

# Operation Save America Offers a Civics Lesson

After a federal judge slapped a restraining order on Operation Save America last week, the Christian pro-life and pro-family group's leader, Rev. Rusty Thomas, said he was unmoved by the decision.

The order was imposed after OSA conducted a "rescue operation" in May at a Louisville, Ky., abortion facility, preventing about a dozen women from undergoing abortions. Following U.S. District Judge David Hale's decision, Thomas issued the following statement:

The order by Judge Hale establishes a temporary zone in front of the EMW abortion mill that prevents 11 defendants and any others acting in concert with them from occupying a specific and temporary zone intending or attempting to physically block access (ingress or egress) to the abortion mill. The order specifically states that it does not restrict *any* lawful, First Amendment activities on the public sidewalk either outside of or within the designated zone by others.

OSA leaders have stated over and over again to the local police, the state and federal judiciary that no further rescues (the physical blocking of access to the death camp) will recur, reiterating that the rescue at the EMW death camp on May 13 was for a specific purpose and that purpose has been accomplished.

Fortunately, we do not see that anything in Judge Hale's order hinders any of our planned, lawful, First Amendment activities to minister, since the temporary restraining order specifically states that the free and uninterrupted exercise of these rights is still permitted allowing OSA

members and the public to minister to anyone anywhere upon the public sidewalks.

Therefore, we encourage the church of Jesus Christ to join us in lawfully assembling to worship, praise and make public proclamation without fear of any arrest, or restrictions imposed upon our public assembly including the continued outreach to rescue preborn children and their families from destruction."

Monday, however, ahead of another hearing before Judge Hale, Thomas and Rev. Matthew Trehella held a press conference on the steps of the Kentucky State Capitol in Frankfort, where they provided a civics lesson regarding lesser magistrates and interposition. They said Kentucky is specifically "in a unique position" and has a history of reining in the federal government when it slips its constitutional restraints.

"The Kentucky Resolution of 1798 stated, in part, 'And that whensoever the general [federal] government assumes undelegated power, the acts are unauthorized, void and of no force,'" OSA stated in a press release ahead of the press conference. "The federal government [SCOTUS] has assumed for decades such unauthorized powers. The most egregious to our survival as a nation are the murder of innocent children in the womb and the redefining of the God-ordained institution of marriage.

"OSA submits to Kentucky that men should forbear, even in long painful seasons, but there does come a time, however, when forbearance becomes sin and cowardice. We submit to you that the murder of innocent pre-born children should not be forborne. The perverting of marriage and a host of other evils by the federal judiciary should not be forborne. Who knows, Kentucky, if you have come into the kingdom 'for such a time as this'!"

At their press conference, Thomas and Trehella read from a

proclamation. The following is the complete text of that proclamation:

America's founders understood and established a form of government known as federalism. True federalism understands that all levels of government possess lawful authority.

An important aspect of federalism is that whenever one branch of government begins to play the tyrant, it is incumbent upon all other branches (whether federal, state, county or local) to resist that branch—even if that branch is the Supreme Court itself.

Kentucky has a rich history in this regard. Just 11 years after the ink had dried on the U.S. Constitution, the federal government acted outside its constitutional restraints. Kentucky stood against their lawlessness. The Kentucky Resolution of 1798 state, in part, "... and that whensoever the general [federal] government assumes undelegated powers, its acts are unauthoritative, void and of no force."

Kentucky interposed—Kentucky simply said no to unjust laws.

In our day, it has become painfully clear that the federal judiciary continues to play the tyrant. The U.S. Supreme Court has consistently been the dispenser of unjust, immoral and unconstitutional court opinions, including [those stating that] preborn babies can be murdered and a man can "marry" a man.

Tragically, governors, state attorneys general, and state legislatures have complied with these unjust and immoral opinions by hiding behind the common song of our day: "The Supreme Court has ruled—all we can do is obey."

This mantra is a lie. It is not how our founders intended the states to respond to egregious acts of evil by the federal government. Rather, they expected interposition by

the states. They expected defiance. The song of their day was "Resistance to tyrants is obedience to God."

The assertion that an opinion by the U.S. Supreme Court is "the law of the land" is repugnant to our form of government. The idea that the Supreme Court is the final arbiter of what is or is not constitutional is pretend legislation. The belief that all other branches of government must bow down to the court opinions of the Supreme Court is legal fiction.

Thomas Jefferson, who penned the Kentucky Resolution of 1798, responded to the false idea that the Supreme Court was the "final arbiter" of what is or is not constitutional. He stated, "The Constitution has erected no such single tribunal, knowing that to whatever hands confided, with the corruptions of time and party, its members would become despots."

Men will forbear and so we should for even a long painful season, but there comes a point where forbearance becomes sin. There comes a point where forbearance becomes cowardice. There comes a point when men realize they no longer have the convenience of acting indifferent towards the unjust and moral actions of their government. Our own Declaration of Independence established this truth for America. Thus, we submit to the state of Kentucky that the lawlessness of the federal judiciary should no longer be forborne.

We submit to you that the murder of the preborn should not be forborne. The perverting of marriage and host of other evils by the federal judiciary should not be forborne.

A little-known doctrine in our day that has been employed by men for thousands of years and has proven to peaceably rein in the lawless acts of government officials is the doctrine of the lesser magistrate. The doctrine, simply stated, is:

Whenever the higher-ranking civil authority makes unjust, immoral, or constitutionally repugnant laws, policies or court opinions, the lower-ranking civil authority has both the right and the duty not to obey the superior authority, and if necessary, actively resist it.

You can learn more about interposition and the doctrine of the lesser magistrate at the website . May Christ rally your hearts to righteousness and justice. May Kentucky make redemptive history. May you lead the way to protect the preborn and preserve the God ordained institution of marriage in Jesus' name! (2 Sam. 23:3).