

Silencing NGOs through US Foreign Policy: Exploring the Implications of the Global Gag Rule



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Through the implementation of the Global Gag Rule the US has gone from being a leader
in providing for social development and become a force working against the same cause

(Crossette 60). The Gag Rule is limiting women's resources to health and information concerning reproductive health. It restricts NGOs' ability to help people in developing countries by limiting those citizens' access to family planning. Furthermore, the Gag Rule applies ideas in developing countries that are not in line with the values of the citizens in the developing countries or the United States. In order to make the US government take responsibility for their actions and repeal the Gag Rule the people who are affected by the Gag Rule need to gain voices in the US.

History of the Global Gag Rule

The roots of the Gag Rule can be found in the Helms Amendment from 1973. This amendment prohibited non-governmental organizations (NGOs) working in foreign countries from using USAID to fund abortions. The implementation of the Helms Amendment was the start of right-to-life groups in the US focusing their attention on stopping US Agency for International Development (USAID) from being provided internationally for abortion and family planning (Dixon-Mueller 66). The famous 1973 case, *Roe v. Wade*, made abortion legal in the US. American anti-abortion groups could not repeal this decision but realized that they could instead lobby to limit abortion in other countries by making sure that US foreign aid was not used to provide abortions (Crane 128-130).

The Global Gag Rule was first introduced by President Reagan in 1984 as the Mexico City Policy at the world population conference in Mexico City. Opponents of this policy dubbed it the Global Gag Rule, and the name has stuck ever since. President Clinton, whose administration was pro-choice, eliminated the Global Gag Rule in 1993. However, Clinton was forced to accept the Smith Amendment in 1999, which reinstated some of the Gag rule restrictions (Crane 128-130).

In 2001, the same day Bush took office, he reinstated the full Gag Rule. The Global Gag Rule takes the Helms Amendment one step further and forbids NGOs from using any of their funds, not just the funds they receive from the US, to provide or lobby for abortion (Cochrane 35). According to the Global Gag Rule, health clinics that are supported by US family planning assistance through USAID or the State Department cannot:

- Perform abortions (except if the pregnancy was caused by rape, incest or threatens the women's life)
- Recommend abortion as an option
- Lobby for abortion services
- Provide information about where to obtain abortion services (Bogesho 18, Cohen 2001:2)

If the NGOs use funding to provide any of these services they are no longer eligible for USAID.

Implications

For Women

The Gag Rule limits the NGOs ability to provide safe abortion and President Bush argues that it will make the occurrence of abortion rarer (Cohen 2001:1). However, it has been shown that the Gag Rule is more likely to increase abortion rates since it is not allowing organizations to provide family planning alternatives. For instance, a study conducted by Pinar Senlet reveals that providing contraceptive counselling directly after a woman's first abortion reduces the likelihood of future abortions (Cohen 2001:1). Under the current Gag Rule, NGOs are not allowed to provide this counselling.

In addition to preventing collaboration between family planning and abortion services the Gag Rule is disturbing family planning services given by successful NGOs. Many NGOs have lost their US funds because of the Gag Rule and have had to scale back all of their services, even those not related to family planning (Crane 131-134). Women who rely on these NGOs previously supported by the US have since the Gag Rule been deprived of access to care and information because of the Gag Rule. According to the International Centre Against Censorship, Women have the right to receive family planning information in order to give them more power over their own lives (41).

Nonetheless, the Gag Rule is part of a US agenda that seems to be trying to limit international family planning (Crossette 59).

In addition to limiting women's access to family planning, the Gag Rule is also diminishing their access to safe abortions. Every year 78,000 women die from unsafe abortions worldwide and many thousands more are injured by the same type of procedures.

Research from the United States and other countries has proven that providing safe, legal and accessible abortions reduces deaths and injuries related to abortions (“Breaking the Silence”²). More abortion injuries and deaths occur in places where abortion is illegal (Cohen 2003:3).

Ethiopia is one of the countries where abortion is illegal; however, people within the country are lobbying for the legalization of abortion. The US Gag rule is preventing the NGOs in Ethiopia to take part in this discussion since none of them want to risk losing their USAID funding (Cohen2003:3). In this manner, by directly or indirectly preventing the supply of safe abortions, the Gag Rule is causing the death of thousands of women each year (“Breaking the Silence”²).

For NGOs

The NGOs that have accepted the Gag Rule cannot provide safe abortions and are unable to help women with unwanted pregnancies to get suitable care (Crane 132). Furthermore, the abortion debate in these ‘gagged’ organizations is dominated by arguments against abortion since lobbying for abortion is prohibited according to the Gag Rule (Cohrane35). The NGOs who accept the Gag Rule are sometimes so worried about keeping their USAID that they have restricted their organization more than necessary. In an attempt to steer clear of controversy, they have interpreted the policy to restrict areas that are not part of the policy. An example of this over-interpretation is a NGO in Zambia that removed a section on emergency contraception from a contraception brochure even though the Gag Rule does not restrict emergency contraception (Crane 132).

The NGOs who do not accept the Global Gag Rule are allowed to provide the same services they did before. However, many of those family planning NGOs that no longer accept US funds are forced to close clinics and cut staff because of lack of funding. In some cases this has meant that all services, including treatment of HIV/AIDS, maternal health and family planning, were terminated.

When some NGOs refuse USAID in order to continue providing information on abortion, other NGOs are eligible for those funds. The problem is, however, that these NGOs are often not as experienced and effective as the previous USAID-receiving NGOs. Furthermore, these

new NGOs might not be able access the same geographic areas. In consequence, US funds will not be used as effectively as they were before the Gag Rule (Crane132).

An example of an organization that became less effective after the Gag Rule is the AMKENI Project in Kenya. AMKENI is still supported by USAID but has, after the implementation of the Gag Rule, lost access to a network of 35 clinics and hundreds of clinic workers since they no longer can cooperate with FPAK and MSI Kenya, the biggest family planning organizations in the country. This loss has meant that AMKENI has lost its training sites for its medical staff (“Country in Focus: Kenya”).

For Developing countries

Kenya, one of the sixty countries that receives aid from the United States, has been affected very negatively by implementation of the Gag Rule since the US is one of Kenya’s biggest health donors. The Family Planning Association of Kenya (FPAK) and Marie Stopes International Kenya (MSI Kenya) were both dependant on funding from USAID until the Gag Rule. When they lost their USAID it hurt women’s access to family planning services, especially in rural areas where many clinics have been forced to close. In many cases these clinics were the only source of family planning in the area. After several clinics closed due to the Gag Rule, the remaining family planning providers are understaffed and the client fees have increased, causing fewer women to have access to contraception (“Country in Focus: Kenya”).



A Marie Stopes International clinic in Kenya that has closed

Courtesy of Population Action International

Condoms are one form of contraception that, in addition to preventing unwanted pregnancies, can save lives by protecting the user from HIV/AIDS. The US has historically been a leading provider of condoms however; their distribution has been largely

limited to the limited number of sanctioned organizations that have accepted the Global Gag Rule terms (Crossette57). In total, the Gag Rule has eliminated the distribution of US contraceptives to leading family planning organizations in 29 countries (Crane132). As a result, at least sixteen developing countries are no longer getting any contraceptives from USAID since none of the NGOs in those countries have accepted the Gag Rule. Lesotho is one of the affected countries since International Planned Parenthood Federation (IPPF) is the dominant NGO in the country and it is no longer receiving funding from the US. In Lesotho a fourth of the women are infected with HIV (Cohen 2003:2). The Gag Rule is limiting the supply of condoms in countries that need them the most.

For the US

The goals of US foreign policy, which are to strengthen democracy and empower civil society organizations, are directly opposed by the Gag Rule. The Gag Rule prevents international NGOs from taking part in the democratic process in their country and promotes totalitarian actions from other, more powerful governments. The governments also feel constrained by the Gag Rule although it does not directly apply to them. They are afraid to upset the US and lose funding for other government sponsored programs. Thus, the Gag Rule also violates the national sovereignty of these countries (“Breaking the Silence” 2).

The Gag Rule imposes the US position on abortion and completely overlooks the laws in the countries where they implement the Gag Rule. Abortion is legal in half of the developing countries in the world and the US still implements anti-abortion policies. It is astonishing that the Gag Rule “reflects neither U.S. law nor U.S. public opinion” (Cohen 2001: 2-3). Abortion is legal in the US but US foreign policy propagates the abolishment of abortion. The people who are against abortion in the US have been unable to get their ideas through in the domestic policies, so they have lobbied successfully for their ideas to influence US foreign policy.

Furthermore, it is inappropriate to impose ideas that are not implemented in one’s own country on other countries.

The individual's values regarding abortion are influenced by religion, local culture and community. To put restrictions and requirements on donor assistance on such a topic as abortion is highly inappropriate (Crane 133).

The Gag Rule is impacting how the US and its citizens are viewed in the world. Stirling Scruggs worked as a Peace Corps volunteer in the Philippines and used to be proud to be an American before the Gag Rule was implemented. Today, however, he does not feel pride towards his country; he says: "What had been in many people's eyes the benevolent government that championed human rights and women, has reversed itself and has the opposite effect now. Women are dying because of that" (Crossette 60).

What Can Be Done?

The success of the HIV/AIDS initiative is considered too important to risk by implementing the Gag Rule. Family planning should be given the same priority as HIV/AIDS. The Gag Rule is decreasing the success of family planning in developing countries, thus, it should be repealed (Cohen 2003:3). The Council of Europe decided in 2003 to encourage President Bush to revoke the Gag Rule (Crane 134). They and other parts of the global community objected to the Gag Rule because it threatens the lives and health of women in developing countries (Crane 135). The Gag Rule denies women in developing countries their humanity since it is based on the idea that women are less worthy human beings and incapable of making their own decisions (Cochrane 36).

The women who are impacted by the Global Gag Rule are from poor countries and less likely to be able to stand up for their own rights without the help from the outside world. When assistance from the developed world is not helping them but instead limiting these women's opportunities for health and choice, the rest of the world needs to stand up and defend their rights.

The Gag Rule should be repealed because it is denying women in developing countries their humanity by eliminating their rights of information and choice. Once the Gag Rule is repealed the US can return to being a leader in providing for social development.

Policy Makers

One of the problems with the Gag Rule is that it transfers values of the United States to other countries. The problem is that these values do not reflect the values of the population in the US but groups that want to oppose the domestic policies. Furthermore, it fails to consider the specificities of the countries in which it is going to be implemented. It is important that US family planning policies focus on the context of the countries where they will be implemented instead of the interests of American political groups. Separating domestic and foreign policy will prevent this from happening. It may request the instatement of a committee overseeing American foreign policies to make sure that American domestic policies are not being transferred to other countries. By doing so, the US will completely prevent cultural imperialism, the idea of forcing cultural and moral values on other countries, and make their foreign policy more attentive to the needs of the recipient countries.

In addition to becoming aware of the needs of the recipient countries, the US needs to respect the needs of the women in these developing countries by not limiting their access to information. Women around the world should be offered a foundation of respect. Women should be treated as equals to men and their



choices and access to information should not be limited whether they are living in a developed or developing country. The policies around USAID impact women who do not have the right to vote in the United States. Therefore, it is the responsibility of the policy makers to take into account the wishes of the countries of the women who cannot make their voices heard in the US but whose lives will be undoubtedly affected by US policies.

In addition to listening to the women affected by their policies, policy makers in the US need to listen to people outside of the US borders such as European and African health leaders. A major US ally, the UK, has explicitly contested the Gag Rule by giving funding to organizations that have been denied USAID, after they refused to accept the terms of the Gag Rule. The US cannot isolate themselves in issues that affect the global population. Foreign policy makers need to step outside of the domestic sphere and listen to the expertise that

exists outside of the US. If not, US-citizens will be ashamed of the policies of their own country, as expressed by the former Peace Corps volunteer Stirling Scruggs. The reforms that should be made with this perspective are the repealing of the Gag Rule but also the regained support of the United Nations Population Fund.

The United States needs to participate in the international organizations supporting the cause of family planning. Because, first of all, it has the resources to make a difference in the world, and, secondly, because the US must recognize that these issues must be addressed as a global problem and are best addressed by organizations such as the UN.

Civil Activists

The women who are impacted by the Global Gag Rule are from poor countries and less likely to be able to stand up for their own rights without the help from the outside world. The rest of the world, especially American citizens need to stand up and defend their rights and give them a voice within the US.

In order to address and understand how the Global Gag Rule has impacted people from many different cultures, the activists must understand the way in which culture impacts who we are and how we think. One needs to break away from the idea that there is a right and a wrong and instead gain understanding for different perspectives. Learning new languages and travelling are good ways of getting outside of one's own comfort zone to become more culturally aware.

In addition to cultural awareness, people need to become aware of the issue of the Gag Rule. As important as becoming aware individually is it to spread this awareness to one's fellow citizens. "If Americans were more aware of the policy, there would probably be more objections to it, but, because it doesn't affect our interests directly, it has been allowed to stay in place (Cochrane 36)." Americans, as citizens of a developed country with access to multiple sources of information, are responsible for realizing the implications that US policies have on other countries. This awareness of the Gag Rule will hopefully lead to action for the repealing of the policy.

In order to achieve the repealing of a federal foreign policy, such as the Gag Rule, a large social movement must work together and build coalitions that stand up against the Gag rule. These coalitions should work to spread awareness about the problem of the Gag Rule, and cultural sensitivity. Additionally, Crane and Dusenberry suggest that work should be done to lessen the NGOs' dependence on US funding and support their critical work on women's reproductive health and rights (Crane135).

Moreover, health clinics in developing countries and in the US should cooperate. This collaboration would be beneficial for both sides as an exchange of information and experiences. In the case of the Gag Rule, it would be especially pressing to get the support of medical professionals in the US that would be more likely to understand the health problems caused by the Gag Rule. The most important thing is to give the people who are affected by the Gag Rule a voice in the United States; through the policy makers as well as voters and medical professionals.

Conclusion

The Gag Rule should be repealed because it is imposing US domestic policies and values on developing countries that are forced to accept them because of their economic dependence on USAID. The Gag Rule prevents lobbying for legalization of abortion, which has been shown to be the most successful way of decreasing unsafe abortions. By continuing the Gag Rule, the US is supporting the continuance of unsafe abortions that every year kill over 70,000 women, most of them living in developing countries. Bush argues that the Gag Rule will decrease abortions but instead it is increasing them by prohibiting organizations that offer family planning from cooperating with organizations providing abortion services. By preventing this cooperation the US is boosting abortion rates. Lastly, the Gag Rule is isolating the US from the rest of the international population regarding a problem that needs to be addressed by the whole global community.

In order to address the problem of the Gag Rule, citizens of the US and the world need to become aware of the problem and influence the policy makers to repeal the policy. The policy makers need to step out of their own perspective and look at their policies from the

perspective of the receiving country. Health clinics in the giving and receiving countries need to cooperate to promote understanding among health providers so that they can help each other fight for better health in both places.

Annotated Resources

For more information

Guttmacher Institute, <http://www.guttmacher.org/>

The Guttmacher Institute is a nonprofit organization that centers its attention on health research, policy analysis and public education. It is a very useful source to gain more knowledge about the Global Gag Rule, in particular the reports written by Susan A. Cohen. She has written several informative articles about the Global Gag Rule, health and family planning. The Guttmacher reports are short and easy to read since they go straight to the point. They are simply accessible through their website.

The Right to Know: Human Rights and access to reproductive health information, International Centre Against Censorship

This book investigates the connection between access to information about reproductive health and human suffering. It puts forward the idea that the failure of a government not to provide their population with information about abortion, contraception and AIDS is a human rights violation. This serves as a foundation for this paper and adds the human rights violations of women to the rest of abuses caused by the Global Gag Rule. It is also useful by providing a context for the issue of reproductive choice based on demographic and statistical information.

Population Policy & Women's Rights: Transforming Reproductive Choice, Ruth Dixon-Mueller

This book also focuses on human rights and emphasizes the importance of viewing women's rights as human rights. For the purpose of this paper, chapter 3, The Elusive "Woman Question" in United States International Population Policy, is most applicable. It provides us with the history of US international policies regarding reproductive health. The timeline starts in the 1950s and it is interesting to see the shifts in policies that have happened since then.

Access Denied: US Restrictions on International Family Planning, www.globalgagrule.org

It is a great website with a lot of useful information on the Global Gag Rule. The information comes from the Global Gag Rule Impact Project, which is a collaborative research effort led by Population Action International (PAI) in partnership with Ipas, Planned Parenthood Federation of America and the International Planned Parenthood Federation and with assistance in gathering evidence of impact in the field from EngenderHealth and Pathfinder International. Apart from background information it also has information on the impacts of the Gag Rule country by country. The information is very nicely outlined with the most important information and a map of the country first. If you want more information you can

click and get the full case-study. The language on this website is very powerful and work to grab people's attention.

In addition to written information you can also watch a video on the impact of the Global Gag Rule. In the video health providers and physicians talk about the issues that exist in their country and how the Gag Rule is making their work more difficult. It puts faces on the people that are directly impacted by this US policy.

There is a section on what you can do to help as a policy maker, media person and/or an activist. There are also links to current articles about the Global Gag Rule in different media as well as news releases from the Global Gag Rule Impact Project.

Breaking the Silence: The Global Gag Rule's Impact on Unsafe Abortion,
reprodtiverights.org

This is a report produced by the Center for Reproductive Rights. Through their website you can access the executive summary and the full report. The executive summary comprises the most crucial problems that the Gag Rule has caused. The report is very negative and supports its critique with studies from four countries affected by the Gag Rule: Ethiopia, Kenya, Peru and Uganda.

For action

Centre for Reproductive Rights

It is one of many organizations that work with reproductive rights. On their website they explain their mission and goals. It is encouraging to see that they are doing so much good work. It is encouraging and give you hope that the situation can change in the future.

International Planned Parenthood Federation, <http://www.ippf.org/en/>

On their website you can get information about their organization and the work they do in different parts of the world. International Planned Parenthood Federation (IPPF) is one of the NGOs that have lost their funding due to the Gag Rule.

On their website there is information about how to get involved in their local organization and you can sign up for their email list.

Engender Health, engenderhealth.org/cn/index.html

This nonprofit organization has a "how you can help" site where you can donate money to the organization online, by phone or by mail. There are many ways to give and the site also explains what the money you give will go to. They have information about their work divided by country.

UN Fund for Population Activities, unfpa.org/support/index.htm

This site also has a "how you can help" site where you as a US citizen can donate to the UNFPA and its tax deductible. On the site they demonstrate what your donation can do for women around the world, for example: "\$9 enables a couple to postpone pregnancy for two

years using oral contraceptives.” UNFPA lost all of their funding from the US not necessarily as a part of the Gag Rule but as a part of US more restrictive family planning policies.

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