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Gen. Wesley Clark Goes to War for Abortion

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Any way you look at it, Clark's resume is impressive. He was first in his class at West Point, served with honor in a number of military postings, and then rose to be Supreme Commander of NATO forces in Kosovo. In addition, Clark was a Rhodes scholar and has connections to virtually every important constituency in the military and diplomatic establishment. His military career was controversial, and ended with a forced retirement. That said, we still do not know who Wesley Clark really is.

Oddly enough, Clark began the presidential race still registered as an independent. Behind his meteoric candidacy for the Democratic presidential nomination stands former President Bill Clinton, who shares Clark's Arkansas roots and directed the policy Clark put into action in the Balkan crisis. Some political analysts believe that Clinton sees Clark as the only way to retain control in the Democratic Party, as former Vermont governor Howard Dean attempts to steer the Democrats in a very different direction.

In assembling his platform for the race, Clark repackaged himself as a Democrat who is strong on national defense, opposes the war in Iraq, and supports a host of liberal social policies. In the early weeks of the campaign, Clark revealed himself to be pro-gay rights and pro-abortion, and identified with the liberal establishment of the Democratic Party. His policy statements, though brief, tended to appear as if written by the Democratic Leadership Council on economic matters, and on social issues to be written by the constellation of liberal special interest groups that dictates terms to the Democrats.

On abortion, Clark had argued that he would "oppose measures that interfere with the ability of a woman and her doctors to make choices about her reproductive health." In another statement, Clark asserted that "every woman deserves complete information about and access to birth control so that families can be planned and so that every child is a wanted child." On the issue of partial-birth abortion, Clark appeared to be somewhat ambivalent. He told CNN: "I don't know whether I'd sign that bill or not. I'm not into that detail on partial-birth abortion. In general, I'm pro-life—excuse me, I'm pro-abortion rights."

A very different Wesley Clark showed up in an interview last week with the Manchester [New Hampshire] newspaper, The Union Leader. Clark said that he would never appoint a pro-life judge to the federal bench, citing the judicial precedent of the 1973 Roe v. Wade decision as his rationale. From that start, Clark then proceeded to launch a radical vision that goes beyond anything ever articulated by a major presidential candidate to date. "Life begins with the mother's decision," Clark argued. According to the news story: "The presidential candidate also told The Union Leader that until the moment of birth, the government has no right to influence a mother's decision on whether to have an abortion." This statement, whether premeditated or not, indicates the radical nature of Clark's position on abortion. He

now argues that the government has no right even to influence a woman's decision concerning abortion—right up to the moment of birth.

This position goes even further than the *Roe v. Wade* precedent Clark cites as his benchmark. In that infamous case, a majority of Supreme Court justices cobbled together a legal theory that allowed them to legalize abortion. That awkwardly-constructed theory divided the pregnancy into three trimesters—asserting that the government has no right to interfere in the first trimester, a limited right to interfere in the second trimester, and a much more expansive right to limit abortion in the third trimester. Clark reverses the very precedent he claimed to be determinative. His new requirement for appointment to the federal bench transcends any abortion decision handed down by the U. S. Supreme Court.

Clark's comments on abortion came in the midst of his statements about judicial nominations. In a contradictory argument, Clark denied that he would apply a "litmus test," but asserted repeatedly that he would not name a pro-life judge to the bench. "I don't believe people whose ideological agenda is to burn the law or to remake the law or reshape it should be appointed whether they are from either side." He went on to say, "I just want good, solid people with judicial temperament who respect the process of law that we have in America." Repeating his point again, Clark simply asserted: "I don't have litmus tests. I want a guy who will do judicial precedent." Just exactly what Clark means by "doing" judicial precedent is not completely clear, but Clark at least believes that he is grounding his position in the *Roe v. Wade* decision.

The retired army general now ventures into legal terrain and raises judicial precedent to a level of importance and immutability that would allow for no change whatsoever in the Supreme Court's application of the law. African-American's should be thankful that Abraham Lincoln, not Wesley Clark, was president during the 1860's. The prevailing Supreme Court precedent on slavery, known infamously as the "Dred Scott" decision, established that black Americans could be denied basic human rights and were not to be considered full citizens of the United States. Had that notorious decision been allowed to remain as settled law, slavery would still be the law of the land.

Clearly, Clark is either politically disingenuous or historically confused. His test for judicial nomination would have meant no civil rights movement, a fact that seems completely to have missed his notice.

The most likely reality is that Wesley Clark is simply pandering his way into the mainstream of the Democratic Party. With all of the Democratic candidates echoing the prevailing orthodoxy of that party on abortion, the only way for Clark to break out of the pack is to articulate a policy even more radical than the pro-choice and pro-abortion orthodoxy required for any Democratic candidate to be taken seriously by the liberal establishment.

Furthermore, Clark's position obviously lacks any kind of serious thought. On the issue of fetal viability, all Clark could say was: "I'm not going to get into a discussion of when life begins. I'm in favor of choice, period. Pure and simple." He concluded his statements by arguing, "I don't think you should get the law involved in abortion. It's between a woman, her doctor, her faith and her family and her conscience. You don't put the law in there."

Of course, Clark is very selective about where he believes the law should be inserted. His extreme position is untenable on the campaign trail, and you can count on the candidate retooling his position in coming weeks. Nevertheless, the statements are indicative of what Wesley Clark really thinks about an issue as important as abortion and what is necessary in the Democratic Party to gain the presidential nomination.

The Democrats' absolute commitment to abortion is indeed a "litmus test" for leadership in the party. Senator Joseph Lieberman discovered this the hard way when he argued in recent days that "extraordinary advances in medical science" have raised new ethical and legal issues related to fetal viability. Front-runner Howard Dean quickly accused Liebermann of leaving the Democratic reservation and sounding like a Republican.

William McGurn of the *Wall Street Journal* noted that Liebermann had accidentally "wandered into the no-man's-land of modern American politics: a rational discussion of *Roe v. Wade*." That kind of rational discussion is not allowable among those who see a woman's "right" to abortion as the centerpiece of personal liberation and sexual freedom.

McGurn calls for returning the abortion issue to democratic politics, where the voters would have the opportunity to settle the issue themselves. As McGurn argues, "The way these debates play out on the political battlefield points to an even more troubling clash: between those who would work within our democratic system to realize their ends and those

who simply rely on courts and the judges to impose them.”

Beyond this, McGurn also warns that pro-abortion forces are now running a “stealth” effort to get abortion rights recognized in international treaties and court decisions that could be imposed on other nations. Where would Wesley Clark, a committed internationalist, stand on an issue like this? We are only left to wonder, as Clark tries to find his way among the other Democratic candidates in establishing positions on these issues.

Like Howard Dean, Wesley Clark has been talking about his faith in recent days. In an interview published on beliefnet.com, Clark traced his own religious pilgrimage. Raised by his mother after his father died when Clark was three years old, Clark was told at age four to choose the church he wanted to attend. Having attended a Methodist church in Chicago that featured beautiful stained glass windows, Clark was attracted to a Baptist church in his neighborhood that “had those beautiful stained glass windows” and was right across the street from the barbershop he frequented. Later, he would attend other churches before converting to Roman Catholicism during a tour in Vietnam. That conversion was due, at least in part, to the fact that Clark’s wife, Gert, is herself Roman Catholic.

Nevertheless, Clark traces a spiritual pilgrimage that is marked by turning points that have little to do with theology and much more to do with his perception of world affairs and his offense at political statements made from various pulpits. At present, Clark remains a Roman Catholic—but attends a Presbyterian church. He told beliefnet.com, “I’m spiritual. I’m religious. I’m a strong Christian and I’m a Catholic but I go to a Presbyterian Church. Occasionally I go to the Catholic church too. I take communion. I haven’t transferred my membership or anything. My wife and I consider ourselves—she considers herself a Catholic.”

Wesley Clark may soon become a household name in America, and his meteoric rise in the polls may give him a fighting chance for the Democratic presidential nomination. In any event, his political ascendancy speaks volumes about the political vacuum in the Democratic Party and also about the post-modern spirituality that now passes for normal among the cultural elite. Nevertheless, his radical position on abortion demonstrates that this Roman Catholic rejects the authority of Catholic moral teaching—and the real orthodoxy he serves is established by the special-interest groups of the cultural left. Gen. Clark is a warrior for abortion.

