



Universiteit Utrecht

The Gag Effect

An analysis of the Global Gag Rule & the United States' push for International Self-Sustainability



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ABSTRACT

This thesis examines to what extent the enforcement of the Global Gag Rule by the United States government acts as a foreign policy mechanism to push for international self-sustainability. As an explorative research, this analysis aims to shed light on the largely under-stipulated intent of the Global Gag Rule as a US government foreign policy to reduce reliance of international institutions on US foreign assistance, and establish self-governance as a new international norm. Part I discusses the role of the United States as a liberal hegemon, a role it has maintained through a rules-based system and commitment to its partnerships. Part II examines the Global Gag Rule as a policy within this system, its effects on the women's sexual and reproductive health rights, and a violation of the international treaty, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In Part III, I present the possibility that the authority and legitimacy of the United States as a leading nation is waning, thus providing an opportunity for the remaining major nations to realign themselves apart from the currently destructive path the United States has begun to follow. Although the Global Gag Rule has certainly resulted in countless detrimental consequences regarding women's reproductive rights, it may possibly be the provocation the international community needed to undo the international world order that the United States has been abusing.

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LIST OF ABBREVIATIONS

CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
ERP	European Recovery Program
FAA	Foreign Assistance Act of 1962
G7	Group of 7 (Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States)
G20	Group of 20 (Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Turkey, the United Kingdom, the United States and the European Union)
GGR	Global Gag Rule
ICPD	International Conference on Population and Development
NGO	Non-Governmental Organization
PEPFAR	President's emergency Plan for AIDS Relief
SRHR	Sexual and Reproductive Health and Rights
UN	United Nations
UNAIDS	UN Program on HIV/AIDS
UNFPA	United Nations Population Fund
UNHRC	United Nations Human Rights Council
US	United States
USAID	United States Agency for International Development
USD	United States Dollar
WHO	World Health Organization
WWII	World War Two

INTRODUCTION

“More than one year after the Global Gag Rule was reinstated and expanded, the global health community is already seeing these alarming consequences around the world. U.S. funding is a mainstay of some of the largest and most effective international aid organizations whose ability to deliver fundamental healthcare is jeopardized by the drop in significant and essential U.S. funding. The United Nations Foundation has long been on record opposing the Global Gag Rule including its unprecedented recent expansion. In all its forms, this harmful policy undermines longstanding bipartisan U.S. leadership on global health and development [...] Access to quality health care, including reproductive health and family planning, is a fundamental human right and helps build a more stable, prosperous world [...] The most devastating impacts are yet to come.”¹

The United States’ bipartisan leadership, not only in global health and development, is quite possibly on the brink of a pivotal transformation. The United States has had a long-lasting role as an international leader; it emblemizes the ‘norm,’ establishing the international standards that other nations strive to meet. Since WWII, the international community has relied heavily on United States foreign monetary assistance to integrate such standards into their own governance. However, this reliance is currently being readjusted due to US foreign policy regulations that the international community does not accept- one of these being President Trump’s reinstatement of the Global Gag Rule. For nearly four decades, the Global Gag Rule, a policy that restricts US foreign aid to NGOs that provide abortion as a method of family planning, has been resurrected and rescinded with every Republican and Democratic president respectively.² The Global Gag Rule has not only targeted, constrained and violated women’s reproductive rights across the globe, but under the Trump administration it has also been expanded to have an even more damaging impact on the international health and development agenda than any of its predecessors have had. Although there is reputable literature claiming its detrimental effects on women’s health worldwide, with this research I intend to anchor my focus on the current opportunity the international community has to establish themselves as a more self-reliant and sovereign society- apart from the influence of the United States- and reverse such damaging policies such as the Global Gag Rule. By chartering themselves as more independent nations, which will from now on be defined as having the ability to influence world order without the approval nor aid of the United States, the international community will have the capacity to

¹ “Statement from UN Foundation President & CEO Kathy Calvin on State Department Review of Global Gag Rule Impact.” *United Nations Foundation*, www.unfoundation.org/news-and-media/press-releases/2018/statement-from-un-foundation-global-gag-rule.html. Date accessed: June 1, 2018.

² The Global Gag Rule, also known as the “Mexico City Policy,” has been controlling the progress and advancement of women’s sexual and reproductive health and rights (SRHR) through monetary means. By denying institutions funding from the American government if they provide services relating to abortion, such as counseling or referrals, the institutions are forced to either sacrifice women’s access to these provisions or the financial assistance entirely. Often choosing the former, the Global Gag Rule has directly led to an increase in maternal mortality through a rise in unsafe abortions and violated women’s rights to sexual and reproductive health care around the world.

remove themselves from the control of the United States. This research represents an analysis of the Global Gag Rule and the United States' position within the international order it has formed through its position as hegemon. I argue that the Global Gag Rule represents the United States' commitment to continue its historic foreign policy agenda to force a more independent international community, and as it represents both a disregard for international standards and the community, it has also rendered the United States at risk for losing its position of primacy. By reviewing the influential distinctions of the Global Gag Rule policy and similar significant policies, and the authority the United States has maintained since WWII, my research will thoroughly analyze the relationship between these two realities. This research will not only contribute to a better understanding of the Global Gag Rule as an attack on women's sexual and reproductive rights on a global scale, the enforcement thereof decreasing the already-waning trust of the United States as leader, but also its gleaming potential to bring international self-sufficiency and a greater protection of women's basic human rights.

In order to do so, the following question will be discussed and answered:

To what extent can we understand the United States' push for international self-reliance through the implementation of the Global Gag Rule?

This has led to the following sub questions:

- How has the United States come to be considered an international leader? And what distinguishes its rule from previous powers?
- What makes the Global Gag Rule under President Trump's administration the most discriminatory of this recurrent regulation? And how has the United States shaped international women's reproductive rights thus far?
- What is the connection between the 2017 Global Gag Rule and the decline of the United States as a world leader?
- What does the future look like for women's reproductive rights in the global health and development agenda?

Academic Debate

Although the authority and leadership of United States within a global context has already been widely discussed, and the Global Gag Rule has for more than three decades been monitored and evaluated, there has been little published literature on the correlation of the two within an international relations framework. While sorely lacking, I believe that by applying this framework, this thesis will deliver a more thorough understanding of the Global Gag Rule and the motives for its presence from the perspective of the United States, as well as the opportunities it presents for the international community.

The power and headship of the United States within the international community has been a frequently-discussed topic by scholars within the field of international relations. John Ikenberry and Anne-Marie Slaughter, leading liberal internationalist theorists, have researched, deliberated, and justified the United States' position at the forefront of shaping international order. Ikenberry claims that the study of international relations must place an emphasis on the comprehension of global governance through international institutions- the pillars of a liberal institutionalist approach to recognizing our world's political plays. As my thesis is an analysis of the United States' authority through its foreign policy, which is played out in international institutions such as NGOs, treaties and alliances, the liberal institutionalist framework delivers the best comprehension of the international order that I suggest depicts the current reality.

His book, *Liberal Leviathan: the Origins, Crisis, and Transformation of the American World Order*, has provided an explanation of how the United States has risen into its role of responsibility with the events of WWII and those thereafter, shaped and driven by the circumstances that have added to its undying-state as leader.³ Though the same name, Ikenberry draws a new face of the 'Leviathan' that Thomas Hobbes had coined for an imperialistic dominant authority.⁴ However, the Liberal Leviathan has gained its might not through conquest, but rather, through a set of situations that had provided the perfect niche for a new international order led by the United States.⁵ He terms this order as a Liberal Hegemony, which is per his definition a "rule and regime-based order created by a leading state."⁶ His analysis of the characteristics that have formed the capacities for America to not only rise into power, but to also aid in its longevity deliver the grounding arguments for my thesis. His theory consists of two distinctive traits that previous nations have failed to foster: a combination of a rules-based system, and of maintaining relationships with other leading nations.⁷ Although Ikenberry explains that America had utilized a "rule-through-rules" strategy to gain power over Asian nations, and a "rule-through-relationships" approach to maintain command over Europe, I suggest that it is precisely these two techniques (used simultaneously and non-country specific) that placed the United States in its position today, and without cultivation, will ultimately lead to its demise.⁸

As former Director of Policy Planning for the US Department of State, Anne-Marie Slaughter delivers a unique perspective on the United States' authority within the international framework. Her liberal internationalist approach, in line with my argument, situates the United States at the forefront of international order, maintaining its power through international institutions such as

³ Ikenberry, G. John. *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*, Princeton University Press, 2011. Page 17, 24.

⁴ Hobbes, Thomas, and J C. A. Gaskin. *Leviathan*. Oxford: Oxford University Press, 1998. Pages 104-107.

⁵ Ikenberry, G. John. *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*, Princeton University Press, 2011. Page 21.

⁶ *Ibid.* Page 55.

⁷ *Ibid.* Pages 23-26, 29, 53.

⁸ *Ibid.* Page 29.

alliances and organizations.⁹ She remains deeply determined that the United States must uphold its commitments to alliances, warning that its legitimacy as leader relies on these promises and offers recommendations for its future actions. Through her articles published in *Foreign Affairs* and *Foreign Policy*, Slaughter adds to the discussion on how the United States has built its power on a regulation-based and networking system. However, relevant for my argument are the propositions she makes in “A Grand Strategy of Network Centrality” and the report in the Princeton Project on National Security alongside John Ikenberry, “Forging a World of Liberty under Law: US National Security in the 21st Century.” Her competency to predict the path on which America will be venturing provides not only some validity to her prophecies, but coincides with my own calculation that America is on the decline, and now is the time for other nations to step forward.

Relevant to this thesis would be a lens with which to view the marginalization of women as a prevalent system in the realm of international relations. Because the Global Gag Rule largely restricts and violates the rights of women, it is essential to include a feminist approach to my investigation of how it has shaped international relations and agendas. Renowned scholar Cynthia Enloe has pioneered the feminist perspective within international relations and political science studies, challenging conventional thought throughout her works which serve as a means to ground this thesis in such a feminist context. Enloe has ensured the awareness of feminist theory be a part of international political debate, as one cannot simply disregard the role of women- who represent half of the world’s population- when discussing its past, present or future. Enloe argues that in order to fully grasp the complexity of international relations, one must listen to the muted voices of the marginalized. More specifically, I will utilize Enloe’s commitment to illustrating a feminist understanding of international relations, and her insistence on shedding light on the issues that are uncomfortable, under-discussed, taboo or hushed. In this case, it is the discomfort and pique that accompanies the notion that women want control over their sexual health and reproductive rights (SRHR). Enloe claims that this reaction towards women’s action to exercise these rights is perpetuated by the existing patriarchy- a similarly avoided dimension within the subject of international relations.¹⁰ As she asserts: “Exposing the ways patriarchal systems are being perpetuated today will enable us to more effectively challenge and dismantle them.”¹¹ In understanding the power-dynamic of global politics, and how the United States has thus used its authority as a world power, Enloe thus provides the incentive to view the Global Gag Rule as an example of the patriarchy at work to silence the sidelined. I will analyze the United States’ foreign policy agenda by evaluating its effects from and

⁹ See generally: Slaughter, Anne-Marie, “A Grand Strategy of Network Centrality,” *America’s Path: Grand Strategy for the Next Administration*, Edited by Richard Fontaine and Kristin M. Lord, Center for New American Security, May 2012, Pages 45-56. Slaughter, Anne-Marie. “The Only Way Forward.” *Foreign Policy*, Volume 221, November 2016, Pages 64-66.

¹⁰ Enloe, Cynthia. *The big push: exposing and challenging the persistence of patriarchy*. Univ of California Press, 2017. Pages 11, 15-17.

¹¹ *Ibid*. Page 17.

effects on women's issues- a measure of significant importance when discussing the Global Gag Rule.

There is much debate on the legality, morality, and effectiveness of the Global Gag Rule (which will from now on be referred to only as GGR). With Amendments from the Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW), an international treaty adopted by the United Nations General Assembly, it is clear that women's reproductive rights are basic human rights that must be respected, fulfilled and protected. However, as the United States has only signed it, and as of 2018 is not yet ratified, there is debate as to what extent the US is bound to the international standards of protecting women's rights set forth therein. Selected amendments will provide the aspect of legality in regard to the GGR. Nina J. Crimm, Professor of Law at St. John's University in New York, evaluates the United States' agenda on reproductive rights throughout history, and offers a perspective on the feature of morality that developed in concert with regulations restricting women's rights. Her article, "The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home," describes the convenience for America to enforce such a policy in international affairs when it is *mostly* unconstitutional to do so in its own domain. Her works deliver a new perception on the US not playing by its own rules. These sources carry knowledge that I claim as truth: the GGR is a violation of basic human rights awarded to women, and the United States maintains no innocence in the lives lost due to its implementation.

To better understand how this specific foreign policy adds to the existing divide between the US and the rest of the world, it is important to acknowledge the 'Declinist Theories' surrounding the debate of the United States evolving from a liberal hegemon to a nation more leveled with what scholars term the 'Rising Rest.' International relations scholars such as Charles Kupchan, Christopher Layne, Fareed Zakaria and Stephen M. Walt have all contributed considerations in the declinist canon. While these authors deliberate the various factors that must be taken into account when considering the United States' decline, such as economic, military and political elements, they do not provide a wholesome view of this nation's position within the international framework. Robert J. Lieber maintains his opposition to the declinists notions, as portrayed in *The American Era: Power and Strategy for the 21st Century* and *Power and Willpower in the American Future: Why the United States Is Not Destined to Decline*, his confidence in the primacy of this nation dwindles in comparison to the realities we face today with the decisions made by the Trump administration. Although I will discuss its significant role as a member of the G7 union, I will center my argument on its recent waning commitments to other countries and the international human rights standards that have been long-standing. With this research, this thesis will present a comprehensive awareness of the United States' rise to power, its freedom to impede on the international reproductive rights agenda with the GGR, and especially the budding movement of other nations to sever their metaphorical umbilical cord with the United States, and grow into a more self-sufficient society- protecting women's reproductive rights along the way.

Methodology & Structure

Conducive to fully understanding the interconnectional relationship between the United States as a liberal hegemon, and in effect the international reliance on its authority, the Global Gag Rule as a foreign policy, and the decline of this nation's primacy, it is necessary to first recognize each as a singular entity within the international relations framework. From there, my prediction of the Global Gag Rule acting as a factor of America's decline and instigator for international self-sustainability can be better discerned.

The purpose of this thesis is to serve as an analysis of the enforcement of the Global Gag Rule as an American foreign policy and how it illustrates the deterrence of international dependence on the United States. The period that will be researched is from 1962-present. This marks the establishment of the Foreign Assistance Act of 1962, my interpretation of America's nascence of a foreign policy agenda, and includes also the evolution of the Global Gag Rule as an instrument thereof. To fully grasp the vision that men in power had at the time of its formation, I will assess primary sources such as presidential papers, statements and speeches, which will deliver a more personal understanding to the hopes and goals of US officials on shaping foreign policy and leading the world. An additional approach to determining the effects of the GGR on the international community is by evaluating the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which is one of the most acclaimed international treaties on women's rights. By examining these Articles, I intend to validate my theory that the United States has been in violation of these provisions by establishing and applying the GGR. I further evaluate whether this has added to the decline of United States' primacy by investigating the arguments of International Relations scholars known as 'Declinist Theorists.' I hypothesize that the GGR will thus provide the incentive for the international community to develop their own women's reproductive rights forums- untethered by the rules, policies and political agenda controlled by the United States' assurance of monetary assistance.

In Part I, I will establish the claims of Ikenberry on the United States as a liberal hegemon as the framework of discussion, referring back to his works as the basis of my arguments. In Part II, I will exemplify the Global Gag Rule as a tool of the rules-based system the United States has shaped with its foreign policy agenda. With selected Articles from CEDAW, I will explain how the failure to uphold such standards mirrors the neglect of America's obligations to the international community and thus its disrespect for international alliances. Utilizing declinist theorist's arguments in Part III, I will emphasize the effects of the Global Gag Rule in an international relations framework, arguing that it has caused a decline in American authority, which will ultimately compel a more self-sustainable international community.

PART I: UNDERSTANDING THE UNITED STATES AS A LIBERAL HEGEMON

The Rise of the Hegemon

The world has witnessed a multitude of power transitions over the last century and a half. Following the demise of Britain's supremacy at the end of the first World War, Europe had entered a time of industrialization, realization and reformation. European governments realigned their systems of governance, while the United States' power was already brewing. Then with victory over communist powers in World War II, the United States had thrived as savior to Europe. However, the Cold War renewed tensions within the international community: the United States and Russia were competing for the position of ultimate world leader, and with the fall of the USSR in 1991, the United States took its rightful place as spearhead.¹² The world had gone from a multipolar to bipolar to unipolar system in just under one-hundred years; however, this nation's grasp on unipolarity is weakening, and the future international order is at stake.

John Ikenberry defines a unipolar system as comprising "one state whose overall share of capabilities places it unambiguously in a class by itself compared to all other states."¹³ Although the definition of a 'pole' remains quite vague, Kenneth Waltz, leading international relations neo-realist theorist, describes it not only as a state that entails material capabilities, or the ability to provide material services, but simultaneously also maintains the power to influence world order on a political-institutional level.¹⁴ This has been the case for the United States, as it has so far had the capacities to do so without interference or competition from the rest of the world. However, while unipolarity focuses on the capacities of the state (economic, military, etc.), and also useful to understand in this context, I believe that Ikenberry renders a more wholesome analysis of the United States' authority when considering it a hegemon. Similar in definition, in *War and Change in World Politics*, the renowned Robert Gilpin defines hegemony as "the leadership of one state (the hegemon) over other states in the system."¹⁵ The classification of a hegemon is thus more defined by its existence in relation to other states rather than a pole, measuring its power through how it is situated relative to other powers. Here, the United States has grown into its role as world leader, a hegemonic nation for others to follow.

So, how did this power come about? According Jane Burbank and Frederik Cooper, who discuss the rise and falls of world empires throughout history, the establishment of this form of leadership begins through either coercion or with varying forms of consent, such as compliance

¹² Ikenberry, G. John, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*, Princeton University Press, 2011. Page 40.

¹³ G. John Ikenberry, Michael Mastanduno, and William C. Wohlforth, "Introduction: Unipolarity, State Behavior, and Systemic Consequences," *World Politics*, Volume 61, Issue 1, January 2009, Page 5.

¹⁴ See Generally: Waltz, Kenneth N. *Man, the State, and War: A Theoretical Analysis*. Columbia University Press, 1959.

¹⁵ Gilpin, Robert. "Change and Continuity in World Politics." *War and Change in World Politics*, Cambridge University Press, Cambridge, 1981, Page 116.

through bargaining or reciprocity.¹⁶ Although Burbank and Cooper discuss the United States as an imperialist nation, their analysis of how a country gains power or influence over others aids in the understanding of America's own rise to authority. John Ikenberry refers to this phenomenon as well, specifying that the rule of the United States has settled as a combination of both coercion and the elements of consent that Burbank and Cooper mention. He continues this interpretation by stating that this leadership was not a direct reflection of an American foreign policy strategy, but rather, a default response of the concentrated power that it held and the reactions from the international community after the second World War.¹⁷ He describes this historical war as a catalyst to change, or more specifically, as a "Critical Juncture:" an "unanticipated and exogenous events that drive institution-building and, in turn, foreign economic policy."¹⁸

Following WWII, Western European countries such as Germany, France and Italy were structurally destroyed, socially in disarray and in dire need of an economic boost. Ikenberry places significant importance on the vulnerability of Western Germany, noting that its proximity to USSR control was critical to take under wing, maintaining influence thereover to act as a symbol of European submission. The United States thus had a choice: either leave the nations to suffer on their own, or take responsibility in the reconstruction of Europe. As David Lake states: "to accept the authority of another state over more or less of one's own policies is an awesome decision, perhaps the most important one a state can make."¹⁹ Having consequently decided on the latter, with the European Recovery Program (ERP), the newly-freed Western Europe relied on the United States for not only the reconstruction of its infrastructure, but also its reformation of society from an autocratic to a democratic government. Even though the United States was sacrificing its hard-earned and wealthy economy, it saw definite rewards for rebuilding European society. Realist Robert Gilpin theorizes that governments enter relations and social structures to advance their own interests, and this situation was no different.²⁰ This social structure was reciprocal in nature: with no other options in sight, Europe, and the demolished countries therein, entered this state of affairs to exit the economic and political despair they were in, and in return, the United States was able to incorporate its own values into the rebuilding process as

¹⁶ Jane Burbank and Frederick Cooper, *Empires in World History: Power and the Politics of Difference*. Princeton University Press, 2010, Chapter 1. "Order can also be based on command. Disparities of power allow a lead state to dominate and control lesser states. States are integrated vertically in superordinate and subordinate positions. Command-based order can vary widely in terms of the degree to which the hierarchical terms of order are enforced through coercion or if there are also elements of autonomy, bargaining, and reciprocity."

¹⁷ Ikenberry, G. John. "The Logic of Order: Westphalia, Liberalism, and the Evolution of International Order in the Modern Era." *Power, Order, and Change in World Politics*. Cambridge University Press, Cambridge, 2014, Page 99. See also: Ikenberry, G. John, et al. *International Relations Theory and the Consequences of Unipolarity*. Cambridge University Press, 2011.

¹⁸ Ikenberry, G. John. "Conclusion: An Institutional Approach to American Foreign Economic Policy." *International Organization*, Volume 42, Issue 1, 1988, Page 233.

¹⁹ Lake, David A. "Dominance and Subordination in World Politics: Authority, Liberalism, and Stability in the Modern International Order." *Power, Order, and Change in World Politics*. Cambridge University Press, Cambridge, 2014, Page 64.

²⁰ Gilpin, Robert. *War and Change in World Politics*. Cambridge University Press, 1983, Page 9.

financial provider. As asserted by Burbank and Cooper, this interaction is a prime example of gaining power through reciprocity.

Named after the then-present Secretary of State, George C. Marshall, the ERP provided 13 billion USD to the rebuilding of Western European countries.²¹ Although literature suggests that the US aid delivered to Western European countries did not have as big of an impact as many presume, I suggest that it is *highly likely* that the resurrection of Europe would not have happened nearly as quickly, nor as effectively, without the relief provided by the United States.²² Largely undisputed is its capacity to open and maintain the trade market for the economies involved, and without it, the democratic institutions and commitment to an open market would have deteriorated.²³ The following graphs act as a visual representation of this rapid growth post-WWII:

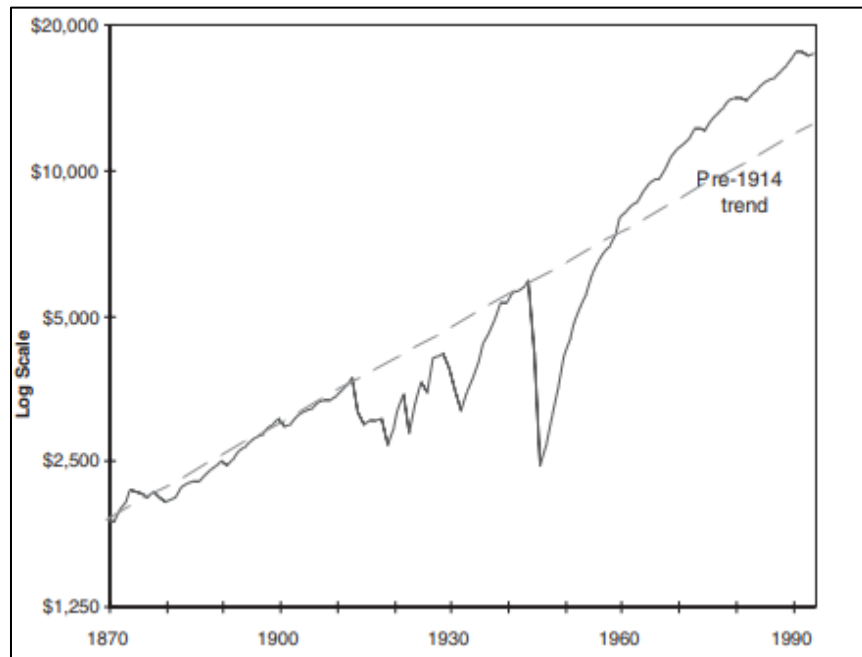


Figure 1.1: Germany (West): GDP per capita, 1870-1994²⁴

²¹ Agnew, John A, and J. Nicholas Entrikin. *The Marshall Plan Today: Model and Metaphor*. Routledge, 2004. Pages 1-10.

²² See generally: Eichengreen, Barry, et al. "The Marshall Plan: Economic Effects and Implications for Eastern Europe and the Former USSR." *Economic Policy*, Volume 7, Issue 14, 1 April 1992, Pages 13-75.

²³ *Ibid.*

²⁴ Agnew, John A, and J. Nicholas Entrikin. *The Marshall Plan Today: Model and Metaphor*. Routledge, 2004. Page 27.

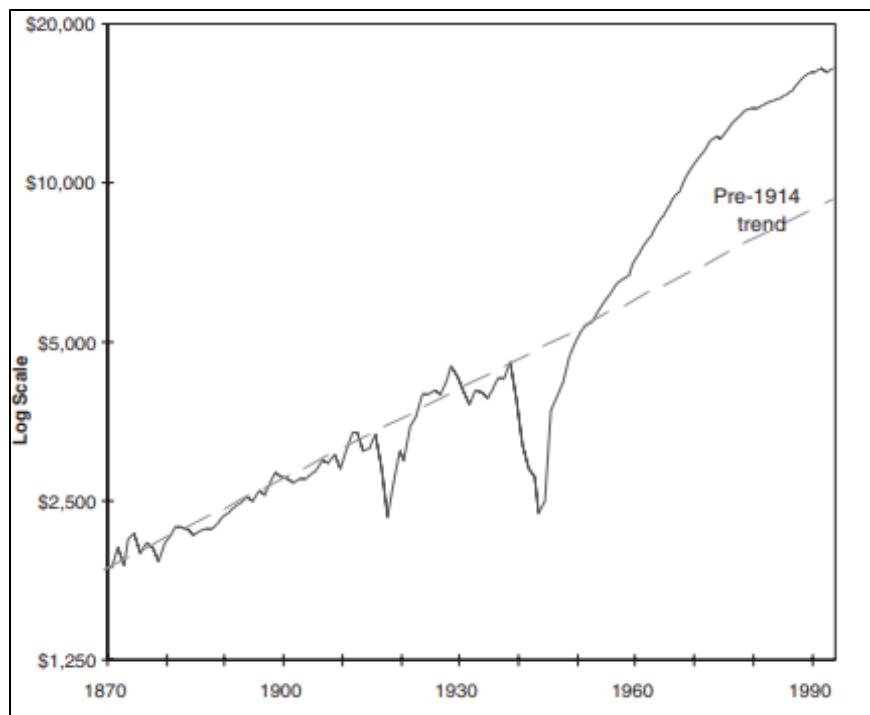


Figure 1.2: France: GDP per capita, 1870-1994²⁵

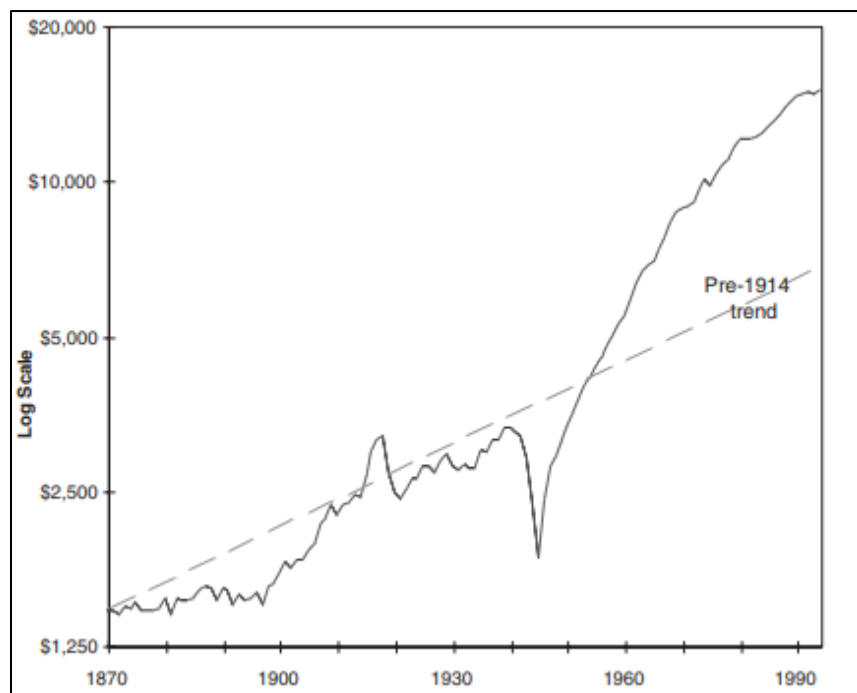


Figure 1.3: Italy: GDP per capita, 1870-1994²⁶

²⁵ Agnew, John A, and J. Nicholas Entrikin. *The Marshall Plan Today: Model and Metaphor*. Routledge, 2004. Page 28.

²⁶ *Ibid.* Page 29.

As **Figure 1.1, 1.2, and 1.3** demonstrate, the economy of Western Germany, France and Italy drastically rose around the year of 1945, the same year they became recipients of the ERP implemented by the United States. John Agnew, author of *The Marshall Plan Today: Model and Metaphor*, claims that “by 1960 all countries’ economic product was higher than not just the best interwar performance, but it was well above levels that would have been predicted by extrapolating pre-1939 or pre-1914 trends into the indefinite future.”²⁷ This affirms that European powers would have been in a far lower economic state without the assistance from the US. With this exchange, America’s economy, too, experienced a surge of success. American businesses were expanding in Europe, and vice versa, providing a beneficial trade to both continents. Although we will never know if the same would have happened had the United States decided to turn a blind eye on the crumbling Europe, it is apparent that this decision led to the redevelopment of an international order. While Europe was still wary of its proximity to USSR, and already grateful towards the United States for the defeat over Hitler, the United States was welcomed as an international leader, thus establishing a hierarchy within the international community.

Although the aspect of ruling through compliance has been discussed, David Lake argues that an international order can only function with a superior/inferior complex, such as the one that stemmed from this financial exchange, as long as the inferiors recognize the dominants’ rule as legitimate.²⁸ This legitimacy, as defined by former Secretary of State and National Security Advisor Henry Kissinger, “implies the acceptance of the framework of the international order by all major powers, at least to the extent that no state is so dissatisfied.”²⁹ Having conquered the Nazi regime, and acted as a savior to the majority of Europe, the United States had thus gained its authority through legitimate domination- which by many is considered a more stable source of ruling than coercion.³⁰ Major European powers were both financially indebted to America through the Marshall Plan and socially beholden for it having spearheaded not only its own democratic systems, but those around the world as well. Note, this benefitted Europe and the United States alike: the more democratic governments, the less threats to their own people. This compliance, as Kissinger suggests, does not exist without an expiration date: as soon as the conforming states are displeased, they are likely to realign their priorities, and thus, too, the international order.³¹ Without the events leading to the surrendering of the Nazis to the Allied forces, the United States would perhaps not have had the approval and compliance of the

²⁷ *Ibid.* Page 27.

²⁸ Lake, David A. “Dominance and Subordination in World Politics: Authority, Liberalism, and Stability in the Modern International Order.” *Power, Order, and Change in World Politics*, Cambridge University Press, Cambridge, 2014, Page 63.

²⁹ Kissinger, Henry. *A World Restored: Metternich, Castlereagh and the Problems of Peace 1812 –1822*, Echo Point Books & Media, 2013. Page 1.

³⁰ Ikenberry, G. John. “Introduction: Power, Order, and Change in World Politics.” *Power, Order, and Change in World Politics*, Cambridge University Press, Cambridge, 2014, Page 8.

³¹ Kissinger, Henry. *A World Restored: Metternich, Castlereagh and the Problems of Peace 1812 –1822*, Echo Point Books & Media, 2013. Page 1.

international community and therefore, too, not secured its position as hegemon. The Marshall Plan, described by Agnew as a “truly multilateral, even if strongly pushed by the United States... [e]ven the smallest countries could participate. It was, therefore, a demonstration of world leadership more than imperialism.”³²

An argument supported by Lake, the United States would not have gained such legitimacy -nor then power- without a strong demonstration of compliance.³³ Even years before, when the United States first took upon itself the role as a luminaire, Winston Churchill made clear the responsibility that was now in the hands of the strongest nation in the world. His words to Harvard students in 1943 were broadcasted throughout the nation, generating widespread sentiments for the gravity of this reality: “You cannot stop.”³⁴ Insofar as the United States was concerned, the international community (or, at least Western Europe) was practically granting America the right to lead the world. This consent may have been the key to all of America’s success and power in its leadership.

The United States neither feared its role, nor took its opportunity as leader as definite. At the year of its suggestion for implementation in 1947, Marshall himself delivered a speech at Harvard University, declaring that “the role of this country should consist of friendly aid in the drafting of a European program and of later support of such a program so far as it may be practical for us to do so.”³⁵ Important to note is the boundaries he had set within this one singular sentence: with this program, America was accepting the commitment as financial savior to the European countries crippled from the war, yet only doing so until it no longer benefits the nation of the United States. This realist affirmation confirms the lengths of which the United States was willing to go, while also disclosing the true limits of its generosity.

Furthermore, imperative to recognize is that this rise in authority of the United States and concurrent increase in European dependence was matched with expanded American-led initiatives. Relying on the United States for generous financial assistance, the European nations became more and more influenced by the American formation of liberal democracies, almost mirroring its semblance.³⁶ As scholar John A. Agnew describes it, the Marshall Plan was the

³² Agnew, John A, and J. Nicholas Entrikin. *The Marshall Plan Today: Model and Metaphor*. Routledge, 2004. Page 18.

³³ Lake, David A. “Dominance and Subordination in World Politics: Authority, Liberalism, and Stability in the Modern International Order.” *Power, Order, and Change in World Politics*, Cambridge University Press, Cambridge, 2014, Page 69.

³⁴ “The Gift of a Common Tongue.” *The International Churchill Society*, 6 Sept. 1943, www.winstonchurchill.org/resources/speeches/1941-1945-war-leader/the-price-of-greatness-is-responsibility/. Date accessed: June 15, 2018.

³⁵ “The ‘Marshall Plan’ Speech at Harvard University, 5 June, 1947.” Students, Computers and Learning - Making the Connection - En - OECD, www.oecd.org/general/themarshallplanspeechatharvarduniversity5june1947.htm. Date accessed: June 10, 2018.

³⁶ Ikenberry, G. John. “The Logic of Order: Westphalia, Liberalism, and the Evolution of International Order in the Modern Era.” *Power, Order, and Change in World Politics*, edited by G. John Ikenberry, Cambridge University Press, Cambridge, 2014, Page 92, 94.

epitome of American imperialism as “the funds and the American ideas for how they should be spent poured into western Europe where they influenced the course of both ideology and institutions over the next 50 years.”³⁷ As Stephen Krasner claims in his book *Sovereignty: Organized Hypocrisy*, the United States took the opportunity to prevail over these weakened nations, and through measures such as the Marshall Plan, it managed to promote American interests and create more democratic regimes- emblematic of their foreign policy agenda.³⁸

Therefore, I argue that the United States’ deciding moment of unequivocal authority may not be the Victory in Europe Day in 1945, which marked the complete annihilation of the Nazi regime, but rather, the establishment of the European Recovery Program (ERP), whereby states were weakened by the need for economic assistance while America strengthened its grip on world power. Although I will further discuss the significance of the international community’s reliance on monetary assistance by the United States in the next sub-chapter, it is constructive to first address the characteristics of the United States as a world leader.

As discussed by authors Jane Burbank and Frederick Cooper, world powers rise and fall. However, the United States has been in charge for an unforeseen eternity. So, *what distinguishes this world power from its predecessors?* Ikenberry theorizes that the United States has succeeded in maintaining its position with three substantial components, of which two are relevant to my argument: the American-led order is officialized in a “rule-through-rules” and a “rule-through-relationships” system.³⁹ Ikenberry describes this rules-based structure as an “unusually dense, encompassing, and broadly endorsed system of rules and institutions reduces the role of brute power...it is a more open and rule-based order than previous historical orders...[which] has made it easier for other states to work with and connect to the United States.”⁴⁰ He also clarifies that with these institutions, the United States is bound by and to its allies, reducing the motives for other states to disrupt the power balance, especially considering that they have already accepted America as hegemon.⁴¹ Moreover, these relationships have become fundamental in the expansion of the United States as a world power. According to Anne-Marie Slaughter, the network-friendly and regulation-based system are the key to legitimizing United States’ authority, and must be nurtured if it wishes to continue its role as leader.⁴² As previously

³⁷ Agnew, John A, and J. Nicholas Entrikin. *The Marshall Plan Today: Model and Metaphor*. Routledge, 2004. Page 1-10.

³⁸ Krasner, Stephen D. *Sovereignty: Organized Hypocrisy*. Princeton University Press, 2001. Page 204. “When the ‘iron curtain’ had descended over Europe, American policy makers formulated a coherent strategy for countering the soviet threat and promoting American interests. They were determined to create democratic regimes... through the Marshall Plan and other measures, they provided American support for European domestic actors who shared these goals.”

³⁹ Ikenberry, G. John, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*, Princeton University Press, 2011. Page 98.

⁴⁰ *Ibid.* Page 97.

⁴¹ *Ibid.* Page 97.

⁴² See generally: Slaughter, Anne-Marie. “America’s edge: Power in the Networked Century.” *Foreign Affairs*, Volume 88, Issue 1, 2009, Pages 94-113. Slaughter, Anne-Marie. “How to Succeed in the Networked

mentioned, other nations decide the legitimacy of a power- without the approval and compliance by other states, a nation has no real authority over others.

A prime example of this rules-based system is the Foreign Assistance Act- a fundamental development that guaranteed international dependence on the United States through the same exchange granted by the Marshall Plan. The correlation between the FAA and increased international reliance on the United States will be discussed in further detail in the next sub-chapter, while also describing the idealistic mission America had set out for itself as leader. Furthermore, even though past international systems have been dominated by a singular state, what separates the United States is its commitment to engagement with the rest of the leading nations, the latter characteristic of the distinctions previously mentioned. "Unlike an imperial system, governance in this order takes place in a variety of formal and informal venues in which multiple states take the lead or operate in concert."⁴³ An example of this would be the formation of the G7 and G20 partnerships, a coalition of the top most powerful countries in the world, a topic on which I will elaborate further in Part III. Important to note as well, is that the aforementioned nations (Germany, France, and Italy) that may have only survived with the ERP are now members of the G7 club. Therefore, understanding these two distinctive features of the United States' authority provides the foundation for fully grasping how the Global Gag Rule exists in this rules-based and network-friendly system, and most importantly, its potential to instigate a more self-sustainable world.

Development of International Reliance through the FAA

The United States has famed itself as a world power by shaping the international system with the implementation of a rules-based arrangement that has been approved and accepted by the international community. However, it was with this rules-based system that both functioned on and perpetuated a networking system amongst other nations, that caused an increased international reliance on the United States. While the United States had already been reputable as a source of financial assistance, it was not until the end of WWII that it used this as a form of international control.⁴⁴ What marked this was the birth of the Foreign Assistance Act of 1961 (FAA), which conglomerated the pre-existing foreign assistance programs and organizations into one coherent institution- the United States Agency for International Development (USAID). Under the presidency of John F. Kennedy, the creation of USAID pioneered what would be the pillar of the nation's foreign policy agenda. USAID, "the government agency primarily responsible for distributing U.S. funds to foreign countries in furtherance of the U.S. government's foreign

World." *Foreign Affairs*, Volume 95, Issue 6, 2016, Pages 76-89. Slaughter, Anne-Marie. *A New World Order*. Princeton University Press, 2004.

⁴³ Ikenberry, G. John, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*, Princeton University Press, 2011. Page 98.

⁴⁴ The United States has a long history of providing financial aid to countries in need: the Committee for Relief in Belgium (CRB) in WWI, the post-war American Relief Administration (ARA) directed by Herbert Hoover, and also the Russian Famine Relief Act of 1921.

policy objectives,”⁴⁵ exemplifies the United States’ official foreign policy institution. As Ikenberry claims, “an entire set of foreign and economic policy institutions were created [after WWII], and they have persisted even as the international events that triggered these efforts at state-building have changed.” The FAA was launched with the intention to support other nations in their journey to self-sustainability. In his remarks to the United States Congress on March 22nd, 1961, John F. Kennedy pronounced:

“We are, I am convinced, on the threshold of a truly united and major effort by the free industrialized nations to assist the less-developed nations on a long-term basis. Many of these less-developed nations are on the threshold of achieving sufficient economic, social and political strength and self-sustained growth to stand permanently on their own feet. The 1960's can be--and must be--the crucial "Decade of Development"--the period when many less-developed nations make the transition into self-sustained growth--the period in which an enlarged community of free, stable and self-reliant nations can reduce world tensions and insecurity.”⁴⁶

The United States had hence continued its role in lending a hand to the developing world, and taken the responsibility to bring sovereignty to other nations. It is important to note that at the beginning of his speech John F. Kennedy rhetorically asked why the United States must be the one to endure the burden of providing such foreign aid, why they cannot relieve themselves of their role as a global herald. He then reflected on the history of his own nation, assuring his people that “as a nation no longer dependent upon the loans from abroad that once helped us develop our own economy,” they must persevere in their commitment to creating a democratic and self-sustainable world.⁴⁷ The agency, “advances U.S. national security and economic prosperity, demonstrates American generosity, and promotes a path to recipient self-reliance and resilience.”⁴⁸ The goal thus seems to have been advertised as shaping a world of self-sustainability, but has, in effect, actually led the international community to grow ever-more dependent on the guidance and generosity of the United States.

While these programs were advertised as promoting democracy, their financial provisions were not unconditional subsidies. By establishing such initiatives, the United States was able to promote their own national interests, for “liberal democracies have sought to create global

⁴⁵ Crimm, Nina J. "The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home." *Cornell International Law Journal*, Volume 40, Issue 3, Fall 2007, Page 588.

⁴⁶ John F. Kennedy. "Special Message to the Congress on Foreign Aid.," March 22, 1961. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=8545>. Date accessed: June 15, 2018.

⁴⁷ *Ibid.*

⁴⁸ *U.S. Agency for International Development*, www.usaid.gov/. Date accessed: June 20, 2018.

institutions that are imbued with the same political values they embrace at home.”⁴⁹ The implementation of the FAA, and too the establishment of USAID, the United States had inaugurated an impenetrable rule-based system: providing financial aid to developing countries, and in return its foreign policy expanded from border to border. According to Agnew, what set America apart from other superpowers was “its desire and ability to export its ethos of organized capitalism so as to build and protect its base at home.”⁵⁰ However, as Ikenberry has theorized, this rules-based system would not have functioned had there not been prior support and approval by the rest of the Western world.

As mentioned in the previous paragraphs, the development of the FAA and USAID created an imbalanced international order between dominant and subordinate nations. However, this dynamic was accepted and adapted by the international community; even Lake contends that such a system can operate with the approval of the remaining major nations, even if the regulations are in favor of the dominant power.⁵¹

Describing the theory behind a governments foreign policy, Charles Kupchan explains that hegemony influence abroad “the norms and rules that prevail at home.”⁵² A hegemon will naturally build world orders that reflect their own interests. He further justifies this phenomenon of a governments foreign policy by disclosing that “they [hegemonies] press outward the norms that shape their domestic orders because hegemonies, just like unitary states, are social entities, not just material instruments of control; they reflect the hegemon’s own values and norms as well as its preponderant power.”⁵³ Hence, the US took this opportunity to influence the restructuring of the world with its own interests and values, essentially shaping the world in its own image with its foreign policy. William Wohlforth brilliantly sums up the American foreign policy agenda into a set of steps, clearly demonstrating the intricate connection between upholding commitments (relationships) and American leadership. Of these steps I will mention five most relevant to this thesis:

1. “America’s multifarious security commitments to partners and allies make core regions more secure – which makes the world safer for the US.
2. The commitments also allow Washington to shape the security environment facing potential rivals to induce them to

⁴⁹ Ikenberry, G. John. “The Logic of Order: Westphalia, Liberalism, and the Evolution of International Order in the Modern Era.” *Power, Order, and Change in World Politics*, Cambridge University Press, Cambridge, 2014, Page 99.

⁵⁰ Agnew, John A, and J. Nicholas Entrikin. *The Marshall Plan Today: Model and Metaphor*. Routledge, 2004. Page 7.

⁵¹ Lake, David A. “Dominance and Subordination in World Politics: Authority, Liberalism, and Stability in the Modern International Order.” *Power, Order, and Change in World Politics*, Cambridge University Press, Cambridge, 2014, Page 69.

⁵² Kupchan, Charles A. “Unpacking Hegemony: the Social Foundations of Hierarchical Order.” *Power, Order, and Change in World Politics*, edited by G. John Ikenberry, Cambridge University Press, Cambridge, 2014, Page 26.

⁵³ *Ibid.*

accommodate its core interests and, should that fail, constitute a hedge against the need to contain a future peer rival.

3. The commitments are a necessary condition of US leadership. Without the commitments, US leverage for leadership declines.

4. Leadership is a necessary condition of institutionalized cooperation to address classical and new security challenges, and that cooperation promotes US security.

5. US leadership also facilitates cooperation on the global economy, and moves the cooperative equilibrium closer to US preferences.”⁵⁴

Evident here is that the United States has long been dedicated to forming lasting relationships with the rest of the world both to preserve its position as leader and then to further their own foreign policies. As previously mentioned, these relationships provide the legitimacy the United States relies on for its power, and it is with this granted acceptability that the United States is able to import its values on the rest. The ‘commitments’ mentioned in Rule 1 are interpreted as the United States’ commitments to provide financial assistance in return for partnership and the officialization of allies. Wohlforth resolves that these steps are almost cyclical in practice; the commitments as a leader are perpetuated by the approval and cooperation of the international community, which provides the comfort of security, which also allows the United States to spread its values and interests, and the commitments it has made to the international community in return. With the commitment made by the United States to aid in the reconstruction of Europe, Europe committed its compliance, preserving the power of the United States over the yielding nations, and the making of the hegemon. However, without the key aspect of maintaining relationships with the international community, which ensures its legitimacy and acceptance, the United States would not have accomplished much at all. Thus, the combination of both a network and rule-based system is vital to persevering in its role as hegemon.

Concluding Remarks

Following WWII, the international community became reliant on the United States through the introduction of the ERP (Marshall Plan). This program provided Western European countries with aid to rebuild its nations, reform its societies and in turn, the United States received legitimate leverage over the receiving nations. Then, with the establishment of the FAA, America had formed a rule-based system within the international community. It laid the foundation for America’s foreign policy agenda, and in doing so, ensured that the developing world, with monetary assistance from the US, would be shaped by American political values for decades to come. Not only this, but the multilateral approach through the Marshall Plan also created the

⁵⁴ Wohlforth, William C. “Hegemonic Decline and Hegemonic War Revisited.” *Power, Order, and Change in World Politics*, edited by G. John Ikenberry, Cambridge University Press, Cambridge, 2014, Page 112.

space for a network friendly system. One of these values, the emerging importance of family planning and focus on women's reproductive rights and health, was in chorus gaining global attention. Hence, a decree in a regulation-based system was initiated: the ominous and silencing Global Gag Rule.

PART II: AMERICAN REGULATIONS VIOLATING WOMEN'S RIGHTS WORLDWIDE

Given the indefinite avenues of study within the subject of US foreign policy, *why inspect the Global Gag Rule?* It is a three-decade old policy that has single-handedly halted the progression of women's reproductive rights and the development of countries around the globe. It has hindered advancement in sexual and reproductive health research within developing countries, forced institutions to decide between critical US financial aid and the welfare of its own citizens, and although claimed by right-wing politicians to decrease the numbers of abortion practices, the research to back such a claim proves nonexistent. The GGR is only a small cog within the mechanism that is the foreign policy agenda, yet has had a major impact on the stigmatization of women's reproductive rights and the successful restriction thereof. However, when reflecting on its existence within the American foreign policy strategy, one can gain a more comprehensive view of the United States' own values, how it is failing to meet international human rights standards, neglecting its commitments as a world leader, and ultimately, causing a change in the international order.

Helpful to acknowledge is that this policy targets women in particular- an already disadvantaged group in society. This policy was envisioned and executed by men in power who have no personal experience in being vulnerable to having unwanted pregnancies, inability to exit an unhappy marriage, the fear of delivering a child from rape or complications that arise during pregnancy. However, it is these men who have built this unbalanced system of power where women find themselves being subjected to cruel and unlawful regulations. Cynthia Enloe asserts that the marginalization of women continues to exist as a widespread reality. Enloe describes the tendency of scholars to examine the most evident influencers of power, political play and order to resolve the ever-rising question of how such a system seems unmalleable and impenetrable. However, it is this mistake that has perpetuated not only the same, ineffectual results, but also the continued dissemination of the marginalized. By not investigating the singular population that is considered as the lowest tier, yet is the most harmed by its existence, we are unable to perceive this structure in its full breadth and depth. For it is within these communities, as Enloe suggests, that a real impact on the shape of the order could possibly occur.

“By definition, people on the margins, those who are silenced, those perched on the bottom rung, are precisely those who, for whatever reason—and the reasons may be grossly unjust—lack what it takes to have a meaningful impact on the course of those particular events that together cause certain regional or world

patterns to take the shape they do. Silenced marginalized people hovering on the lower rungs of any international hierarchy may be able to find the voice to sing while doing their laundry, may be able to affect the local patterns of intermarriage [...].”⁵⁵

Enloe sheds light upon the influence women could seriously have on social and political order if only they were given the consideration. Through time and events, women have been bunched into the bottom rung, without capacities to change their lives; yet, it is exactly these women, who have experienced first-hand the injustices of this power dynamic and world order, that have the drive and aptitude to reverse the detrimental effects if given the platform to do so. Utilizing the foundation that Enloe has built on recognizing those at the bottom of the power structure, this thesis will analyze the GGR as a silencer of the marginalized women across the globe.

Triad of Reproductive Rights Regulations

During the “Decade of Development,” the United States experienced a revolution in women’s reproductive rights. What sparked the beginning of a long-standing battle to secure these rights was the publicizing of the thalidomide and German measles epidemic in the early 1960s. More specifically, it was the 65,000 women who gave birth to babies with multiple deformities which could have been prevented if they had not been denied access to legal and safe abortions. Although the topic of abortion had largely been taboo, it remained a common reality amongst women with already too many children, an unhappy marriage, or victims of rape. Discussed in hushed tones over completing chores, stories of taking poison or surviving a backstreet surgery by an unlicensed medical practitioner were shared between women who could come together to provide support for whichever situation, as they all understood not only the gravity but also the lasting sentiments of shame and fear. Yet, the event of this epidemic instigated an interest amongst the American people to establish more liberalized abortion laws. At the same time, the world became wary when witnessing a rise in global population due to lower death rates matched with increased fertility rates among disadvantaged women in developing countries.⁵⁶ The combination of these events caused an increase in awareness of women’s role as child-bearers, and thus, as leader of the international community, America prioritized constructing international family planning initiatives.⁵⁷ However, when the American approval of providing foreign assistance was disintegrating, President Kennedy was forced to remind the nation that there remains a “positive interest in helping less-developed nations provide decent living standards for their people and achieve sufficient strength, self-respect and independence to

⁵⁵ Enloe, Cynthia. *Curious Feminist: Searching for Women In a New Age of Empire*, University of California Press, 2004. Page 22.

⁵⁶ See generally: Seltzer, Judith R. *The Origins and Evolution of Family Planning Programs in Developing Countries*. Rand Corp., 2002. Sauer, R. “Attitudes to abortion in America, 1800–1973.” *Population Studies*. Volume 28, Issue 1, 1974, Pages 53-67.

⁵⁷ Crimm, Nina J. “The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home.” *Cornell International Law Journal*, Volume 40, Issue 3, Fall 2007, Page 593.

become self-reliant members of the community of nations."⁵⁸ America was feeling the burden of responsibility as leader, but Kennedy insisted that it was their duty to bring the privilege of sovereignty to the developing world. With family planning initiatives at the forefront of America's foreign policy objectives, President Kennedy encouraged Congress to approve section 22 U.S.C. § 2151b of the FAA which "authorized research on international family planning and empowered the president to devise foreign policy on global population issues and health programs."⁵⁹ This section laid the bed in which the roots of the Global Gag Rule are planted; it was at this time that the United States officiated its role as a leading nation for global health and development, with women's health and reproductive rights- an undoubtedly personal matter- edging closer to this nation's foreign affairs agenda.

Shortly thereafter, the matter of women's reproductive health underwent some major developments. It was with the Supreme Court case of *Griswold v Connecticut* of 1965 that the subject of contraceptives sparked even more consideration to women's health, though at first only in the United States. Here, the Supreme Court decided that prohibiting the access to and use of contraceptives was unconstitutional, and a direct violation of a human's right (specifically that of women).⁶⁰ Unbeknownst to many, this essential case on the security of women's rights was initiated by the head of the well-known establishment of Planned Parenthood, a family planning and women's reproductive health organization that still exists today.⁶¹ This organization was built in 1916 on the foundation of providing services to the marginalized- women in underprivileged societies and those of minorities.⁶² This court case was monumental in ensuring women's right to contraceptives, as it was understood that they were highly effective in preventing overpopulation, unwanted pregnancies, unsafe abortions and potential maternal morbidity.⁶³

However, this step towards ensuring women's sexual health and reproductive rights was met with a wave of opposition by religious groups across the nation. The matter of health and rights then became one of morality: was abortion a homicide, were contraceptives a sin and defying God's plan to procreate and spread more Christianity, would contraceptives lead to an outbreak of wild women? Thus, following the famous court case of *Roe v Wade*, the Helms Amendment

⁵⁸ "John F. Kennedy. "Special Message to the Congress on Foreign Aid. - March 22, 1961." *The American Presidency Project*, www.presidency.ucsb.edu/ws/?pid=8545. Date accessed: June 15, 2018.

⁵⁹ "22 U.S. Code § 2151b - Population Planning and Health Programs." *LII / Legal Information Institute*, www.law.cornell.edu/uscode/text/22/2151b. Date accessed: June 22, 2018.

⁶⁰ *Griswold v. Connecticut*, 381 U.S. 479 (1965).

⁶¹ "Griswold v. Connecticut." *Oyez*, 3 Aug. 2018, www.oyez.org/cases/1964/496. Date accessed: July 20, 2018.

⁶² See generally: Planned Parenthood. "About." *Planned Parenthood Action Fund*.

www.plannedparenthoodaction.org/about-us. Date accessed: June 20, 2018. Seltzer, Judith R. *The Origins and Evolution of Family Planning Programs in Developing Countries*. Rand Corp., 2002. Page 42.

⁶³ Parenthood, Planned. "Birth Control." *Planned Parenthood Action Fund*.

www.plannedparenthoodaction.org/issues/birth-control. Date accessed: June 20, 2018.

was added to the US Foreign Assistance Act in 1973.⁶⁴ Then, under the presidency of Ronald Reagan, the Kemp-Kasten Amendment was enacted as part of a United States appropriations law in 1985, a year after the birth of the Global Gag Rule.⁶⁵ These three regulations have been the result of the anti-choice movement in the United States and simultaneously the cause for more destruction to women's rights. In the next paragraphs, I will describe how each of these regulations came into play, how they have impacted the international health and development agenda, and how they work together to detangle any efforts made by women's rights movements.

Helms Amendment

While the world was increasingly faced with the topic of abortion, contraceptive use, and women's sexual and reproductive health rights were being lawfully established, religious-based groups were strengthening their power of opposition. This obstruction "grew from a set of beliefs about the role of modern contraception in promoting promiscuity, moral breakdown and the weakening of the traditional male-dominated family structure."⁶⁶ However, these religious groups encountered their worst nightmare, when in 1973 the Supreme Court ruled in *Roe v Wade* that States' laws prohibiting abortions were unconstitutional; though balancing the protection of potential life and the woman's health was met by tying state laws to the third trimester, this case is widely considered a win for women's reproductive rights.⁶⁷

Yet, as Nina J. Crimm rightfully acknowledges in her title "The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home," the United States soon realized that they can both allow their own people to benefit from a full realm of reproductive rights without necessarily having to do the same for the developing countries it was sponsoring. The Helms Amendment of 1973 is a prime example of this distribution of rights.⁶⁸ In the same year of *Roe v Wade*, the United States added the Helms Amendment to the US FAA, which in turn proclaimed that "no foreign assistance funds may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions."⁶⁹ The opposing religious groups had been determined to have their interests and values heard and upheld, and thus, no organizations abroad were permitted to use United

⁶⁴ Crimm, Nina J. "The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home." *Cornell International Law Journal*, Volume 40, Issue 3, Fall 2007, Pages 596-597.

⁶⁵ Farkas, Rachel. "The Bush Administration's Decision to Defund the United Nations Population Fund and Its Implications for Women in Developing Nations." *Berkeley Journal of Gender, Law & Justice*, Volume 18, Issue 1, 2003, Page 245.

⁶⁶ Crane, Barbara B. and Jennifer Dusenberry. "Power and Politics in International Funding for Reproductive Health: the US Global Gag Rule." *Reproductive Health Matters*, Volume 12, Issue 24, November 2004, Page 130.

⁶⁷ *Roe v. Wade*, 410 U.S. 113 (1973).

⁶⁸ The Amendment is named after former Senator Jesse Helms of North Carolina, a Republican who was known for being against government programs.

⁶⁹ "Global Health Legislative & Policy Requirements." *U.S. Agency for International Development*, www.usaid.gov/what-we-do/global-health/cross-cutting-areas/legislative-policy-requirements. Date accessed: June 26, 2018.

States funding for the services of abortions as a method of family planning, directly curtailing the potential progress being made in population control in developing countries. Kennedy's famous words on the intent of the FAA, that it is a representation of "our efforts to help them help themselves,"⁷⁰ were only efforts that the United States' people would deem morally correct despite the fundamental need for aid abroad.

Further efforts by these opposition groups include the enactment of the Hyde Amendment of 1976, a monumental major legislative gain by pro-life groups. This amendment directly curtailed the decision made in *Roe v Wade*, and asserted that Medicaid-funded abortions were prohibited except in the cases of incest or rape, or where the mother's life is endangered.⁷¹ Although a pregnant Medicaid recipient challenged this legislation, with the decision made in the Supreme Court case *Harris v McRae*, her attempt resulted in no avail.⁷² This further targeted underrepresented communities as those who were on the government subsidized Medicaid were most likely already suffering economically and the most in need of aid to finance the termination of unwanted pregnancies.⁷³ Without this protection, women are forced to decide between giving the unwanted child up for adoption, raising it in a home without provisions, or undergoing a risky backstreet abortion to avoid the other options all together.

Kemp-Kasten Amendment

During the presidency of Nixon, it became apparent that abortion in America had evolved from a women's health matter to a moral one.⁷⁴ Then, under the presidency of Ronald Reagan, who supported the religious pro-life movement to further his platform and secure his reelection, the movement for women's reproductive rights hit a hard wall, which has since been difficult to tear down. In 1985, the Kemp-Kasten Amendment was added to a United States appropriation law and determines that foreign aid to any organization involved in coercive abortion or involuntary sterilization is prohibited. Since 1969, the US had been a member of United Nations Population Fund (UNFPA), and following this new rule, the United States underwent a lengthy investigation of China in order to determine if their one-child-policy was a result of US funding. Although the US never found such a connection, and to avoid further shame, the United States terminated its entire \$36 million contribution to UNFPA.⁷⁵

⁷⁰ "12 March 1962, Special Message on Foreign Aid." *John F. Kennedy Presidential Library and Museum*, www.jfklibrary.org/Asset-Viewer/Archives/JFKPOF-050-012.aspx. Date accessed: June 4, 2018.

⁷¹ "State Funding of Abortion Under Medicaid." *Guttmacher Institute*, 13 July 2018, www.guttmacher.org/state-policy/explore/state-funding-abortion-under-medicaid. Date accessed: July 20, 2018.

⁷² *Harris v. McRae*, 448 U.S. 297 (1980).

⁷³ Parenthood, Planned. "Hyde Amendment." *Planned Parenthood Action Fund*. www.plannedparenthoodaction.org/issues/abortion/hyde-amendment. Date accessed: July 20, 2018.

⁷⁴ Crimm, Nina J. "The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home." *Cornell International Law Journal*, Volume 40, Issue 3, Fall 2007, Page 596.

⁷⁵ See generally: Barot, Sneha and Susan A. Cohen "The Global Gag Rule and fights over funding UNFPA: The issues that won't go away." *Guttmacher Policy Review*, Volume 18, Issue 2, Spring 2015, Page 30. Farkas, Rachel. "The Bush Administration's Decision to Defund the United Nations Population Fund and Its Implications for Women in Developing Nations." *Berkeley Journal of Gender, Law & Justice*, Volume 18, Issue 1, 2003, Pages 240-244.

However, and more importantly, the Kemp-Kasten Amendment was initiated at nearly the same time as the UN Decade for Women began- a decade that marks the legislation of multiple international human rights provisions, especially on the protection of women's rights. One of the most significant of these is the Convention on the Elimination of All Forms of Discrimination Against Women in 1979. Although the Kemp-Kasten Amendment acted as the opposite of what the CEDAW's intentions were, I will discuss the CEDAW in further detail in Part III. Yet, before I describe the worth of this international human rights standard, it is vital to explain the most influential, detrimental, and discriminatory of the three reproductive rights regulations- the Global Gag Rule.

Global Gag Rule

The Global Gag Rule was first initiated under the administration of president Ronald Reagan at the International Conference on Population in Mexico City in 1984. Here, the US united with countries such as Iran, Libya, Syria, Sudan and even the Vatican to restrict both information on and access to abortion services.⁷⁶ Its effects were three-pronged: 1) it withheld funding for private hospitals, clinics and health organizations that performed or promoted abortions, 2) the policy forbade NGOs from advocating for liberalization or decriminalization of abortions in their own countries and 3) in those countries where abortion was permitted, the policy prohibited health workers at NGOs that were receiving US funding from providing abortion as a family planning option or referring women to safe abortion clinics.⁷⁷ From an increase in unsafe abortions to the decrease of receiving other necessary medical care, the harmful effects on women have been widespread. The GGR is also contradictory in essence; the United States is acting as financial provider to developing nations to become more self-sustainable, to enjoy the privileges of a democratic government, yet, restricts the right to freedom of speech, privacy, and association in developing countries across the globe who receive US funding with hopes of one day enjoying the same civil liberties.⁷⁸

Since its first enactment, the GGR has been implemented under every administration of a Republican president, and rescinded by every Democratic president. This had gone against the preferences of 80 percent of Americans who supported US financial aid for family planning initiatives in developing countries that would "enable women overseas to control the spacing and number of their children"⁷⁹ Thus, under the presidency of Bill Clinton in 1992, the GGR was

⁷⁶ "A Bad Policy Is Born – 1984-1993 « PAI – Gag Rule." *PAI – Gag Rule*, www.trumpglobalgagrul.pai.org/history/a-bad-policy-is-born/. Date accessed: June 10, 2018.

⁷⁷ *Ibid.*

⁷⁸ Crimm, Nina J. "The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home." *Cornell International Law Journal*, Volume 40, Issue 3, Fall 2007, Page 591.

"Public views about the GGR may be even more emotional, opinionated, and thorny because the rule elicits reactions, often religiously-based, about morality, abortion, women's rights to self-determination and dignity, NGOs' rights to freedom of speech and association, and NGOs' abilities to deliver essential health services."

⁷⁹ Neacsu, E. Dana. "Imposing Sexual Restraint Abroad," 11 MICH. ST. L. REV. 885, 887 (2002) (reporting that a 1999 Rand study revealed that four-fifths of Americans supported U.S. assistance for foreign family planning

rescinded for the first time. He declared it “had seriously undermined much needed efforts to promote safe and efficacious family planning programs in foreign nations.”⁸⁰ However, he was met with a complex situation in 1999, when, for the first time, any form of the gag rule was placed into statutory law. As a case of legislative blackmail, Clinton was forced by Congress to adapt a modified version of the gag rule in exchange for authorizing \$1 billion owed to the UN.⁸¹ Although Clinton was a vocal supporter for modern family planning initiatives, he was caught in the bureaucracy of the government, hands tied, and unable to do more for the global health and development agenda. Marking the year of the 20th anniversary of the *Roe v Wade* case, George W. Bush (a staunch republican) took over as president, and one of his first actions in office was to reinstate the GGR. As our American theocracy evolved “consistent with the suggestion that Americans have a proclivity for exporting their personal moral virtuosity, these elected politicians intentionally have inculcated foreign policy and foreign assistance policy with their own religious moral values.”⁸² This can be seen with the transition from president to president, democrat to republican, where the right-winged proclaim the necessity to uphold traditional values of family and absolve the issue of abortion- it being a moral sin in the eyes of God.

The supporters of this regulation, often religious-based groups, claim that its incentive is to reduce the number of abortions. As President Bush said in a White House press briefing: the GGR “will make abortion more rare.”⁸³ Despite these encouraging words, the results have demonstrated the opposite. In Zambia, the number of maternal deaths due to complications of unsafe abortions rose from 13 percent to 30 percent between 1974 and 1993.⁸⁴ The Director of a prominent NGO in Kenya asked: “How do Americans talk about equality of women and run away from reproductive health? The gag rule has let Kenya down. The gag rule has made women suffer. The gag rule has made more women die, because they can’t access safe family planning.”⁸⁵ A study done across sub-Saharan Africa confirmed that abortion number rose in countries with

initiatives that would enable women overseas to control the spacing and number of their children). *Found in:* Crimm, Nina J. “The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home.” *Cornell International Law Journal*, Volume 40, Issue 3, Fall 2007, Pages 587-634.

⁸⁰ William J. Clinton: “Memorandum on the Mexico City Policy,” January 22, 1993.

⁸¹ Barot, Sneha and Susan A. Cohen “The Global Gag Rule and fights over funding UNFPA: The issues that won't go away.” *Guttmacher Policy Review*, Volume 18, Issue 2, Spring 2015, Page 28.

⁸² *See generally:* Lefever, Ernest W., “Morality Versus Moralism in Foreign Policy,” *Found in:* Lefever, Ernest W., and Mark O. Hatfield. *Ethics and World Politics: Four Perspectives*. Ethics and Public Policy Center, 1988. Singer, Peter. *The President of Good and Evil: Taking George W. Bush Seriously*. Granta Books, 2004. (discussing President Bush’s policies in relation to his moral and religious beliefs); Ribuffo, Leo P., “Religion in the History of U.S. Foreign Policy” *Found in:* Abrams, Elliott. *The Influence of Faith: Religious Groups and U.S. Foreign Policy*. Rowman & Littlefield Publishers, 2001.

⁸³ Fleischer, A. White House press briefing, Washington, DC, Jan. 22, 2001.

⁸⁴ Population Action International, “Access Denied: US Restrictions on International Family Planning.” Washington, DC: Population Action International, 2005.

⁸⁵ Population Action International, “Access Denied: US Restrictions on International Family Planning. *Executive Summary*,” Washington, DC: Population Action International, 2005.

high-exposure to the GGR compared to those with low-exposure.⁸⁶ Similarly, a study done in Ghana shows an increase in unsafe abortion rates when the Global Gag Rule is in effect compared to when it is not.⁸⁷ “When enforced, it has led to the closing of some of the developing world’s most effective family planning programs.”⁸⁸ And an estimated 830 women die from preventable causes related to pregnancy and childbirth daily,⁸⁹ while nearly 214 million women of reproductive age in developing countries who wish to avoid pregnancy do not have access to contraceptives.⁹⁰

Additionally, not only is the GGR under the Trump administration the most harmful of its kind so far, it has also given a new name to this bad policy: “Protecting Life in Global Health Assistance.”⁹¹ Attempting to redefine its image, renaming this policy does not hide the reality that the Trump administration fails to protect the lives of women. This new version of the GGR was expanded to have an even larger effect on the international global health and development agenda: it prohibits US funding to organizations who use their own funds, or non-US funding, for abortion services. It also will apply “not only to recipients of family planning funding, but also to recipients of all global health assistance furnished by all US government departments or agencies.”⁹²

⁸⁶ Bendavid E, Avila P and Miller G, “United States aid policy and induced abortion in Sub-Saharan Africa.” *Bulletin of the World Health Organization*, Sept. 27, 2011. Pages 873-880.

⁸⁷ Jones KM, “Evaluating the Mexico City Policy: how US foreign policy affects fertility outcomes and child health in Ghana.” *IFPRI Discussion Paper* 01147, 2011, accessed May 31, 2015.

⁸⁸ Population Action International, “Access Denied: US Restrictions on International Family Planning.” Washington, DC: Population Action International, 2005.

⁸⁹ “Maternal Mortality.” *World Health Organization*, www.who.int/en/news-room/fact-sheets/detail/maternal-mortality. Date accessed: July 3, 2018.

⁹⁰ “Family Planning/Contraception.” *World Health Organization*, World Health Organization, www.who.int/en/news-room/fact-sheets/detail/family-planning-contraception. Date accessed: July 3, 2018.

⁹¹ “Global Health Legislative & Policy Requirements.” *U.S. Agency for International Development*, www.usaid.gov/what-we-do/global-health/cross-cutting-areas/legislative-policy-requirements. Date accessed: June 26, 2018.

⁹² Singh, Jerome A. et al., “Trump’s ‘global gag rule’: implications for human rights and global health.” *The Lancet*, Volume 5, Issue 4, April 2017, Pages 387-389. (“The Mexico City Policy extends this policy so that organisations that wish to use their own, or non-US, funds to undertake abortion-related services, but US federal funds to support programmes that are unrelated to abortions, are barred from receiving US federal funding. In effect, the Policy seeks to restrict activities that are deemed lawful in the USA (according to the *Roe v Wade* ruling) and many recipient countries, on partisan ideological grounds, even when US funds are not being used for those activities. Further, the version of this policy that President Trump reinstated will apply not only to recipients of family planning funding, but also to recipients of all global health assistance furnished by all US government departments or agencies. The implications are profound. US federal-funded NGOs and agencies focusing on diseases such as Zika virus, Ebola virus, tuberculosis, and AIDS but also providing family-planning-related services that even so much as mention abortion, could now be barred from receiving US federal funds.”)

According to a Human Rights Watch report on Trump's GGR, women and girls in nearly 60 developing countries will have less access to abortion, which will result in more unwanted pregnancies and more unsafe abortions.⁹³

Not only does this regulation restrict access to services relating to women's reproductive health, as previously mentioned, it is also a means to prohibit free speech, privacy, and association by interfering with the recipient's sovereignty. The GGR curtails the speech and activities of activists and health providers abroad, preventing them from sharing potentially vital information on health options with patients about abortion or advocating for potential reforms to abortion laws without losing their US funds.⁹⁴ This directly hinders the duty of a professional health care worker to provide care to its patients, while also interfering in the confidentiality ensured in a doctor-patient relationship. For example, in Kenya, where abortion is legal, health professionals are unable to refer their patients to abortion services or clinics, in fear of losing their funding.⁹⁵ Even if it is in the best interest of the patient, the health care professional (who vowed to meet the needs of their patient) can neither provide information on the subject of abortion, nor refer her to other clinics who could. This violates the responsibility of the health care professional to provide its patients with complete, individual and comprehensive care.⁹⁶ More so, it violates the right of the patient to receive "access to adequate health care facilities, including information, counselling and services in family planning" which is pointedly guaranteed in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), a treaty to which many developing countries are bound and would be encouraged to violate as well if they agree to the GGR.⁹⁷ Although I will discuss this further in the next sub-chapter, this plays a key role in the defilement of women's rights on a global level. This denial of access to information is multidimensional, also interfering with the collection of information. When an institution is receiving funds, it agrees to the GGR policy which directly restricts even its ability to do any research on the topic of abortion.⁹⁸ Without the ability to do any research on this topic, the United States is thus further hindering any knowledge about this practice- neither its potential detrimental nor beneficial effects. By doing so, the US is propagandizing this practice as harmful and immoral, while simultaneously denying others the right to object with proven data. This not only perpetually allows the US to control information and knowledge, its bias seeping through

⁹³ "Trump's 'Mexico City Policy' or 'Global Gag Rule'." *Human Rights Watch*, 14 Feb. 2018, www.hrw.org/news/2018/02/14/trumps-mexico-city-policy-or-global-gag-rule. Date accessed: July 15, 2018.

⁹⁴ *Ibid.*

⁹⁵ Oguttu, Monica. "Reality Check: The Global Gag Rule's Impact in Kenya and South Africa." International Women's Health Coalition. Senate Russel Office Building, Washington D.C. 19 April 2018. Speech.

⁹⁶ "Trump's 'Mexico City Policy' or 'Global Gag Rule'." *Human Rights Watch*, 14 Feb. 2018, www.hrw.org/news/2018/02/14/trumps-mexico-city-policy-or-global-gag-rule. Date accessed: July 15, 2018.

⁹⁷ "Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979." *United Nations Human Rights Office of the High Commissioner*, www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx. Date accessed: June 25, 2018.

⁹⁸ Tlaleng, Dr. Mofokeng. "Reality Check: The Global Gag Rule's Impact in Kenya and South Africa." *International Women's Health Coalition*. Senate Russel Office Building, Washington D.C. 19 April 2018. Speech.

every comment on the necessary prohibition of abortion, but also hinders the public of a developing world (that is receiving US funding) to advocate for its own government's reformation on the subject.⁹⁹ This is often known as the right to association, a freedom granted to every US citizen within the First Amendment of the Constitution of the United States.¹⁰⁰ Without the ability to research, provide proven data to the government in efforts to legalize or decriminalize abortion practices, the US is directly violating the country's sovereignty and more specifically, the right to association of its people. Again, as Crimm detects, the United States is denying other countries the exact freedoms that it boasts and benefits from.

With Trump's new policy, the far-reaching and alarming effects do not stop there. The organizations that receive funding from the US typically do not only provide services on reproductive health; they also deliver testing and treatment for HIV/AIDS, tuberculosis and malaria among other basic care.¹⁰¹ In the early 2000s, President Bush had set out on his mission to combat AIDS with the U.S. Presidents' Emergency Plan for AIDS Relief (PEPFAR), and fiercely advocated for the UN Program on HIV/AIDS (UNAIDS). These were established to target and decrease deaths from AIDS and cervical cancer among women in the developing world. However, with the new GGR, if they accept US funding, and they provide information on abortion, they will immediately lose their funding- vital financial assistance that has helped various countries maintain and counter their HIV or malaria epidemics.¹⁰² The population of people living with HIV/AIDS, an already-marginalized group, is thus even more susceptible to discrimination.¹⁰³ At first seen as a positive step in the right direction for ensuring a program dedicated solely to this underrepresented population, it seems the commitment is dwindling. While only having been in effect for little over a year now, this new form of the GGR is already reversing the progress made in developing countries for aiding these marginalized and stigmatized populations.

The US is thus quieting the right to free speech and privacy, and the right to association which would be deemed unconstitutional in the United States. As Crimm proclaims: "If we truly believe in the basic constitutional rights of free speech and association, we should want to promote them worldwide rather than to evade them outside our territorial boundaries."¹⁰⁴ This seems to have

⁹⁹ "Trump's 'Mexico City Policy' or 'Global Gag Rule'." *Human Rights Watch*, 14 Feb. 2018, www.hrw.org/news/2018/02/14/trumps-mexico-city-policy-or-global-gag-rule. Date accessed: July 15, 2018.

¹⁰⁰ "The Bill of Rights: A Transcription." *National Archives and Records Administration*, www.archives.gov/founding-docs/bill-of-rights-transcript.

¹⁰¹ See generally: Odhiambo, Agnes. "Tillerson Visits Africa, Where Women's Reproductive Rights Are Key to Future." *Human Rights Watch*, 10 Mar. 2018, www.hrw.org/news/2018/03/09/tillerson-visits-africa-where-womens-reproductive-rights-are-key-future. Date accessed: July 15, 2018. "Trump's 'Mexico City Policy' or 'Global Gag Rule'." *Human Rights Watch*, 14 Feb. 2018, www.hrw.org/news/2018/02/14/trumps-mexico-city-policy-or-global-gag-rule. Date accessed: July 15, 2018. Wheeler, Skye. "Cruel Choices: How Trump's Global Gag Rule Hurts the Fight Against HIV." *Human Rights Watch*, 8 Dec. 2017, www.hrw.org/news/2017/12/08/cruel-choices-how-trumps-global-gag-rule-hurts-fight-against-hiv. Date accessed: July 3, 2018.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ Crimm, Nina J. "The Global Gag Rule: Undermining National Interests by Doing unto Foreign Women and NGOs What Cannot Be Done at Home." *Cornell International Law Journal*, Volume 40, Issue 3, Fall 2007, Page 592.

been the mission set out by President Kennedy, however, has been wavering ever since. Susan Cohen and Sneha Barot described the situation perfectly:

“The United States remains stuck in its counterproductive pattern of lurching back and forth depending on the prevailing politics, even as the world advances sexual and reproductive health and rights. The global trend toward countries liberalizing their abortion laws—including more than a dozen countries since Obama took office—has reflected the heightened global recognition of the major public health problem of unsafe abortion, especially its connection to maternal mortality.”¹⁰⁵

The result of the GGR has been to perpetuate the stigmatization of abortion on a global scale for the last four decades.¹⁰⁶ Throughout the past three decades, in times of the GGR instatement, the developing world had been silenced, gagged, and restricted from progression and further advancement. The countries accepting US financial assistance are then forced to watch the rest of the world actively changing as new research and movements force governments to focus on women’s sexual and reproductive health and the corresponding rights thereto. Now, with the new version of this undying regulation, the developing world is surviving the hardest blow of its kind. However, the matter of maternal morbidity is at the forefront of the Western world’s agenda, and the emerging community is simply waiting for the opportunity to work unrestrictedly.

International Human Rights Standards

On 18 December 1979, the Convention on the Elimination of All Forms of Discrimination against Women was adopted by the United Nations General Assembly, and once the twentieth country had officially ratified it on the 3rd of September of 1981, it was recognized as an international treaty. Today, through both signing on to its provisions and ratifying it into their government, more than 100 nations are bound by its provisions.¹⁰⁷ With this treaty, the countries have agreed to respect, protect and fulfill the rights of women. They have recognized that the “full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields.”¹⁰⁸ This treaty is an example of world order through compliance- the same compliance that allowed America to rise to its current position as world leader. It is with this treaty that the world recognized the deep-rooted forms of discrimination towards women and girls, and vowed to establish an attempt to

¹⁰⁵ Barot, Sneha and Susan A. Cohen “The Global Gag Rule and fights over funding UNFPA: The issues that won't go away.” *Guttmacher Policy Review*, Volume 18, Issue 2, Spring 2015, Page 32.

¹⁰⁶ Crane, Barbara B. and Jennifer Dusenberry. “Power and Politics in International Funding for Reproductive Health: the US Global Gag Rule.” *Reproductive Health Matters*, Volume 12, Issue 24, November 2004, Page 129.

¹⁰⁷ “CEDAW 29th Session 30 June to 25 July 2003.” *United Nations*, Introduction. *Found at: www.un.org/womenwatch/daw/cedaw/text/econvention.htm*. Date accessed: June 25, 2018.

¹⁰⁸ *Ibid.*

redress its propelling momentum. Here, the signatory parties explicitly agreed to ensure the rights of a woman to reproductive health education and services, family planning options and the right to decide how many children to have and when to bear them. Although these rights are clearly represented in this international treaty, too many nations continue to disregard these as a human right guaranteed to women.

Pointedly, the international community is experiencing a precarious situation: the United States, while being a signatory party to the treaty, but not having ratified it, has given itself much leeway in the legitimacy of its responsibility to uphold the amendments laid out therein. Therefore, the international community is at a loss as to whether it can hold the United States accountable to its violations thereof with its implementation of the GGR.

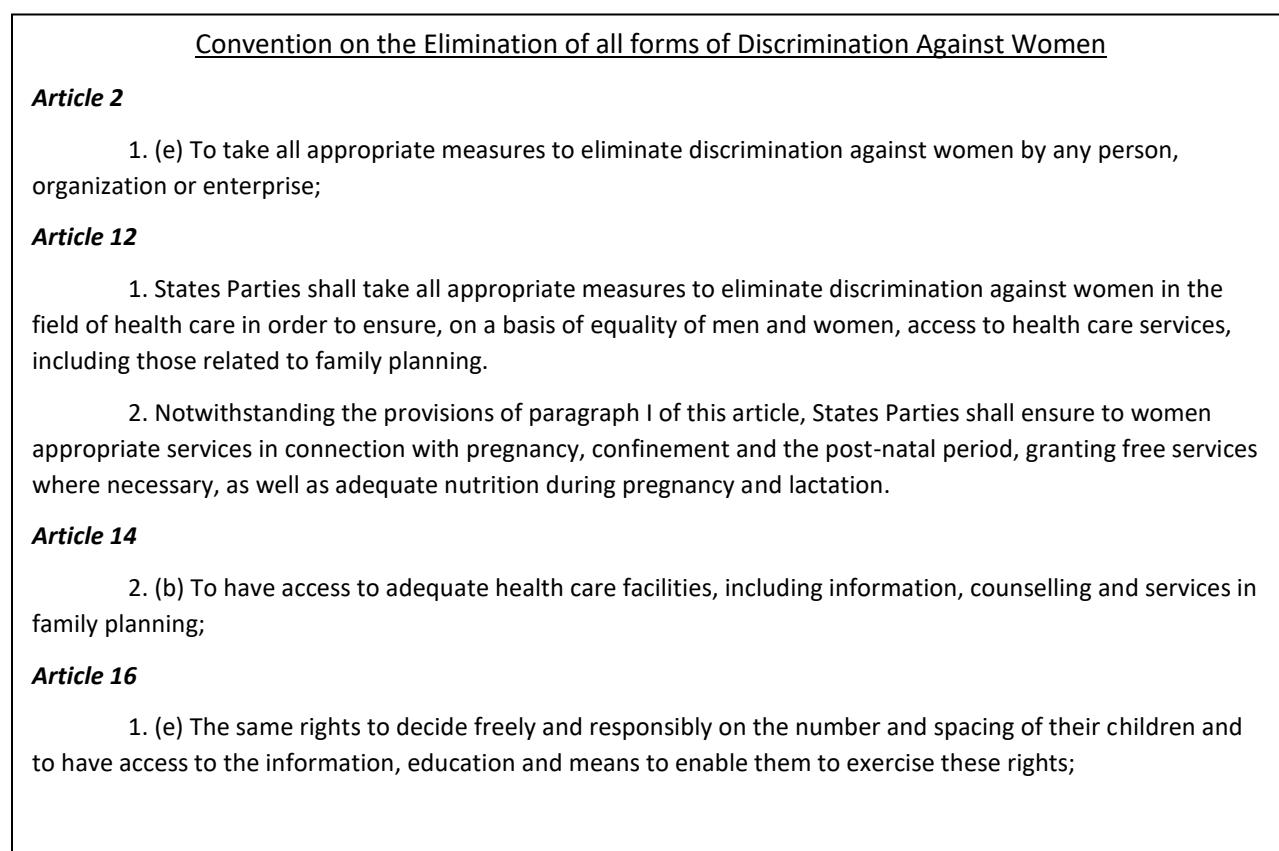


Figure 2.1: Selected Articles from the Convention on the Elimination of all forms of Discrimination Against Women¹⁰⁹

According to Article 12 in the CEDAW, the United States must not discriminate against women on the basis of sex in the field of health care and services and specifically must not deny access

¹⁰⁹ "Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979." *United Nations Human Rights Office of the High Commissioner*, www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx. Date accessed: June 25, 2018.

to services relating to family planning. Yet, when the GGR allows the US to cut funding to organizations that provide abortion they are simultaneously denying funding to the services such as providing contraception as a means of family planning- and thus not taking all appropriate measures to eliminate discrimination against women. According to Article 14, women are granted the right to “have access to adequate health care facilities, including information, counselling and services in family planning.” However, the GGR directly encroaches on this right by muzzling health care professionals from discussing anything on the topic of abortion as a family planning method, cutting off any potential recommendation to counseling for women who may be suffering from a trauma related to post-abortion surgery, or even mentioning any potentially vital information regarding a woman’s health when it may be closely related to abortion, in fear that their facility will lose its funding. Not only this, but as previously discussed, it also restricts the ability to collect research on the subject, which further hinders the ability to advocate for legal reformation on the topic as well. Most important is Article 16; it states that women have the right to decide on the number and spacing of their children *and* the right to have access to “the information, education and means to enable them to exercise these rights.” By attempting to suppress any thought, publication, research, discussion or advertisement on abortion being a woman’s SRHR, the US is directly disrespecting this international law and standard. It is thus controlling and promoting the stigmatization of abortion as a method of family planning, and dismantling advancements made in other health care development on a global scale.

Concluding Remarks

The Global Gag Rule instated by Trump in 2017 has already been proven to have negative effects on women around the world. Contrary to popular belief, there has been an increase in unsafe abortions and maternal morbidity rates. Access to information, the pillar of advancement, has been stifled. The rights of women that have been granted and agreed upon by a multitude of nations are being sullied with this US foreign policy. Although the world is witness to these infractions, the fear of the international leader is present and palpable. Yet, as Enloe has boldly promoted: “Patriarchies—in militias, in labor unions, in nationalist movements, in political parties, in whole states and entire international institutions—may privilege masculinity, but they need [...] enough women’s acceptance or complicity to operate.”¹¹⁰ Mirroring the way in which the US came to power, through the compliance of countries, this patriarchal movement of defiling women’s rights will only continue to operate with such acceptance. However, the United States is losing momentum as universal leader, and the previous permission given by the international community is deteriorating- bestowing the perfect opportunity for a change in international order, and replenishing the loss of women’s rights.

¹¹⁰ Enloe, Cynthia. *Curious Feminist: Searching for Women In a New Age of Empire*, University of California Press, 2004. Page 6.

PART III: INTERSECTIONALITY BETWEEN UNITED STATES' POWER, GLOBAL GAG RULE & INTERNATIONAL SELF-SUSTAINABILITY

As a world leader, the United States has successfully managed to enforce its own political and social values upon developed and developing nations alike. One of the mechanisms in which it has done so is through the aforementioned Global Gag Rule. With the GGR it has directly restricted international institutions from providing essential family planning services such as abortions if they choose to accept United States' financial assistance. The effect of accepting such monetary provisions are four-fold and cyclical: a foreign government will accept control from the US through financial provisions, thus accepting the authority of the US as a leader in the international community, while simultaneously jeopardizing the rights of its own women and potentially forcing its own citizens to violate its own laws alongside those listed in the CEDAW. However, according to many international relations scholars such as Christopher Layne, Charles Kupchan, Fareed Zakaria and Stephen M. Walt, the long-lasting role of the US as an international leader is on a definite decline, which may lead to a change in the international order. Apart from the conversation considering the United States' economic, military and political features, in the next two sub-chapters I will discuss its position within the international community, and how its strength is decreasing in relation to the rest of the world. Anne-Marie Slaughter also offers an acute explanation of how the United States must go forward to maintain its position as hegemon; yet, given the current state of affairs, it seems less likely to follow such suggestions. The United States has been neglecting its commitments to its partners, violating international treaties and not conforming to the rules-based system it created. I will examine the potential dissolving of the G7 and G20 unions, the "rise of the rest," the United States' disregard for international standards and the reactions from the international community- reactions that encourage incentive for a more self-reliant world.

The Declinist Theory

As Ikenberry and Slaughter assert, the United States has maintained its position as leader through the relationships it has built within the international community and by establishing a rules-based system for the world to follow and adhere to. This rules-based system is sustained through the financial assistance that the United States provides throughout the world. In exchange, the US delivers aid to developing countries, influencing this development with its own interests and values, and in return the compliance from the international community remains intact. However, the United States' position is a topic of much debate, and the acceptance of its leadership role is being reconsidered. Gilpin has rightly foreshadowed the notion that the United States may be reaching a tipping point where it is no longer financially able to maintain its power and commitments.¹¹¹ His claims include evidence of their deteriorating economy matched with a

¹¹¹ Gilpin, Robert. *War and Change in World Politics*. Cambridge University Press, 1981. Page 186.

growth of other superpowers that may be more accepted than the brute force of the American values. Even Stephen M. Walt contends that the United States' primacy is weakening: "[T]he bottom line is clear and unavoidable: the United States simply won't have the resources to devote to international affairs that it had in the past."¹¹² This overextended power is now forced with managing their obligations with limited resources. Not only this, but the 21st century has brought with it a new set of leading nations. The world is now witnessing a transformation in international order, where the United States is no longer a super-node.

First, let us examine its membership of the G7 alliance, which member states consist of Canada, France, Germany, Italy, Japan and the United Kingdom. They are considered the most powerful nations with the most influence and abilities in the world in the economic, military and political categories. However, this group is potentially dissipating into a more leveled likeness with the remaining nations, such as the rising power of the G20 association. According to **Figure 3.1**, the G7 share of global GDP has been on a decline since the cusp of the century. The total sum GDP of the G7 member states amounts to nearly 50 percent of the global economy, compared to nearly 70 percent three decades ago.¹¹³ Not only this, but according to Zakaria, the average debt-to-GDP ratio for the developing countries within the G20 union is 35 percent; for the rich countries, it is over three times as high.¹¹⁴ This demonstrates that the most economically wealthy countries in the world are in much more debt than the rising developing countries; unable to pay its debt, current leading countries may sink to the bottom rung while the developing countries float to the top with their manageable debt.

¹¹² Walt, Stephen M. "The End of the American Era." *The National Interest*, Volume 116, 2011, Pages 6-16.

¹¹³ "The Group of Seven (G7)." *Council on Foreign Relations*. Found at: www.cfr.org/backgroundunder/group-seven-g7.

¹¹⁴ Zakaria, Fareed. "Can America Be Fixed?" *Foreign Affairs*, Volume 92, Issue 1, January/February 2013, Pages 22-33.

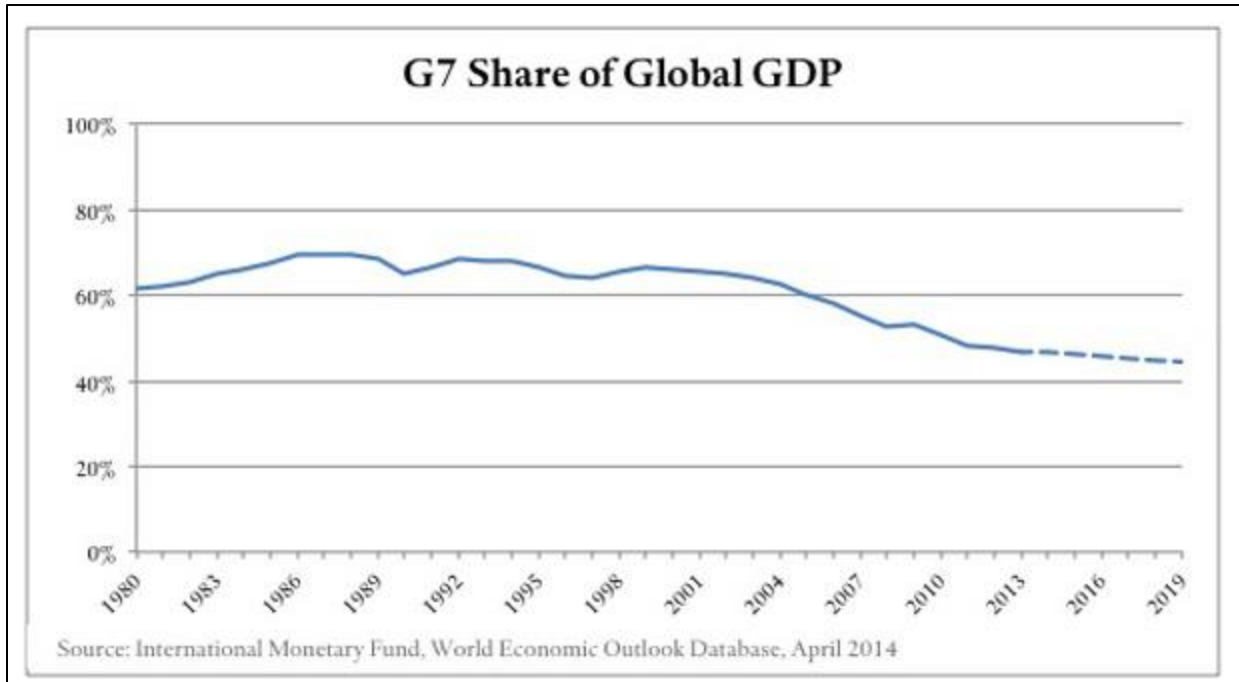


Figure 3.1: “The Group of Seven (G7).” Council on Foreign Relations ¹¹⁵

Frequently argued is the concept that the United States comprises roughly only 5 percent of the world’s population, yet accounts for more than 30 percent of world GDP, an almost incalculable feat.¹¹⁶ The United States is continuing a steady pace as leader, yet, with the increase in authority that is being demonstrated in developing countries, it may be difficult to maintain its stamina in the coming years. As Zakaria quotes: “This will not be a world defined by the decline of America but rather the rise of everyone else.”¹¹⁷

Hence, the coining of the “Rise of the Rest” may be quite accurate. These rising nations, dubbed BRICS (Brazil, Russia, India, China and South Africa), are gaining not only economic, but political agency in the international community. Significant in the debate surrounding the United States’

¹¹⁵ “The Group of Seven (G7).” Council on Foreign Relations. Found at: www.cfr.org/backgrounder/group-seven-g7. Date accessed: June 24, 2018.

¹¹⁶ Lieber, Robert J. *The American Era: Power and Strategy for the 21st Century*. Cambridge University Press, 2005. Page 17.

¹¹⁷ Zakaria, Fareed. “Can America Be Fixed? (Cover Story).” *Foreign Affairs*, Volume 92, Issue 1, January/February 2013, Pages 22-33. “In its annual study of competitiveness, the World Economic Forum consistently gives the United States poor marks for its tax and regulatory policies, ranking it 76th in 2012, for example, on the ‘burden of government regulations.’ But for all its complications, the American economy remains one of the world’s most competitive, ranking seventh overall -- only a modest slippage from five years ago. In contrast, the United States has dropped dramatically in its investments in human and physical capital. The WEF ranked American infrastructure fifth in the world a decade ago but now ranks it 25th and falling. The country used to lead the world in percentage of college graduates; it is now ranked 14th. U.S. federal funding for research and development as a percentage of GDP has fallen to half the level it was in 1960 -- while it is rising in countries such as China, Singapore, and South Korea. The public university system in the United States -- once the crown jewel of American public education -- is being gutted by budget cuts.”

decline is the question of who will out-pace the hegemon. Indisputable contenders include the EU and its member states, China, Japan and Russia. Robert Lieber explains that the EU, and its member states, will never be able to muster a singular foreign policy or military defense unit, leaving it nearly out of the race entirely.¹¹⁸ Europe is also experiencing its own problems with unification, debate surrounding whether or not to have its own military force (a lack thereof surely unable to be in competition with the US) hindering its advancement. With Russia ranked as 121 of 163 nations for corruption, consisting of a population already at half the size of the United States and suffering from chronic violence, alcoholism and shrinking by 1.2 million people a year, it is also an unsubstantial competitor.¹¹⁹ Agreed among most declinist theorists is the idea that the United States may be the sole nation to not fall victim to a decreasing population, as even Europe is undergoing a population reduction. Japan, however, is the frontrunner for this trend, its population of 127 million people predicted to shrink to just 47 million by the end of this century.¹²⁰ And even though China's population is also on a recession, it is the only genuine adversary. Stephen M. Walt foresees that China will become a more "formidable rival than the Soviet ever was;" its economy surpassing that of the United States, and as it depends on overseas trade and resources (unlike the USSR) it will "be more inclined to project power abroad."¹²¹

In concurrence with the declinists, the World Economic Outlook Database affirms that the existing top five economies of 2010 comprise of the US, China, Japan, Germany and then France respectively. Yet, the top five economies of 2050 will constitute of 4 of the BRICS member states, with the United States as the only developed 'western' nation on the list, and coming second to China.¹²² Important to note is that these countries are all members of the G7, minus China, demonstrating that there is a transition occurring from the G7 union to the increase in (economic) power found in the rising rest members of the BRICS group. Most importantly, within the BRICS group, the only country that restricts women's right to abortion is Brazil. If the declinist theorists are correct and the power of America is transitioning to a more multi-lateral power shared between the BRICS, then this presents an opportunity for women's SRHR to finally take a more prioritized place on the global platform.

¹¹⁸ Lieber, Robert J. *Power and Willpower in the American Future: Why the United States Is Not Destined to Decline*. Cambridge University Press, 2012. Page 91.

¹¹⁹ Lieber, Robert J. "Falling upwards: Declinism: the box set." *World Affairs*, Volume 171, Issue 1, Summer 2008, Page 52.

¹²⁰ Zakaria, Fareed. "Can America Be Fixed?" *Foreign Affairs*, Volume 92, Issue 1, January/February 2013, Pages 22-33.

¹²¹ Walt, Stephen M. "The End of the American Era." *The National Interest*, Volume 116, 2011, Page 14.

¹²² International Monetary Fund, "World Economic Outlook Database: GDP at Constant Prices (USD)," April 2011, <http://www.imf.org/external/pubs/ft/weo/2011/01/weodata/weoselco.aspx?g=2001&sg=All+countries>. Date accessed: July 15, 2018. Jim O'Neill and Anna Stupnytska, "The Long-Term Outlook for the BRICs and N-11 Post Crisis," Goldman Sachs Global Economic Paper no. 192, December 4, 2009, Page 22, <http://www2.goldmandsachs.com/our-thinking/brics/brics-reports-pdfs/long-term-outlook.pdf>. Date accessed: July 15, 2018.

The United States is not only experiencing a transformation in economic strength, but has been revolutionizing its regard of obligations. As Ikenberry has preached, pivotal to the United States' capacity to preserve its position as hegemon, it must maintain its partnerships and commitments to them. He and Slaughter have beautifully illustrated this concept in their combined work:

“The U.S. commitment at the heart of a liberal order should be to work with other nations, to constrain our own power in order to reassure others, and to be able to demand the same restraint of them. That commitment to multilateralism can be realized through a wide range of formal and informal multilateral tools: alliances, institutions, bilateral relations, treaties, public and private networks, rules, norms, and shared expectations – all of which provide multiple arenas for cooperation and action. Finding ways to link these different types of institutions, arrangements, mechanisms, and networks is central to the construction of a liberal order.”¹²³

The United States has a long history of establishing the rules of the game, but with its authority being accepted by others, it can play however it pleases without any repercussions. This can be seen in its neglect of commitments to the international community. An example would be Bush's withdrawal from the Kyoto Protocol, a UN framework international agreement on the subject of climate change. A similar action was taken by the Trump administration with the Paris Climate Agreement- a United Nations Framework Convention on Climate Change established in 1992. An international agreement with 197 signatories and 179 nations ratifying it into their own government, the United States withdrawal occurred nearly six months after Trump's inauguration and significantly undermines the treaty's universality.¹²⁴ Most significantly, the epitome of the United States' disregard for the rules and standards established in the international order it shaped was with the recent withdrawal from the United Nations Human Rights Council.¹²⁵ The UNHRC is a long-standing institution recognized for its commitment to protecting, fulfilling and respecting human rights, especially those of marginalized communities, worldwide. Anne-Marie Slaughter speaks to this calamity with a humanistic wisdom: “States must embrace the values of humanism in the service of self-interest. That may be a heavy lift for president-elect Trump, who has given no sign of concern for the plight of any humans other than Americans.”¹²⁶

¹²³ Slaughter, Anne-Marie, and G. John Ikenberry. "Forging a World of Liberty under Law: US National Security in the 21st Century." *Princeton, PA: The Princeton Project on National Security*. 2006. Page 28.

¹²⁴ Zhang, Hai-Bin et al. "U.S. Withdrawal from the Paris Agreement: Reasons, Impacts, and China's Response." *Egyptian Journal of Medical Human Genetics*, Elsevier, 27 September 2017.

¹²⁵ Dwyer, Colin. "U.S. Announces Its Withdrawal From U.N. Human Rights Council." *NPR*, NPR, 19 June 2018, www.npr.org/2018/06/19/621435225/u-s-announces-its-withdrawal-from-u-n-s-human-rights-council. Date accessed: August 13, 2018.

¹²⁶ Slaughter, Anne-Marie. "The Only Way Forward." *Foreign Policy*, Issue 221, November 2016, Pages 64-66.

This movement away from these ingrained and approved precedents can also be identified in the shift in language from the National Security Strategy of 2010 to 2017. In the United States' National Security Strategy of 2010, a foundation of the president's foreign policy strategies and commitments, the United States proclaimed that "[t]he cornerstone of this engagement is the relationship between the United States and our close friends and allies in Europe, Asia, the Americas, and the Middle East—ties which are rooted in shared interests and shared values, and which serve our mutual security and the broader security and prosperity of the world."¹²⁷ Here, the acknowledgement of shared interests and values as roots of the relationships between this nation's allies is broached as fundamental in the success of its foreign policy. However, with the actions taken with the Trump administration regarding environmental issues and human rights standards, it seems that this is no longer the case. Even the National Security Strategy of 2017 is nicknamed "America first," apparently advocating for an indifference of its allies and partners. It does however, "recognize the invaluable advantages that our strong relationships with allies and partners deliver," assuring that it understands the benefits these relationships bring, yet, not vowing to uphold the commitments it has made to them.¹²⁸ However, Slaughter forewarns that the alliances the United States has built since the end of WWII were anchored in "common commitment to the values enshrined in the Universal Declaration of Human Rights," and although neither the US nor its allies have fully met these standards, "they struggle to do so openly, through a free press and freedom of expression, along with a willingness to respond to a citizen's demands, even when those demands include changing the government."¹²⁹ This mutual pledge to address global issues in unison was at the forefront of American foreign policy, with international self-reliance being the end objective. According to Kupchan, this bipartisan arrangement that has existed since the second half of last century is essential to liberal internationalism; and as Ikenberry suggests, it is one of the pillars to the United States' longevity as leader, and without it, its foreign policy will crumble.¹³⁰

The second pillar to securing its place as hegemon, the United States has implemented a rules-based system. However, with the enactment of the GGR, it is in violation of the CEDAW, an agreement signed on by much of the international community, and agreed upon as another policy in this regulation-based system that promotes compliance and order. The United States has thus created a guideline for which other nations must adhere to; however, the United States itself is not complying to these rules. This hypocrisy is best explained by Zakaria:

¹²⁷ "National Security Strategy 2010." *National Security Strategy Archive*, 27 May 2010, www.nssarchive.us/national-security-strategy-2010/. Date accessed: July 10, 2018.

¹²⁸ "National Security Strategy 2017." *National Security Strategy Archive*, 17 December 2017, www.nssarchive.us/national-security-strategy-2017/. Date accessed: July 10, 2018.

¹²⁹ Slaughter, Anne-Marie. "How to Succeed in the Networked World." *Foreign Affairs*, Volume 95, Issue 6, 2016, Pages 76-89.

¹³⁰ Kupchan, Charles A., and Peter L. Trubowitz. "Dead Center: The Demise of Liberal Internationalism in the United States." *International Security*, Volume 32, Issue 2, 2007, Pages 7-44.

“To bring others into this world, the United States needs to make its own commitment to the system clear. So far, America has been able to have it both ways. It is the global rule-maker but doesn't always play by the rules. And forget about standards created by others. Only three countries in the world don't use the metric system—Liberia, Myanmar, and the United States. For America to continue to lead the world, we will have to first join it.”¹³¹

The implementation of the GGR, as discussed in Part II, is also an example of the United States' disrespect for international human rights standards; it is in violation of the CEDAW, an agreement signed on by much of the international community, and a treaty which countries must uphold lest they be deemed deniers of women's rights. These actions are tainting the perception of the United States, an impression that has been questioned for the last three decades, tested with every action the United States makes. As it is the hegemon, the world is watching its every move, and more recently, it seems the international community is not in accord with its decisions.¹³² As Stephen M. Walt explains that when the world does not agree with a US foreign policy, it does not necessarily mean that it is wrong, but that these actions come with consequences; when foreign governments disapprove of a US foreign policy, yet are simultaneously are fearful of its domination, the opposing governments are “less likely to endorse Washington's initiatives and more likely to look for ways to hinder them.”¹³³ I argue that this is currently happening in regards to the US foreign policy initiatives, specifically concerning its actions on women's reproductive rights around the globe. We are at a revolutionary crossover in potentially establishing a new international order, as the United States is met with two options: 1. The United States will either continue to act in selfish accordance to its own wants and needs, thereby turning its allies against it and losing its legitimate authority as hegemon or 2. it will come to recognize the significance of maintaining these alliances, and return to its commitments to the international community and follow the rules of its own game.¹³⁴ However, as claimed by the declinist theorists, the decision has already been made, and the “rising rest” is on its way to make rules apart from its leader. I believe the existing international order will remain intact, as the western norms are universal norms.¹³⁵ The policies that the world complies with will not be altered, however, the GGR as a violation of the already-agreed upon CEDAW will be countered. The United States, in order to not completely tarnish its image, must “make clear that it will do less, will others do

¹³¹ Zakaria, Fareed. “The Rise Of The Rest.” *Newsweek*, 12 May 2008.

¹³² Walt, Stephen M. “Taming American Power.” *Foreign Affairs*, Volume 84, Issue 5, September/October 2005, Page 106.

¹³³ *Ibid.* Page 109.

¹³⁴ Zakaria, Fareed. “The Future of American Power: How America Can Survive the Rise of the Rest.” *Foreign Affairs*, Volume 87, Issue 3, 2008, Page 43.

¹³⁵ See generally: Kupchan, Charles A. “Unpacking Hegemony: the Social Foundations of Hierarchical Order.” *Power, Order, and Change in World Politics*, Cambridge University Press, Cambridge, 2014, Page 54.

more [...].”¹³⁶ We are already seeing this transition, as the international community has initiated movements to prioritize women’s SRHR when the United States would not.

Reactions from the International Community

As discussed in Part I, the legitimacy of the United States depends on the approval of the international community and has only maintained its position as leader through the rules-based system and network with its allies. However, it is not only neglecting its commitments, but also breaking the rules to its own game. Significant, though, is that we are noticing a moment where the international community is shaming the United States for its hypocrisy, and renouncing its former compliance. This movement towards rebellion reflects a trend that Enloe has pointed out in how women’s rights movements have historically rendered successful:

“International policy-making circles may at times look like men’s clubs, but international politics as a whole has required women to behave in certain ways. When enough women have refused to behave in those prescribed ways, relations between governments and between governments and corporations have had to change.”¹³⁷

President Kennedy envisioned a more self-governed and independent world when he initiated the FAA. Now, nearly six decades later, his dream may be coming into reality. With the FAA the international community had accepted US influence and control for monetary assistance, yet, is now realizing its need to separate itself from the hegemon. The international community is refusing to behave in the ways the United States has prescribed with the reinstatement of the GGR, and has instead taken other measures to ensure the rights of women are met globally—without the United States’ money. As Thucydides famously quotes: “When one is deprived of one’s liberty, one is right in blaming not so much the man who puts the shackles on as the one who had the power to prevent him, but did not use it.”¹³⁸ Women’s SRHR have been historically underrepresented and acknowledged. Now, with enough governments recognizing their power to prevent the United States from continuing its reign of terror on such a global issue, they are freeing women from the shackles placed there by the GGR. Hence, they managed to unite and make strides towards ensuring that women’s SRHR are protected and fulfilled. For example, SheDecides is a program that was established in 2017 as an immediate response to President Trump’s re-establishment of the Global Gag Rule. It was founded by the Dutch Minister of Foreign Trade, Lilianne Ploumen, and has since gained support from over 50 governments, and many more UN agencies, NGOs, and private foundations.¹³⁹ “It’s important to stand your ground [...]

¹³⁶ Layne, Christopher. “The End of Pax Americana: How Western Decline Became Inevitable.” *The Atlantic*, Atlantic Media Company, 31 March 2015.

¹³⁷ Enloe, Cynthia. *Bananas, Beaches and Bases: Making Feminist Sense of International Politics*, University of California Press, 2014. Page 334.

¹³⁸ Thucydides, and Charles Forster Smith. *History of the Peloponnesian War*. Harvard University Press, 1921.

¹³⁹ “The Story.” *SheDecides*, www.shedecides.com/the-story. Date accessed: July 3, 2018.

we respect the decisions of a democratically elected president, but we're democratically elected too and we can make different decisions," she said.¹⁴⁰ Ploumen here acknowledges the power of the hegemon, however, simultaneously asserts the Netherlands' right to make democratic decisions as well, thereby calling forth all other nations to join her in the fight to combat the GGR. As previously discussed, this policy has not only impacted women's rights directly, but also indirectly. It silences the voices of the people within a sovereign nation, interfering with the right of free speech and association. As Slaughter suggests, promoting liberty under law, "requires sufficient economic prosperity to give individuals a stake in the existing legal and political order. It requires a legal system capable of enforcing individual rights – from the right of contract to the right of free expression. It requires sufficient transparency and integrity in government to ensure that the legal system exists in practice as well as on paper."¹⁴¹ Ploumen is calling forth the international community to reformulate this transparency and integrity into their systems of governance, and ensure that the simple right of even speech is not taken away by the US through an exchange of financial aid. When enough governments, NGOs, institutions and people step forward to cease allowing the United States to impede on the rights of women and people trying to help them, this movement will create an avalanche of advancement, just as Enloe predicted.

As demonstrated in **Figure 3.2**, in 2015 the Netherlands was the third highest contributor to bilateral disbursements for global family planning initiatives. Their efforts, combined with the remaining countries listed in the graph below, not only match those contributions made by the US, but slightly exceed them. Therefore, providing just as much financial assistance to the family planning programs in developing nations as the United States, the international community can surely merge their endeavors to reverse the damaging effects already done by Trump's GGR.

¹⁴⁰ Darroch, Gordon. "Dutch Respond to Trump's 'Gag Rule' with International Safe Abortion Fund." *The Guardian*, Guardian News and Media, 25 Jan. 2017, www.theguardian.com/global-development/2017/jan/25/netherlands-trump-gag-rule-international-safe-abortion-fund. Date accessed: June 20, 2018.

¹⁴¹ Slaughter, Anne-Marie, and G. John Ikenberry. "Forging a World of Liberty under Law: US National Security in the 21st Century." *Princeton, PA: The Princeton Project on National Security*. 2006.

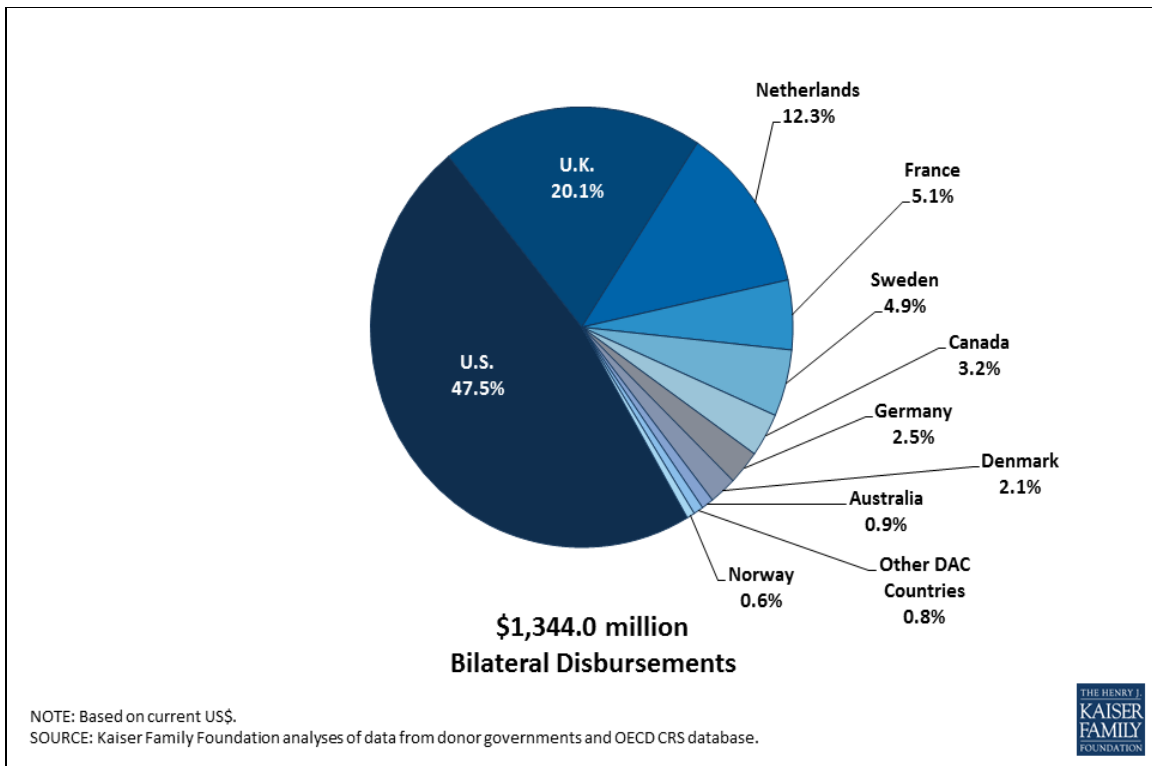


Figure 3.2: Donor Government Bilateral Disbursement for Family Planning, 2015¹⁴²

The international community is not the only one to have gone against the principles of the United States; much of the American population is making effort to Break the cycle of the Global Gag Rule. there is even a bill being deliberated in US Congress, under the name of “Global Health, Empower and Rights Act (HER).” With the passing of this bill, the Global Gag Rule will forever be destroyed and abolished. It is these responses to Trump’s GGR that offer an opportunity for the international community to become less reliant on the monetary assistance of the United States, and therefore too, uninfluenced by its own political values, thus potentially ending the hegemon that is the United States.

Concluding Remarks

The United States’ position as leader in the international order is on a downhill slope. With breaking ties to major institutions recognized for upholding international standards and violating these standards with the GGR, it has been chipping away at the pillars that carry its ability for a long-term rule as hegemon. Although the UNHRC has been historically known for consisting of member states who have been accused of many serious human rights violations, the universality and coherence of the institution may now be reduced with the United States’ exit. Also, while

¹⁴² Wexler, Adam, et al. “Donor Government Assistance for Family Planning in 2015 - Report.” *The Henry J. Kaiser Family Foundation*, 1 November 2016, www.kff.org/report-section/donor-government-assistance-for-family-planning-in-2015-report/. Date accessed: June 20, 2018.

there has not been much substantial evidence of further steps in the movement against the GGR made by other nations, the reinstatement of the GGR was, at the time of this writing, only put into force a year and a half ago. Therefore, diligent attention must be given to the remaining international community, and raising awareness for such a necessary movement must continue. Only with the continued voice of support from other nations will the Global Gag Rule be challenged and put to rest. More so, the international community has just begun recognizing its own right to detach itself from the United States, and given the decline that is already apparent, it has even more incentive to do so with every decision it makes from now forth.

CONCLUSION

Since the second half of the 20th century, the United States has been considered a legitimate hegemon- leader of the international community. It gained and maintained its power through a rules-based system, perpetuated by a network-friendly character. The nation's foreign policy was driven by this leadership, with hopes to shape an independent international community, and did so with the conception of its financial aid programs; being able to construct a developing nation into its own image was at first a beneficial strategy to even the other developed nations, yet, is now becoming more detrimental with every instated policy and action.

This research has aimed to explore the question as to what extent the United States' push for international self-reliance can be understood through the implementation of the Global Gag Rule. Yet, first must be made clear that the Global Gag Rule is only one of an infinitude of US foreign policies, and therefore cannot equate a complete picture of how the foreign policy strategy of the United States. Also, what must be noted is that the Global Gag Rule I anchored my focus on was only reinstated a year and a half ago, not allowing enough time to see its immediate or long-lasting effects in a more wholesome view. However, the sources and information at hand did allow for some observations to be made.

First, it must be clarified how the United States was able to enforce such a manipulative and destructive policy. Given the role it played during WWII, and the state of the European nations, it provided financial aid to the destroyed countries and in return received legitimacy as leader. This approval drove the United States' foreign policy strategy, already having the approval of its values to import them unto the remaining developing countries. The capacity to maintain its position was made available by its dedication to its obligations and the rules-based system that encouraged a multilateral approach to solving global issues.

Second, women's sexual health and reproductive rights (SRHR) movement have had a long-standing history within the United States, from which the Global Gag Rule has adapted. Although the United States maintains the privilege of free speech, association and choice within its own country, specifically regarding abortion rights which were granted in *Roe v. Wade*, the United States foreign policy has demonstrated its contempt therefore with Republican presidents enforcing the GGR on institutions abroad. By silencing any potential mention of abortion as an

option to a patient, or where these services exist, any research prospects on the subject, spread of information thereof, and advocacy for liberalization of abortion laws, the United States has successfully interfered with another nation's sovereignty and impeded on the people's right to freedom of speech and association. Not only is this a violation found in the United States, but also violates the CEDAW that is universally recognized as a women's bill of rights.

Lastly, the United States, due to its neglect for such international standards and disregard for the obligations it has to the international community, is experiencing a major decline in power, its image, and legitimacy. In response, the other leading nations have unified to combat the GGR and have initiated movements to separate themselves from the United States' reach. Although this movement has not had any further momentum, it has only just been initiated and hence, must be surveyed in the following months.

To come back to the research question, the Global Gag Rule acts as a prime example of the United States' push for international sustainability. The US government has, since the nascence of providing financial assistance to nations in need, demonstrated its main objective is to encourage others on their path to self-reliance. The Global Gag Rule has restricted not only immediate abortion services and the reduction thereof, but the research thereon, the promotion for more liberalized reproductive rights laws, but also, the progress of women's reproductive health research and advancement on a global level as well. The sub-question is then as follows: *What is the connection between the 2017 Global Gag Rule and the decline of the United States as a world leader?* As the United States is breaking the rules of its own game, including the laws of CEDAW, it seems that its image is gradually being contaminated, and thus its approval by the international community. The decline of the United States is thus a result of its own foreign policy, a trend that can potentially be seen among other regulations as well. As the GGR has already instigated movements by other nations to organize their own funds to aid a global issue, such as women's SRHR.

The results of this research provide a greater understanding of the Global Gag Rule acts as another form of the United States' foreign policy strategy to assist other nations in becoming more self-reliant. However, I suggest that the United States reconsider its will to restrict women's SRHR on a global scale, as the reactions from the international community imply that they are not only suspicious of the hegemon's values, but also noticing their own disapproval of the hegemon itself. I also recommend the continuous observation of the relationships between the G20 members and the United States, and also the larger effects of the GGR on women's SRHR advancement. This will, along with this volume, allow for a new perception of how the US is successfully violating women's rights, and simultaneously digging its own grave.

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