Daughter's death brings father from Planned Parenthood to pro-life stand

By Kathleen Obenland
Walla Walla (WA) Union-Bulletin

Philip Smith does not believe in idle beliefs.

In support of his convictions, he has risked his reputation, invited a stranger to live with him and given of his time.

Smith, 44, a pleasant man with round glasses and thick gray hair swept back, is one of Walla Walla's most vocal pro-life advocates. He would rather man the oars than sit comfortably on deck watching others determine the course.

"If you are pro-life, it costs you something," he said. "You have to do something about it."

To him, the matter is clear, as clear as the pictures of aborted babies in trash cans portrayed in fliers he has handed out.

"I am totally committed to the pro-life movement and everything it stands for. And what it does stand for is the protection of human life from those who consider that life not worth living,"

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he said, seated amid the books and posters of the new office for Walla Walla Valley Human Life. His motions and voice carried the wide animation of his theater training

"I'm totally amazed that some people think that is a controversial stand to take.... Murky does not describe the waters of this issue. The mud comes from lies," he said.

Not gentle words, to say the least. Most of what Smith writes and says raises the hackles of people who strongly support pro-choice. Each side is frustrated with the other, unable to understand how anyone could be so blind as to miss the real truths in the issue.

Some say Smith is misguided, a man twisted by intense grief over his daughter's death six years ago.

"One must respect Mr. Smith's total dedication to a cause he believes in so strongly," said Cindy Widmer, former director of Planned Parenthood. "The tragedies and challenges of our lives do tend to direct us. But I find his anger impossible to respond to."

The Philip Smith in the public eye these days is a fairly new version of the man. He was remade by the death of his child, the abortion of a potential grandchild, an encounter with the pro-life movement, and a return to his religious roots.

"He was younger when he came to Walla Walla, and had a more relaxed attitude to life in general," said long-time friend David Cosby. "He was devastated by his daughter's death. I think it caused him to undertake a real spiritual housecleaning.

"He stood back and took a long look at his life. I think the spiritual self that has taken over was real necessary for him.... I don't agree with all of his views and beliefs, but he's one of the finest men I've ever known."

"I was totally miserable and empty and lost and I needed help," Smith said. "Whether Charise had died or not, I needed help. Unhappiness is such a blackness, you cannot see. When you're thinking about yourself only, it's hard to come out of that."

Smith was born in Texas, the son of a Baptist minister, and raised in Oklahoma. He got a degree in theater as a scene designer, and moved to Walla Walla in 1978 with his second wife, Jolene, to be in a production of "Trails West."

Following that he became technical director at the Harper Joy Theatre for two years, and also has worked for The Little Theater of Walla Walla. He still is involved in productions in town when time permits, but time doesn't permit very often. His work for the pro-life movement and in his church absorbs most of his free time.

He and Jolene now operate the Frame Works Gallery. More than just a job, it is Smith's chief artistic outlet. "The work itself translates so perfectly in what I've been trained to do in college, scene design," he said. "It all has to do with light and form and balance.... I'm getting so much fulfillment out of it."

Smith also is an auctioneer with more than a decade of experience. It is a skill he volunteered a number of times years ago to help Planned Parenthood raise money.

But that was before he happened into a Human Life booth at the Southeastern Washington Fair, and began thinking [about] abortion, his daughter, and his aborted grandchild.

Smith's daughter, Charise, became pregnant in 1984. She was 16, and living in Oklahoma at the time with her mother, Smith's first wife.

"I would today have a family if it had not been for the propaganda of groups like Planned Parenthood," Smith said. "I was totally illiterate about this issue. I'd heard 'choice' and 'freedom to choose' and I had the option.... I went along with the abortion. I didn't attempt to look into it. I helped pay for it."

"... I thought well, OK, at least now she will be able to get out of high school and go to college and have a life," he said, looking at the picture of his daughter on the wall of the office. On his shirt pocket was a pin of two tiny feet, less than an inch high, approximately the size of the feet of a 10-week-old fetus, the time at which many are aborted.

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"If I had it to do all over again—but I won't, will I? I never will," he said, his voice growing rough. "... I would plead with her not to have the abortion."

Charise was killed the following year, 1985, in an automobile accident. With her and the potential grandchild gone, Smith's world dissolved. She had been his only child. (He and Jolene cannot have children together or adopt, because of concerns over Jolene's health.)

But it was not at this point that he picked up the banner against abortion. The depression following Charise's death was too dark and complete for such initiative.

The healing took years, and telling of her death still tears at him. The healing was aided by a book that Jolene gave him in 1988, *Mere Christianity* by C.S. Lewis. He accepted the gift reluctantly, but inside the pages found a major revelation, and his way back to religion. Around a year later, he wandered into a Human Life booth at the fair.

What he learned shocked him.

"I was overwhelmed," he said. "I had no idea this is what abortion was. I thought it was just a clump of cells," he said.

The connection between that, and the grandchild he could have had, was not immediate, but it did come. And with it, horror.

Smith tried to share his new-found revelations with his friends, and from some received a cool response. A few took the information. One became angry.

"I was amazed," he said. "I thought everyone would want to know this."

Like other aspects of his life in which he believes strongly, Smith threw himself into the pro-life cause with all the energy he had, despite concerns about how it would impact his business and his life.

Both he and Jolene agreed that the concerns were irrelevant in the face of a matter of this magnitude. And though being vocal about their beliefs has alienated a portion of the population, they found that they have gained support from another portion.

Smith hit his first Human Life meeting with a fully developed action plan, suggesting the group run "Consider This" ads in the newspaper. The ad has been so successful it has been adopted by other Human Life organizations. He also has shown up for at least one pro-choice rally to hand out pro-life literature, and has plans to organize pickets of the abortion clinic that will open in the Tri-Cities in the fall.

"He has been an inspiration to all of us," said Libby Swenson, a friend and member of Human Life. " His enthusiasm is so great that he has pumped it into all of us.

"This is not the most popular cause. He has interested and enlivened our group.... He is an energetic, dedicated, versatile and talented man."

She credits the growth of the organization and its accomplishments in part to Smith.

"Phil is not just an idealist," said Smith's pastor, Steve Morris of the Christian and Missionary Alliance Church. "He's not just holding on to some moral value and beating people over the head with it."

Case in point was a pregnant woman whom the Smiths invited to live with them in the summer of 1990, Morris said. The woman was troubled, and was visiting relatives in Walla Walla. The Smiths met her through the church, and without knowing a great deal about her offered to let her stay with them through the course of the pregnancy, he said. She eventually declined, but their concern moved her.

"They offered to help her, and they had a very positive impact on her life," Morris said. "What I hear from people on the other side of the fence is that pro-life people don't care, are just being moralistic, and don't want to be involved. That's not the case with Phil and Jolene.

"...Phil is a very dedicated, determined individual who, when he feels very strongly about something, commits himself wholly to that task. I think that Phil's personality has demonstrated itself in his concern for the unborn."

Smith said his commitment to the movement is lasting, regardless of what it requires of him.

"I will continue to fight abortion as long as I live," he said. "...The horror of abortion is when you think of it on a mass scale. The horror for me is the loss of one grandchild."

In defense of the rescuers

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President Bush admonished the Wichita abortion rescuers, "My appeal would be, to those who demonstrate, please do it so it doesn't inconvenience the other person's life, and please do it so it is within the law." (N.Y. Times, August 17, 1991, p.A7.) The President's concern to avoid "inconvenience" to "the other person's life" capsulizes the unreality in American law which causes the rescue phenomenon.

In every abortion rescue, three human beings are principally involved: the mother who is herself a victim of abortion, her unborn child and the would-be rescuer. But, pursuant to Supreme Court decree, only two of them are persons. In *Roe v. Wade*, the Court ruled that, whether or not the unborn child is a human being, he is not a "person" under the Fourteenth Amendment which protects the rights of persons to life and to the equal protection of the law. The ruling is the same in effect as a frank holding that an acknowledged human being is a non-person. Such depersonalization was the principle that underlay the Dred Scott case in which the Supreme Court held that the free descendants of slaves could not be citizens and said that slaves were property rather than persons. It is also the principle of the Nuremberg laws and other Nazi measures against the Jews. The Nazi regime treated its targets as nonpersons and ultimately subjected them to execution at the discretion of others, which is what our law does with unborn children.

Every abortion kills an innocent human being. Two decades ago the California Medical Association editorially observed that a new ethic of killing is taking over this nation: "Since the old ethic has not yet been fully displaced it has been necessary to separate the idea of abortion from the idea of killing, which continues to be socially abhorrent. The result has been a curious avoidance of the scientific fact, which everyone really knows, that human life begins at conception and is continuous whether intra—or extra—uterine until death." [113 California Medicine (Sept. 1970), 67.]

The rescuers are not protesters or demonstrators. They are rescuers, acting to save innocent human beings from execution. If you were walking down the street and saw, through a living room window, a man strangling a child, you would have a legal right to break down his door to intervene to save that child. You would have the right to inflict injury and perhaps even death on the perpetrator if necessary. This necessity or justification defense is generally recognized in state and federal courts, but not in abortion cases. No appellate court has upheld the necessity defense in an abortion rescue case. The necessity defense justifies intervention to save the life of a young child, a college student or a doctor of philosophy.

The unborn child is the only human being excluded from entitlement to rescue efforts to prevent him from being killed. The necessity defense, moreover, is not limited to the protection or rescue of "persons." It applies to all human beings as well as to animals and other property; necessary and reasonable force can be used to rescue a horse, but not, under our law, an unborn child. The necessity defense ought to apply to the abortion rescue situation, so that the rescuers would be held not even to violate the civil law.

The Supreme Court, of course, did not—and could not—change the reality that the unborn child is a human being. The result is a schizophrenic conflict of entitlements: the mother is entitled, by Court decree, to kill the nonperson in her womb; other persons are entitled to rescue a human being in danger, which the unborn child is.

The abortion rescue movement draws strength from its remarkably successful insistence on a tactic of non-violent, passive obstruction. The obstruction, of course, is an act of force but the movement insists that participants avoid infliction of personal injury or property damage. The violence, in Hartford, Los Angeles, Pittsburgh, and some other places, has come from police who can usually count on media disinterest in violence inflicted on