists I talk to now see that the incrementalist approach is, they term it themselves an exhausted policy as nearly every nibbling bill they bring is ruled against by the federal courts. They understand that we've already gotten everything from these federal courts that we're going to get. They understand that. Yet pro-life groups keep doing this over and over again, you know, making money off the bloody backs of these helpless babies. What can be done under that paradigm has been done under that paradigm. This is why immediate interposition and total abolition by state governments is important. The federal judiciary simply must be defied. This should have been done in '73 [with *Roe v. Wade*]. It must be done now.

"The incrementalists have had plenty of time to prove their method is correct. They've had over 40 years."

The Institute on the Constitution's Peroutka, who uses his organization to deliver lectures on "interposition" and other topics, called on like-minded people—presumably conservative Christians with a similar view of biblical law—to "take dominion over these positions of civil authority" in order to interpose against supposedly unjust laws.

In order for a law to be a real law, Peroutka said, it must pass muster with both the Constitution and the Bible (or, at least, Peroutka's interpretation of the two documents). *Roe v. Wade*, he said, failed both tests and would still fail the biblical test even if it were a law passed by the Congress and signed by the president. "What if the Congress did pass a law allowing abortion? And then what if a sitting president signed it and a sitting court validated it?" he asked. "Would it be the law? No, of course not. But we need to know that, we need to enforce that, because it has to pass both tests in order to meet the standard. It has to meet both standards."

David Whitney, Peroutka's Institute on the Constitution colleague, spoke briefly after Peroutka to hawk the institute's Christian Reconstructionist curricula. He said that likewise, the Supreme Court's recent decision in *Whole Woman's Health v. Hellerstedt*, although it struck down what he saw as a weak anti-abortion law, violates "God's law and the U.S. Constitution" and must be defied.

What should Texas do, in light of what Michael just taught us? They say, that body of eight black-robed tyrants, those eight black-robed tyrants don't make what? Law. So what should Texas do? Yes, say, forget it, we are going to follow what we have passed as law, because that is law and the courts don't make law. Will they do that in Texas? It depends on whether the

people of Texas are talking to their legislators and their governor and their sheriffs. If the people of Texas know the standard, God's law and the U.S. Constitution, then they can effectively communicate. So that's why we need a revival of a biblical understanding of law and government and a revival of an understanding of the standard [of] our U.S. Constitution.

At the end of Peroutka's presentation, he whipped out his guitar and enlisted the audience as extras in a new music video for his song "Courts Cannot Make Law."

Two contemporary heroes of conservative "interposition" came up repeatedly over the week's events: Kim Davis, the Kentucky county clerk who attempted to stop her office from issuing marriage licenses after the *Obergefell* decision, and Roy Moore, the chief justice of the Alabama Supreme Court who has been staring down the federal courts over marriage equality.

Peroutka said that OSA's Thomas had invited him to speak in Wichita after the two had met at a rally in support of Davis last year. Peroutka has for years been a major funder of Moore's activism and political campaigns.

Cal Zastrow, meanwhile, was collecting signatures from attendees on large posters thanking Moore for his stand against the federal courts on marriage. A few weeks later, Zastrow, Thomas and others made their way to Alabama to lead a protest in Moore's defense.

As the examples of Moore and Davis show, the radical agenda that OSA was promoting is not so far removed from ideas that have taken hold in the broader conservative movement. Nullification—the idea that states can "nullify" federal laws with which they disagree—has taken hold in legislatures across the country, as lawmakers move to nullify federal gun laws, the Affordable Care Act, marriage equality and more.





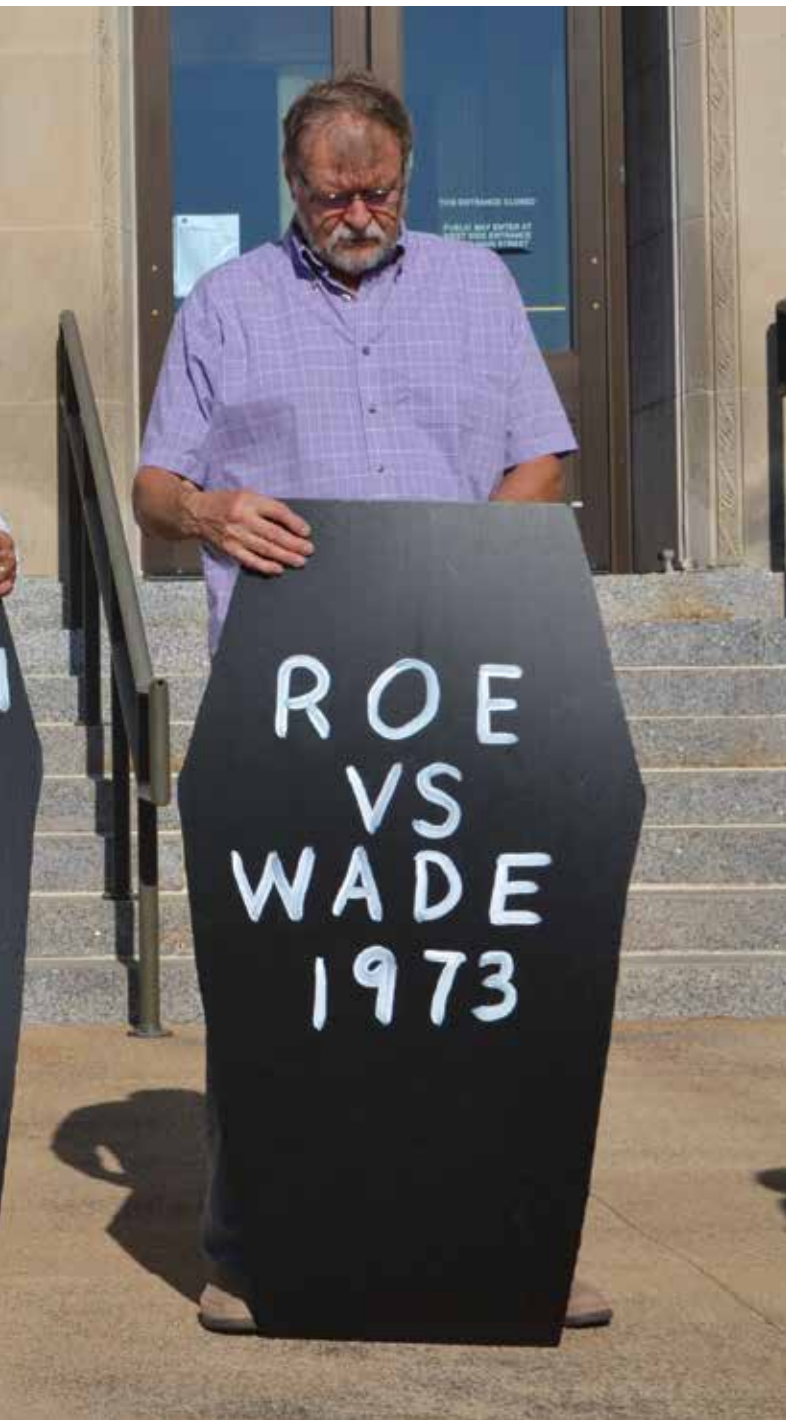
A Broader Agenda for God's America

Implied in OSA's view of the law is the idea that America was created by God for the purpose of spreading the Christian gospel.

"America became America so that she could be that city, that shining city on a hill," Flip Benham told the OSA activists, "so that she could be a blessing to all of the world so that all of the nations might know that there is a God and His name is not Mohammed, Allah, Gautama Buddha, Krishna; His name is Jesus!"

Benham asked:

Why does everyone in the university world here in the United States of America hate America? Why do they hate America so much? Well, there's a reason for that. See, if America becomes who she really is—you see, America became America, God reserved America so that those that were prepared with the Gospel, the Bible, God prepared America so that those people could start right there in Plymouth Plantation with



people with their hearts on fire for God, the liberty that was inside of them that took years to get, now the Bible was alive inside of them and this nation was set apart and God made it great. Why? For America's sake? For whose sake? For the world! We are that link in the chain of the gospel of Jesus Christ, and we were set up to give our lives away, to be a light to the world.

But America, he said, has become a "fatherless nation," having deserted the "Heavenly Father" and "earthly fathers" and instead asked "the government to replace our earthly fathers."

"God said, 'I will turn the hearts of the fathers to their children, hearts of children to their fathers, or I will smite the land with a curse,'" he said. "Well, who's going to smite the land with a curse?"

The United States, he said, was once a great country. "It was a country that would help, it was a country that was filled with God, God made her great, God made her wealthy. But we got drunk with all of the wealth, drunk with all of the prosperity and we've forgotten who we are. We've forgotten who we are. God wants to remind us of who we are."

OSA's Christian-nation agenda for the event extended far beyond the issue of abortion. At one evening's rally, Bishop Otis Kenner, who is in charge of the group's African-American outreach, was scheduled to give a speech on the theme that abortion is "black genocide," but instead delivered an invective on "the deception of the homosexual agenda."

(Kenner's African-American outreach seemed to be a little lacking—he was one of three non-white people I spotted among the 200 or so who had gathered for the event.)

Satan, Kenner said, is behind reproductive rights and LGBT equality. "The whole business behind this deception of the homosexual agenda," he said, "is Satan wants to kill innocent babies, demean marriage and distort the image of God. He wants to stop the colonization of God in the earth." He warned that Satan is staging a "homosexual invasion" of America.

Interposition, he said, is needed, because "Satan is in power" in the federal government, as evidenced by the Obama administration's decision to light up the White House in rainbow colors on the evening of the *Obergefell* decision. He said that he had lost members of his congregation when he asked them, referring to Obama, "Will you vote for the devil because he showed up black?" He clarified that he wasn't saying Obama was the devil, just that "what he did was the devil."

Satan, he said, has also "devalued our women" and put women in the workforce, thereby letting the government raise children in public schools. He traced this development to "women's lib" and, startlingly, to women's suffrage pioneer Susan B. Anthony:

The Bible says in 1 Corinthians 11:3. Christ is the head of man, man is the head of the woman and God is the head of Christ. Satan has devalued our women. Proverbs Chapter 31 talks about the virtuous woman and talks about her occupation in the home. She rises up early before her family gets up to prepare meat for them. She goes into the marketplace, she sews, she cooks, she invests. But Susan B. Anthony and the women's lib and equal opportunity has devalued our women and has put them into the workforce. Whoever told our women that to be a homemaker was subservient?

Kenner tied his warnings about the "homosexual agenda" back to the idea of interposition and of the need of a certain set of believers to exercise civil authority.

“What the devil is trying to do through his homosexual agenda is to take out the government of God in the earth realm,” he said. “That’s the whole argument. That’s why we’re dealing with interposition and interposing ... because when God is calling on us as believers of God to not sit back and allow His government to fall to the ground, but as Christian believers, as the body of Christ, as man and woman, *Ish* and *Ishah*, deal with the issue, stop backing up from it, and establish God’s government in the earth realm, declare God’s government in the earth realm.”

Near the end of the Summer of Justice, OSA put this message of interposition into action, holding an “ecclesiastical court” in front of Wichita’s federal courthouse, during which it declared that various Supreme Court rulings on abortion rights, LGBT rights, marriage equality and the removal of government-sponsored prayer in schools were unlawful in the eyes of God. The proceedings followed a script that the group used at a similar “ecclesiastical court” at its national event in Alabama last year.

At the start of the mock court, Thomas told his followers that it was not a church service but instead was “official kingdom business.”

Eight activists, including Trehwella and Patrick Johnston, lined up carrying coffin-shaped signs naming eight offending opinions and took turns reading “charges” against the Supreme Court based on each. The “charge” based on *Roe v. Wade* held that “America has committed domestic terrorism in the womb, and we are reaping terrorism in our streets.” The charge based on *Planned Parenthood v. Casey*, which upheld the central finding of *Roe*, linked the case to the 1999 Columbine school shooting, saying that the court “declared that man can determine his own reality, standards and meanings apart from the objective truth of Almighty God,” as the Columbine shooters did. On *Lawrence v. Texas*, the case striking down bans on consensual sex between adults of the same sex: “Homosexuality means the burning out of man. It will destroy those who practice this perversion and nations that condone it.”



Volunteer clinic escorts outside Wichita's Planned Parenthood clinic.

After each “charge,” Thomas took the microphone to read “God’s ruling” in the matter. He concluded the proceedings by declaring that “these unjust and wicked rulings have violated the biblical mandate to judge justly. The Supreme Court violated their constitutional responsibility. By these unjust rulings, they forfeited all moral authority. Therefore, by the authority invested in us as ministers of the Gospel of the Kingdom”—here he asked the crowd to join him in unison— “we cancel these wicked decisions. We render them null and void. We prohibit their enforcement upon America and its citizens. We declare with one voice that these wicked decrees are no longer binding upon us, our children or our nation.”

Operation Rescue v. Operation Rescue

When Rusty Thomas called a press conference before the 2016 “Summer of Justice” began, one of the major points he sought to get across to the media was that his group, Operation Save America, is the true successor of the Operation Rescue whose members and supporters inundated Wichita in 1991.

The confusion? There’s another group called Operation Rescue that’s based in Wichita and that also claims to be the true descendent of the Operation Rescue founded by Randall Terry in 1986.

After the 1991 Summer of Mercy, the “rescue” movement was floundering. The summer protests had been led by Keith Tucci, Terry’s successor as Operation Rescue’s leader, but after the protests wound down, Tucci was unable to retain control of the movement. In 1994, Flip Benham, a North Carolina-based preacher, took over the group and a few years later changed its name to Operation Save America. Most reports have said that Benham changed the group’s name to avoid paying legal judgments levied against Operation Rescue; Thomas said in his 2016 press conference that it was because Benham wasn’t “technologically astute” enough to trademark the group’s name, and Newman got to it first.

Newman formerly led a group called Operation Rescue West based in California. In 2002, he moved his organization to Wichita specifically to go after Dr. George Tiller, and there he later changed his organization’s name to simply Operation Rescue. A long post on the current Operation Rescue’s website titled “How Troy Newman Rescued Operation Rescue” charges that Benham strayed from the organization’s original mission and that Newman’s group is now the only one “remaining true to the original work of Operation Rescue.” (In 2008, Terry reemerged to unsuccessfully sue Newman for trademark infringement for taking the name Operation Rescue.)

Newman, who was protesting at the Republican National Convention in Cleveland at the time of the Summer of Justice, attempted to distance himself from the event, specifically citing the presence of Matt Trehwella, who had signed a statement in the 1990s endorsing the murder of abortion providers. Newman’s attempt to appear moderate in comparison to OSA, however, rang hollow: His second in command at Operation Rescue, Cheryl Sullenger, has spent time in prison for attempting to bomb an abortion clinic, and he himself has expressed some troubling views on anti-abortion violence, including asserting that Paul Hill, who was convicted of murdering an abortion provider and his bodyguard in 2003, should have been allowed to argue that his crime was justifiable homicide. Newman has also written that the United States government has “abrogated its responsibility” to execute abortion providers.

Newman has a renewed reason for making himself appear to be a moderate alternative to OSA: He gained the national spotlight in 2015 when he helped to launch the Center for Medical Progress, whose “sting” videos of Planned Parenthood helped to reshape the strategy of the anti-choice movement.

*For full list of citations, please
view this report online at
RightWingWatch.org*

Twenty-five years ago, the anti-abortion protest group Operation Rescue led a siege of Wichita, Kansas, which made national news and galvanized both sides of the abortion debate. In July 2016, some of the same protesters and some new faces convened in Wichita again for what they called the “Summer of Justice.”

Activists with ties to the mainstream conservative movement mingled with those with explicit ties to anti-abortion violence. They protested at abortion providers’ homes and harassed women at clinics. They heard speeches about the need to defy laws on abortion rights. And they planned where to go from there.

People For the American Way Foundation is dedicated to making the promise of America real for every American:
Equality. Freedom of speech. Freedom of religion. The right to seek justice in a court of law.
The right to cast a vote that counts. The American Way.

PEOPLE FOR THE AMERICAN WAY FOUNDATION

1101 15th St., Suite 600, Washington, DC 20005
202-467-4999 or 800-326-7329
www.pfaw.org

