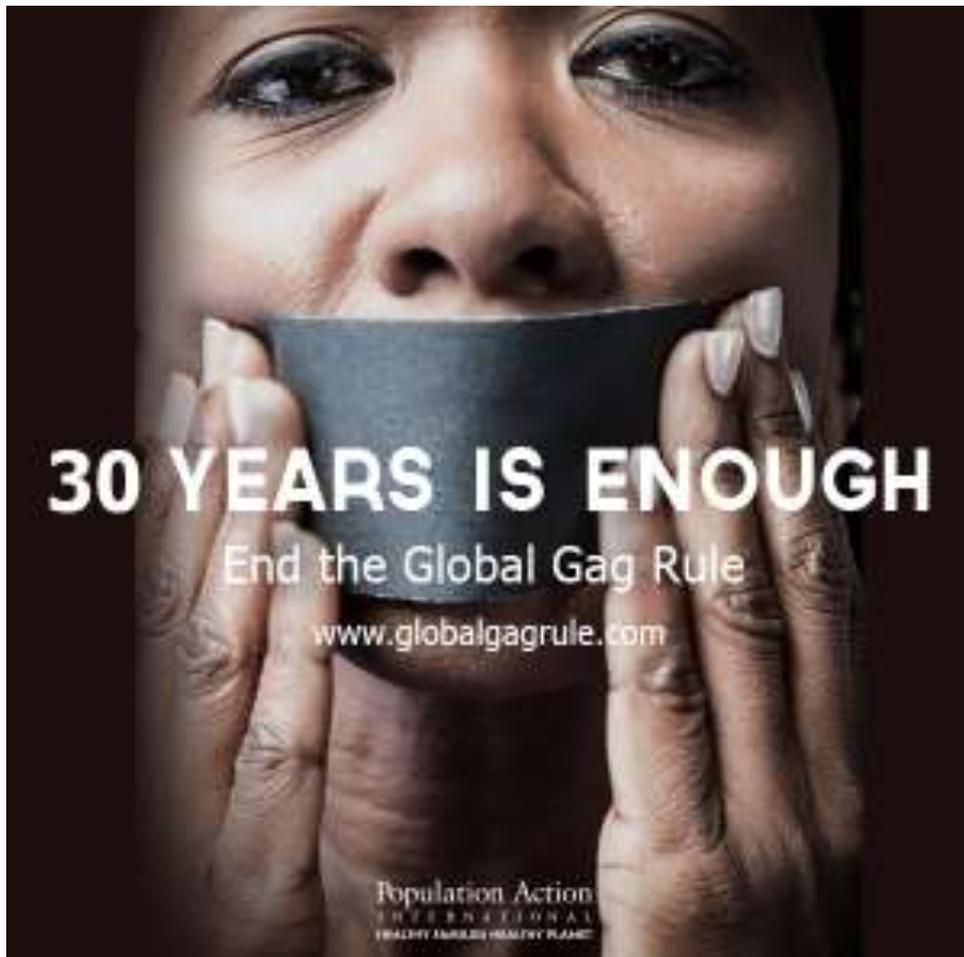


## Resurrection of the Global Gag Rule: An impediment on Women's Health Rights



(Source - Pai.Org )

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## Lead Essay

### Resurrection of the Global Gag Rule: An impediment on Women's Health Rights

#### Introduction

One of the first steps to ensure gender equality is that women should have autonomy over their body. In fact in the framework of gender equality it is important to understand that different groups of women have different issues depending upon their class, age and economic conditions. In this context a law which restricts abortion will create several health problems among the poor women. On 23<sup>rd</sup> January 2017, Donald Trump, the current President of USA reinstated the Global Gag Rule. The Global Gag Rule which is also known as the Mexico City Policy prevents any overseas organization receiving US aid from providing any form of support, counseling or services for abortion (USAID, 2013). Under the Global Gag Rule the NGOs have to choose from one of the two options:

- Accept USAID for family planning and refrain from providing any form of service for abortion counseling, referrals, or even advocacy efforts and from providing abortions outside of the three exceptions
- Alternatively they can refuse funding from USAID and resort to other modes of funding and keep health clinics open, continue providing a range of sexual and reproductive health services to clients, and continue advocating for law reforms to reduce unsafe abortion.

Every year 74 million unintended pregnancies occur in developing countries which result in 28 million unplanned births and 36 million abortions (Singh, 2014). Additionally 13% of all maternal deaths are due to unsafe abortions globally (WHO, 2017). Currently the USAID is the largest global health donor which donates \$3billion for facilitating healthcare. While the policy has received criticism from several quarters such as media, public health experts, demographers and the medical community, nonetheless Trump has passed the law. The policy has been termed as draconian and is predicted to act as a great danger to the lives of several women (Crockett, 2017). Some of the highlights of the Global Gag Rule are as follows:

- Restricted access to contraception and safe abortion techniques
- Resulted in rise of unsafe abortions
- Obstructed the efforts of preventing HIV
- A lot of health clinics had to shut down
- Contributed in acting as a barrier to rural communities from accessing healthcare

Previously the Global Gag Rule applied to NGOs offering family planning assistance in developing countries. However the memo passed by Donald Trump requires that all NGOs providing any form of health assistance in developing countries must adhere to the Global Gag Rule or they will lose the support of USAID. For instance NGOs providing childhood vaccines, fighting against Ebola and Zika and distributing bed nets for malaria must also comply with the Global Gag Rule (Goldberg, 2017). In this context it could be suggested that the Trump memo of the Global Gag Rule further restricts the functioning of all NGOs providing health care assistance in developing countries.

The reinstating of the policy is a regressive step and demonstrates the stronghold of patriarchy. By prohibiting abortion, the policy is restricting the rights of women over their own body and imposing patriarchy. In fact though the aim of the policy is to prevent abortion, this sort of a policy will result in increase of unsafe abortions. Even though the policy has been passed by USA, it holds relevance for India as well because unsafe abortions remain one of the leading causes for maternal deaths in India (Sheriar, 2017). Around 25% of USAID's funds in India is contributed for family planning and reproductive health including termination of unwanted pregnancy (Muttreja, 2017). The reinstating of the policy will prevent NGOs in India receiving USAID to provide any form of assistance in abortions and as a result maternal deaths due to unsafe abortions will continue to rise. Focusing on the policy this essay will trace the history of the policy and also highlight the impact of the policy. In particular the policy will analyze the political participation in the debate surrounding abortion. Finally the essay will also indicate how through this policy the basic rights of women are being challenged.

## Lead Essay

### History of the Global Gag Rule

The Global Gag Rule also known as the Mexico City Policy was enacted by the then Republican President Ronald Regan in 1984 (CBS News, 2017). The policy stated that, “nongovernmental organizations to agree as a condition of receiving any federal funding that they would neither perform nor actively promote abortion as a method of family planning in other nations” (CBS News, 2017). The policy was also known as the Mexico City policy because the venue for the United Nations International Conference on Population where the policy was announced in 1984 was Mexico City. Post the announcement of the policy several organizations were required to alter their regulations to receive federal funding. NGOs in Romania and Columbia made the changes and continued to qualify for USAID funding. However some organizations refused to comply and lost a certain portion of their funding. For instance The International Planned Parenthood Federation (IPPF) did not alter its norms and as a result lost 20% of its total funding. Similarly Family Guidance Association of Ethiopia and the Planned Parenthood Association of Zambia did not adapt the new rules either and had their funding reduced as well (Motluk, 2004).

In 1993 the Democrat President Bill Clinton rescinded the Mexico City Policy and suggested that the policy undermined the efforts of family planning. President Bill Clinton further elaborated by proposing that the World’s population should be stabilized and it was necessary for women all over the world to receive basic healthcare facilities (Clinton, 1993). However in 2001 Republican President George W. Bush reinstated the policy and advocated that the tax payers’ money cannot be used for abortion in any country. The policy was again rescinded by Barack Obama in 2009 and then again reinstated by Donald Trump in 2017 (Engender Health, 2017).

An analysis of the history of the policy indicates that the Republicans have always been supportive of the policy while the Democrats have always opposed the policy. The choice of the respective parties can be traced back to the abortion debate which highlights the rights of the foetus versus the rights of the woman carrying the foetus. The Republican Party chooses the right to foetus and supports the moral right to life. However this decision is often criticized to be patriarchal in nature and the health of many women are subjugated to risk due to multiple pregnancies. The Democratic Party chooses to protect the rights of women and hence has revoked the policy each time it came to power. Since the policy is related to USAID, it is important to focus on the impact of this policy in reference to the countries and organizations which receive federal funding.

### Impact of the Policy

The main aim of the policy was to prohibit abortions and to promote a pro-life stand. However the policy, when implemented, had a negative impact on the health of poor women. In 2001 after President George Bush implemented the policy again, a group of NGOs conducted a study among the countries receiving USAID and studied the impact of the policy in these countries. The study was led by Population Action International and the name of the study was Access Denied. From 2001-2006, the NGOs visited Dominican Republic, Ethiopia, Ghana, Kenya, Nepal, Tanzania, Zambia and Zimbabwe to understand how the Mexico City Policy had affected family planning. Through the study a large number of experts involved in family planning and reproductive health care, medical personnel, government policymakers and program managers, and donor agency representatives were interviewed. The study was conducted in both urban and rural areas, including NGO and government clinics and hospitals, youth centers, rural outreach programs and a freestanding maternity facility (Cohen, 2011). The summary of the study are analyzed below:

- **Anti Family Planning:** In addition to banning abortions the Gag rule also reduced the supply of modern contraceptives to the aid receiving countries. For instance in 2003 as documented in the study, the U.S. Agency for International Development (USAID) had to cut off shipments of contraceptives to 16 countries in Sub-Saharan Africa, Asia and the Middle East.
- **Unsafe abortions and other health risks:** Due to lack of alternate birth control measures women resorted to unsafe abortions. For instance due to unsafe abortions in Ethiopia and Kenya the maternal mortality rates are 55% and 40% respectively. In Uganda 5000 women are admitted to hospitals due to incomplete abortions and in Peru one in every seven girls is hospitalized due to unsafe abortions. A study by WHO (2011) also highlighted that the abortions went up by 40% after the Gag rule was implemented in 2001. Additionally due to lack of modern contraceptives, a large number

## Lead Essay

of men and women also stand the risk of being exposed to being infected with HIV. In particular with a ban on abortion the mother to child HIV transmission also cannot be prevented.

- **Barriers for the NGOs:** Following the implementation of the Gag rule, a large number of NGOs had to cut down their staff and stop all forms of reproductive health care activities. For instance Marie Stopes International Kenya, a London based NGO had to stop all its functions in its clinic in Mathare Valley, the only health care facility catering to the needs of 300,000 people.

The findings from the study demonstrate that the Global Gag Rule had a negative impact on the health of women and increased the rates of unsafe abortions as well.

### Conclusion

The reinstating of the Global Gag rule demonstrates the patriarchal nature of the policy and risks the lives of several women. In particular to understand the moral question surrounding the abortion debate it could be suggested that while preventing abortions, it increases the chances of forced sterilizations and endangers the health of women. Clearly the rule is anti-women and relegates women to having unwanted pregnancies. The policy increases gender inequality and impedes the overall development of women. The policy also shows that how USAID is controlling the health of several women all over the world. Since developing countries continue to be dependent on USAID for reproductive health, it is important for USA to eradicate policies such as the Global Gag Rule which has an adverse effect on the lives of women in developing countries. A focus on the Mexico City Policy is important in the Indian context as well because as discussed the USAID contributes a considerable amount of funds for family planning. In 2006 69.1% of women in India expressed satisfaction over the modern contraceptives provided by USAID. In 2014 and 2015 USAID spent 13.9 million dollars and 21 million dollars respectively on reproductive health in India (Iyengar, 2017). The resurrection of the Global Gag Rule will block any form of funding for abortions and also restrict access to modern contraceptives. Hence it will have serious consequences on the health of rural women in India who rely on such sources for family planning. Additionally the current policy also restricts other NGOs providing health care assistance from functioning as well. This clearly demonstrates the hegemony of USA on the third world countries which are dependent on USAID for their healthcare needs. Through this norm the USA is also imposing its own values and ideologies on the countries depending on USAID.

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## Headlines

### **Choked by the Global Gag Rule**

(Alaka M. Basu, *The Hindu*, January 30, 2017)

The Global Gag Rule states that U.S. government funding cannot be given to international NGOs, either directly or through U.S. non-governmental partners of these NGOs, unless these foreign NGOs sign an undertaking to not provide abortion services or even information or advocacy on abortion to their clients even in countries in which abortion is legal and even with money that does not come from the United States Agency for International Development's budget.

Read More: <http://www.thehindu.com/todays-paper/tp-opinion/Choked-by-the-Global-Gag-Rule/article17114569.ece>

Date Accessed: 30.01.2017

## Economy

### **With little room to beat cash ban gloom with Budget goodies, Modi faces his toughest economics test yet**

(*The Economic Times*, January 27, 2017)

Three months into a cash ban that has sucked out momentum from one of the world's fastest-growing economies, Prime Minister Narendra Modi has little room to boost spending.

While economists urge more investment in roads, ports and railways when the government presents its budget Feb. 1, and maybe even direct cash transfers to boost consumption, a splurge carries the risk of a rating downgrade. India is rated just one step above junk by S&P Global, Moody's and Fitch, who cite Asia's widest budget deficit as a drag on the sovereign rating

Read more at:

[http://economictimes.indiatimes.com/articleshow/56800007.cms?google\\_editors\\_picks=true&google\\_editors\\_picks=true&utm\\_source=contentofinterest&utm\\_medium=text&utm\\_campaign=cppst](http://economictimes.indiatimes.com/articleshow/56800007.cms?google_editors_picks=true&google_editors_picks=true&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst)

Date Accessed: 27.01.2017

### **The National Agriculture Market Currently Benefits Buyers Far More Than Farmers**

(Sudhakar Gummula, *The Wire*, January 25, 2017)

The Modi government, in April 2016, launched an online marketing platform, namely the National Agriculture Market (NAM), whereby farmers could sell agricultural produce to buyers located in far-off places. NAM is expected to usher in significant reforms in the Indian agricultural produce marketing system – presently controlled by the Agricultural Produce Market Committee (APMC) market yards and *mandis* – networked with licensed commission agents also called as *arthiyas*, largely for the benefit of farmers. However, a closer look at some aspects of NAM is required to understand the extent by which it will actually benefit farmers.

Read More: <https://thewire.in/101256/national-agriculture-market-currently-little-scope-farmers/>

Date Accessed: 27.01.2017

### **Why It's Time to Reconsider the Commodities Transaction Tax**

(Nidhi Aggarwal, *The Wire*, January 27, 2017)

“There is no distinction between derivative trading in the securities market and derivative trading in the commodities market, only the underlying asset is different. It is time to introduce CTT in limited way. Hence, I propose to levy CTT on non-agricultural commodities futures contracts at the same rate as on equity futures, that is at 0.01% of the price of the trade. Trading in commodity derivatives will not be considered as a speculative transaction and CTT shall be allowed as deduction if the income from such transaction forms part of business income.”

Read More: <https://thewire.in/103427/time-reconsider-commodities-transaction-tax/>

Date Accessed: 30.01.2017

### **Modi Must Deliver Welfare, Sloganeering Won't Cut It Anymore**

(M.K. Venu, *The Wire*, January 27, 2017)

The biggest challenge for finance minister Arun Jaitley in formulating the 2017-18 budget is navigating the “data darkness” which has slowly enveloped the Indian economy over the last six months. Former chief economic advisor Shankar Acharya, who spent over a decade advising finance ministers in the governments led by Narasimha Rao as well as A.B. Vajpayee, told me it would be a near impossible task to accurately assess the GDP base upon which all other figures for 2017-18 will be predicated.

Read More: <https://thewire.in/103434/modi-must-deliver-welfare-sloganeering-wont-anymore/>

Date Accessed: 30.01.2017

## Economy

### **Decoding the Macro Puzzle and the Budget**

(Nilanjan Banik, *The Wire*, January 27, 2017)

Even if you are an economist, a look at India's economic data may catch you by surprise. India is perhaps the only large economy in the world which is growing at a little over 6.5% and yet this growth rate is not supported by several fundamental micro and macroeconomic indicators.

Read More: <https://thewire.in/103219/decoding-macro-puzzle-budget/>

Date Accessed: 30.01.2017

### **Preconditions and Resources Exist For a Basic Income Transfer to the Poor, Not Universal**

(Santosh Mehrotra, *The Wire*, January 29, 2017)

If cash transfers are to succeed in India, there are at least three requirements that should be fulfilled. First, correct identification of the poor; second, biometric identification of the beneficiaries; and third, bank accounts for beneficiaries. Given that all three conditions for the successful implementation of conditional cash transfers (CCTs), which were not in place five years ago, are in place in early 2017, there is a clear case for the piloting of a targeted basic income (TBI) for the poor (plus a number of other CCTs), so that the design of the TBI can be tweaked before it is rolled out across the length and breadth of the country.

Read More: <https://thewire.in/103724/preconditions-resources-exist-basic-income-transfer-poor-not-universa/>.

Date of Access: 30.01.2017

## Governance & Development

### ***POLITICS AND GOVERNANCE***

#### **For a house to become a home**

(Rohini Pande, *The Indian Express*, January 30, 2017)

A report in May last year put the vacancy in urban housing built under the PMAY at 23 per cent. Why are slum dwellers and new urban migrants rejecting this housing? One possibility is the lack of affordable housing finance. In his New Year Eve address to the nation, the prime minister announced two new interest-subsidy schemes under the PMAY; some anticipate further breaks in the upcoming budget. But reality is more complex.

Poor people were turning down an apparent golden opportunity, and it wasn't because of high interest rates. What's more, this group represented a best-case scenario, compared to typical PMAY participants: Beedi work is done at home, so one of the family's earners didn't face a long commute. In another housing complex in Ahmedabad — where houses were also assigned by lottery — we found only 46 per cent of the winners were living in the units two and a half years after winning the lottery.

Read More: <http://indianexpress.com/article/opinion/columns/pmay-pradhan-mantri-awas-yojana-house-for-all-slum-development-government-schemes-4497951/>

Date Accessed: 30.01.2017

### ***GOVERNMENT***

#### **'Revolving door detention' that has disrupted J&K House**

(Bashaarat Masood, *The Indian Express*, January 30, 2017)

While the government insists the age of the detainee, who was picked up on September 30, 2016, for protests over the Burhan Wani killing, is 20-25 years, MLA Engineer Rashid has led protests inside the House and showed school documents saying he is 14. A medical panel set up by the government has put his age at 19 to 21.

It allows the government to detain a person without trial for a period of three to six months. The Act was first promulgated in 1978 by the Sheikh Abdullah government as an administrative detention aimed at keeping timber smugglers "out of circulation". Originally, it allowed the government to detain any person above the age of 16 without trial for a period of two years. Over the past three-and-a-half decades, the government has frequently used the Act against political opponents.

Read More: <http://indianexpress.com/article/explained/revolving-door-detention-that-has-disrupted-jk-house-public-safety-act-burhan-wani-killing-4498051/>

Date Accessed: 30.01.2017

### ***EDUCATION***

#### **India's education spending needs a course on accountability**

(Ragini Bhuyan, *Livemint*, January 27, 2017)

The 2016 Annual Status of Education Report (ASER), which was released last week, vindicates this theory. A look at ASER reports in the last decade punctures the rosy picture vis-à-vis school education which has been built from increasing enrolment. Here's why. The percentage of children in standard five who can do division has declined from 42.5% in 2007 to 26% in 2016, while the percentage of those who can read a standard two text has worsened from 53% in 2006 to 48% in 2016. Only a fourth of students in standard five can read English sentences.

Read More: <http://www.livemint.com/Education/tj0GgGojuEbwLN1SCc8eSJ/Indias-education-spending-needs-a-course-on-accountability.html>

Date Accessed: 27.1.2017

## Governance & Development

### HEALTH

#### Rural India wakes up to vaccination

(*The HansIndia*, January 27, 2017)

Ganga Das, 19 and pregnant for the first time, was determined enough to get her immunisation done at a Public Health Centre (PHC) at Juri village of this block in Jharkhand's East Singhbhum district. Married at the age of 17, Ganga's determination was a result of an equally determined effort by Unicef and the 'mobilisers' sent out by the State Health Department to spread awareness about routine immunisation (RI) and how it helps protect unborn children, creating their first wall of defence against diseases.

Read More: <http://www.thehansindia.com/posts/index/Commoner/2017-01-27/Rural-India-wakes-up-to-vaccination-/276187>

Date Accessed: 27.1.2017

### TECHNOLOGY

#### PSA Joins Hands With CK Birla Group To Re-Enter India

(*SiliconIndia*, 25th January, 2017)

European auto major PSA Group today announced a partnership with the CK Birla group to re-enter the Indian market and earmarked an initial investment of 100 million euros (around ₹700 crore) to set up vehicle and powertrain manufacturing in Tamil Nadu.

Read More: <http://www.siliconindia.com/news/business/PSA-Joins-Hands-With-CK-Birla-Group-To-ReEnter-India-nid-201071-cid-3.html>

Date Accessed: 27.1.2017

### ENVIRONMENT

#### What Trump Can and Can't Do to Dismantle Obama's Climate Rules

(*Coral Davenport, The New York Times*, January 26, 2017)

President Trump campaigned on sweeping promises to eliminate former President Barack Obama's major environmental regulations and "get rid of" the Environmental Protection Agency. On Tuesday, Mr. Trump offered a down payment on those promises, with memorandums clearing the path to construction of the Keystone XL and Dakota Access oil pipelines. He is expected to roll back a few more rules, including some on coal production, in the next few weeks. Although dismantling Mr. Obama's most far-reaching climate regulations can be done, it will take legal acumen and a lot of time – perhaps longer than a single presidential term. Here's a look at what Mr. Trump can and can't do, and how quickly, to roll back environmental regulations.

Read More: [https://www.nytimes.com/2017/01/26/us/politics/donald-trump-climate-epa.html?ref=business&\\_r=0](https://www.nytimes.com/2017/01/26/us/politics/donald-trump-climate-epa.html?ref=business&_r=0)

Date Accessed: 27.01.2017

#### Part II: Bellary And The Rise of Jindals

(*Shruti Menon and Kshitij Malhotra, News Laundry*, January 27, 2017)

In a document provided to NewsLaundry by Sreeshaila's JSP, an analysis of e-auction data of one NMDC mine shows that out of the 171 lots of ore it sold between April, 2016 and November, 2016, only in 20 lots the bidding price exceeded the floor price. In the same period, out of 187 lots auctioned by private miners, 109 lots were sold at a price higher than the floor price. "This is an indication for cartel working to deprive NMDC from exploring the right to price determination," the document concludes.

Read More: <https://www.newsLaundry.com/2017/01/27/part-ii-bellary-and-the-rise-of-jindals>

Date of Access: 30.01.2017

## Governance & Development

### *LAW AND JUSTICE*

#### **Ordinances: A Shady Way To Subvert Democracy**

(Meghnad S, *News Laundry*, 24 January, 2017)

When Parliament is not in session, the government cannot pass any laws. It has to wait till all the members of Parliament descend on Delhi to discuss, debate and decide on particular legislations, and vote to enact them. But what if problematic situations arise when Parliament is not in session and the only way to resolve them is by passing a law? The Jallikattu protests in Tamil Nadu, for example, do qualify as an urgent, problematic situation. The only way to resolve this and curb the protests would be to pass a law that allows the festival to resume in all its glory. This is where our constitution comes to the rescue. Under article 123, there is a provision which allows the President to enact laws during the inter-session period. It's called an ordinance.

Read More: <https://www.newslaundry.com/2017/01/24/ordinances-a-shady-way-to-subvert-democracy>

Date of Access: 30.01.2017

#### **No Country For The Disabled?**

(Shakthi Vadakkepat, *News Laundry*, January 23, 2017)

What is being attempted here is a classification or gradation of the degree of intellectual disability that a person suffers from. We will need certification with percentage and the gradation of severity. That certificate will have to be carried and produced on demand for inspection to anyone who feels that the anthem is being insulted. Is this the society that we are trying to create? Where people with disabilities are graded on the extent and level of their disability and have to prove their patriotism with a certificate? And how do we train people with "mild" intellectual disability to show outwardly signs of respect? They already face a challenge when trying to convey what they feel. What is the meaning of "mild" here even mean? Completely baffling and bordering on mockery!

Read More: <https://www.newslaundry.com/2017/01/23/no-country-for-the-disabled>

Date of Access: 30.01.2017

## Society

### ***GENDER***

#### **Does a Protest's Size Matter?**

(Zeynep Tufekci, *The New York Times*, January 27, 2017)

The Women's March on Saturday, which took place in cities and towns all across the United States (and around the world), may well have been the largest protest in American history. There were an estimated 3.5 million participants. This has to mean something, right? After studying protests over the last two decades, I have to deliver some bad news: In the digital age, the size of a protest is no longer a reliable indicator of a movement's strength. Comparisons to the number of people in previous marches are especially misleading.

Read more: <https://www.nytimes.com/2017/01/27/opinion/does-a-protests-size-matter.html?ref=todayspaper>

Date accessed: 27/01/2017

### ***ELDERLY***

#### **Government launches Varishtha Pension Bima Yojana**

(*The Hindu*, January 24, 2017)

"The scheme will be implemented through Life Insurance Corporation of India (LIC) during the current financial year to provide social security during old age and protect elderly persons aged 60 years and above against a future fall in their interest income due to uncertain market conditions," according to a government statement.

Read More: <http://www.thehindu.com/business/Economy/Govt-launches-Varishtha-Pension-Bima-Yojana/article17089241.ece>

Date Accessed: 27.1.2017

## Opinions/ Books

### OPINIONS

#### Fielding the finest

(General Nirmal Chander Vij, *The Hindu*, January 30, 2017)

Till now, the mandatory requirement of two years of service and seniority at the time of vacancy has resulted in routine elevations to the appointment of Army Commander, merit not being considered. The logic was that all officers who had reached that level were considered competent and there was no need to introduce unnecessary competition among them. But in light of contemporary responsibilities and the increasing importance of jointness and stretch of warfare, only the best are needed as Army Commanders.

Read More: <http://www.thehindu.com/todays-paper/tp-opinion/Fielding-the-finest/article17114572.ece>

Date Accessed: 30.01.2017

#### Keeping safety on the rails

(*The Hindu*, January 30, 2017)

The preliminary finding of the Commission of Railway Safety that the derailment of the Indore-Rajendranagar Express near Kanpur in November 2016 that killed over 140 people was primarily caused by carriage and wagon defects should serve as a reality check for the Railway Ministry. While sabotage is indeed a factor in some derailments, bad railway performance is responsible for the majority.

Read More: <http://www.thehindu.com/todays-paper/tp-opinion/Keeping-safety-on-the-rails/article17114556.ece>

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#### Understanding the Mind of the Indian Voter

(Nitin Sinha, *The Wire*, January 28, 2017)

Toilets built under the Swachh Bharat initiative are symbols of change. Panegyrics on this 'silent revolution' are seen and heard on TV, in print and on the radio. But the public display of caste name reminds us how easy it is to assimilate even toilets into structures of caste. Was the caste name added for public information or to regulate the use of the toilet. If indeed it was the former, was there any need for the caste to be displayed at all?

Read More: <https://thewire.in/103633/up-election-mind-of-voter/>.

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