

Thousands defy court in pro-life protest

by Linda Everett

What started on July 14 as a campaign to shut down three Wichita, Kansas abortion clinics has grown into a national focus for thousands of Americans traveling from across the country to peacefully demonstrate their opposition to abortion. The focus of the "Summer of Mercy" campaign in Wichita is the Women's Health Care Services, an abortion clinic owned by George Tiller, who personally performs 3,000 abortions a year.

Tiller advertises in every state in the U.S. and in six foreign countries that his "specialty" is third-trimester babies. While many a farmer and grandmother have held prayer vigils outside these clinics for years, this campaign, organized by Operation Rescue, ignited an unprecedented pro-life ferment.

For nearly a month, men, women, and children of all ages braved 105° temperatures and torrential downpours to surround the clinics around the clock. Kansas Gov. Joan Finney (D), Wichita city council members who recently proposed a ban on third-trimester abortions, and several county leaders joined Sunday rallies of 3-5,000 supporters at the local Edgemoor Park. Besides the 159 churches which signed in support of the mission, over 65 Protestant ministers and Catholic clergy, many heretofore never publicly united in purpose, addressed the rallies.

Although it is clear that the ferment demonstrated goes beyond the typical Operation Rescue "mission," and appears closer to a mass-strike phenomenon, there is no indication, unfortunately, that the "rescue" movement intends to broaden its policy or political focus.

Political pressure builds

On July 23, U.S. District Court Judge Patrick Kelly issued a temporary restraining order against blocking access to Tiller's clinic. The TRO was then extended to another clinic, Wichita Family Planning, Inc. Since the TRO, about 2,200 arrests have been made, many of children. Other than one incident of brutality, the Wichita police arrested protesters, many of whom were friends, family members, and church pastors, in an orderly manner. Enraged that the arrests did not keep access to the clinics open, Judge Kelly ordered in federal marshals.

Political pressure against the demonstrators has intensified to the point that Governor Finney, who praised demonstrators for their courage to do what is right, rescinded her promise to attend a 10,000-person rally now being planned

for Wichita on Aug. 25. The *Wichita Eagle* is whipping up hysteria about violence, mayhem, and chaos in the city, and demanding the recall of Mayor Bob Knight, who opposes abortion, for not enforcing the law.

The intimidation is matched by Judge Kelly's judicial improprieties in court. Kelly, after insulting the mayor, the police chief, and the governor, berated Bishop Eugene Gerber of the Roman Catholic Diocese of Wichita for not keeping the clergy out of the demonstrations. Bishop Gerber, who joined the picket line, said he had no problem with peaceful demonstrations: "My heart is with the 30-40 million children killed by abortion every year."

Church property threatened

From the bench, Kelly made personal attacks on 84 Catholic priests, Protestant ministers, and a rabbi, and threatened to prosecute their congregations for their actions. Although the clergy were arrested while acting in their own capacity and *not* in the name of their church or synagogue, Kelly said their church buildings, schools, and treasuries would be posted for bond should the clergy participate in *any* activity, let alone blocking a clinic. His intentionally vague threats thoroughly chilled the clergy's First Amendment right to peacefully picket.

On Aug. 6, the U.S. Department of Justice (DoJ) filed an *amicus curia* brief that supported Operation Rescue's appeal to the 10th Circuit Court in Denver that Kelly, as a federal judge, had no jurisdiction over Wichita protests. The trespassing and loitering arrests are petty misdemeanors of municipal codes, but Kelly, in ordering a federal injunction, charged many protesters with *federal* contempt of court and conspiracy, with fines up to \$100,000 and six months in jail. The DoJ brief is identical to another submitted in a similar case in Virginia that is scheduled to be heard this fall before the U.S. Supreme Court.

The brief so enraged Kelly, whose daughter is the state director of the fiercely pro-abortion National Organization for Women, that he breached judicial ethics and took his case to the national media. Since U.S. Attorney Lee Thompson cannot oversee the prosecution of Operation Rescue given the DoJ brief in its support, Kelly appointed Bill Tinker, Jr., the attorney for Tiller, to act as prosecutor in the case after he shouted at Thompson, "You're an adversary and I'm not talking to you without the other attorney [for Tiller] present."

For years, the Bush administration and the DoJ ignored unconstitutional court rulings and police brutality aimed at stopping anti-abortion protests. Now, Bush, whose genocidal policies led to the sterilization of millions of Brazilian women and bloody outrages in Iraq, is faced with a well-financed pro-abortion rebellion in the Republican Party that intends to make the Republican Party platform at the 1992 Texas convention a pro-abortion plank. Faced with having to soften his so-called anti-abortion stance to win, Bush might consider the DoJ brief "useful" to shore up pro-life voters.