



Special Reports

Winter 1999

Life Decisions International

vol. ii • no. 1

THE MEXICO CITY POLICY: ARE WE FOOLING OURSELVES? An Exchange Between Rep. Christopher H. Smith and Laurel A. MacLeod

The Mexico City Policy was instituted by Ronald Reagan in 1984, but was repealed by Bill Clinton. It says that Federal funds may not be given to organizations that perform or promote abortions overseas, nor to groups that lobby foreign governments to change their abortion laws. The policy has by criticized some pro-life leaders. Others have defend the Policy with equal vigor. This expanded issue of *Special Reports* examines both sides of the issue.

The Case Supporting: Reinstatement of the Mexico City Policy Will Save Lives

by Rep. Christopher H. Smith

On October 21, 1998, President Clinton vetoed a bill to pay nearly \$1 billion in disputed arrears to the U.N. even as he claimed how necessary it was for the U.S. to make those payments. He vetoed the bill because it contained a provision to ban U.S. funding of foreign organizations that lobby to change the abortion laws of other countries. Mr. Clinton understood that this pro-life provision, reinstating just part of the “Mexico City Policy,” would have put the brakes on the international abortion lobby’s efforts to overturn the pro-life laws and policies in approximately 100 countries. Ultimately, President Clinton’s allegiance to the abortion industry was the dominant factor in his rejection of that bill.

This veto was the culmination of four years of work to restore safeguards which have been described as the most effective pro-life policy ever in terms of the numbers of lives saved from abortion. Since 1995, members of Congress have sought to restore the Policy through legislation. Amendments adopted by the House in 1995 and 1997 would have prevented U.S. funding of foreign, non-governmental organizations which: (1) perform abortions, except in cases of rape, incest or where the life of the mother is endangered; (2) violate the laws of any foreign country with respect to abortion; or (3) engage in any activity or effort to alter the laws or governmental policies of any foreign country with respect to abortion.

In November 1997, pro-life House members were asked by the Republican leadership to give their support for a compromise on the Mexico City Policy which was believed to be acceptable to the Senate and might be signed by the President. Initially pro-life congressmen did not want to agree to this language, but House Republican leaders made several promises, including that the compromise would be the absolute bottom line and that the pro-life language would be linked “in perpetuity” with additional credit for the International Monetary Fund (IMF), as well as \$926 million in U.N. arrearage payments. In the end, we made the painful decision to accept the compromise because we believed the language, with these promises, to be a step forward and provided a stronger incentive for the President to sign the foreign aid bill with pro-life safeguards on foreign abortion lobbying.

Under the compromise, the President could waive the provision excluding organizations that perform abortions. However, if an organization violated a country’s laws on abortion, or engaged in activities to alter those laws, it would be ineligible to receive U.S. funds. Moreover, if the President waived the first exclusion, the amount of funds that could be spent for population control would be reduced from \$385

million to \$356 million. The fact that the current president could waive one of the restrictions does not mean that the other restrictions are not important and, indeed, essential. The lobbying restriction is a key component of the pro-life language.

When the Mexico City Policy was in effect from 1984 to 1993, the movement to bring down the pro-life laws of developing countries was brought to a virtual standstill. During those years, most non-governmental organizations (NGOs) that had received U.S. aid before 1984 continued to receive it because they agreed to bring their programs into compliance with the Policy. Only Planned Parenthood refused funds rather than agree not to lobby for changes in abortion laws. Nevertheless, many of its own country affiliates agreed to the pro-life conditions in order to receive U.S. aid. The result was that Planned Parenthood was largely without a voice in as many as 60 countries with restrictive abortion laws because its own affiliates had agreed not to perform or promote abortions. As a consequence, a February 1989 article in *The New York Times* reported that pro-abortion leaders were complaining that, as a direct result of the Policy, there had been “a near halt” in the repeal of pro-life laws in developing countries.

There is no doubt that the Policy saved lives by saving laws. The Alan Guttmacher Institute noted that, “In most countries, it is common after abortion is legalized for abortion rates to rise sharply for several years, then stabilize, just as we have seen in the United States.” And we have also seen that, once a country’s pro-life laws are abandoned, the battle to restore protection for the unborn is so many times harder than the battle to preserve it.

For the past six years, underdeveloped countries have witnessed a siege against their laws, their cultures and their religious beliefs because they respect the humanity and dignity of unborn children. Many have successfully resisted this onslaught—sometimes clinging to pro-life laws by just one vote in their legislatures—but others have fallen prey to the pro-abortion rhetoric about “safe and legal” abortion. We in Congress are now helpless to offer these countries any defense against U.S. funded, pro-abortion NGOs. But it is imperative that we try.

A sad and frustrating complication to Congressional efforts to end U.S. support for the international abortion industry was the discovery that some erstwhile supporters of the Mexico City Policy changed their position and decided that, if restored under the current administration, the Mexico City Policy would not be enforced and would instead provide “cover” to pro-abortion NGOs.

I certainly cannot dispute any organization’s distrust of the honesty or integrity of this administration. On the contrary, as subcommittee chairman with the task of oversight of international operations, including U.S. population control programs, I have witnessed this administration’s obsession with abortion, and its willingness to sacrifice almost every other priority to the pro-abortion agenda.

Nevertheless, if the compromise Policy were to become law, enforcement of that ban would not rely entirely on the Clinton Administration. As in the past, the worst offenders would reject funds under conditions which they have attacked as unconscionable. In addition, there would be thorough Congressional oversight. And finally, our experience has shown us that many foreign family planning providers are much less interested in legalizing abortions than the international organizations. The fact that their U.S. funds could be jeopardized would provide a defense for them as they resist pressure from Planned Parenthood and others to work for legalized abortion.

It is laudable and necessary for pro-lifers to expose the brutalities that occur in population control programs and to question the premises on which they are based, yet we cannot ignore—much less

oppose—more limited protections, like the Mexico City Policy, that have a better chance of enactment in the current Congress.

The pro-life movement, in general, has recognized that there is not necessarily a conflict between our goal—protection for all innocent human beings—and intermediate steps that offer protection to some and move national discussion and thought in a pro-life direction. The Partial-Birth Abortion Ban Act is an example of this type of legislation. In the same way, most pro-life organizations believe that the pro-life Policy is a necessary step forward to curb the abuses of the population control movement, in particular the push for legalized abortion.

The tragedy of 1998 is that, while Herculean efforts were made to get the compromise Mexico City Policy through the Senate, where it was finally adopted for the first time on a 51-49 vote, the modest pro-life safeguards ultimately fell victim to the veto pen. Moreover, although House leadership pledged that neither U.N. arrearage payments nor additional IMF credit would go forward unless the President agreed to the compromise Mexico City Policy, in the end Congress—over my objections—sent President Clinton two bills: one bill with IMF funding and \$385 million in population control funding without the lobbying restrictions, and a second bill with U.N. arrearage payments and the lobbying restrictions. President Clinton felt free to sign the first and veto the second.

Pro-lifers came closer than ever before to achieving at least part of our goal. The fact that the President vetoed a partial Mexico City Policy fully exposed his obsession with promoting abortion. Additionally, efforts to pass the compromise policy strengthened our hands as we forced the White House to accept a provision which, for the first time since 1993, ended U.S. support for the United Nations Population Fund (UNFPA) which has been an apologist for the communist Chinese regime's planned birth policy which employs involuntary sterilization and coercive abortion to achieve its targets.

Has the need for the Policy diminished? Absolutely not. Planned Parenthood is leaving no stone unturned in its misguided, obsessive campaign to legalize abortion on demand around the world. If it succeeds, millions of babies will die. Pro-lifers should continue to make every effort—working together—to ensure that our country is a leader for life-affirming humanitarian aid, not programs that promote the destruction of the world's children.

Christopher H. Smith represents New Jersey's fourth district in the United States House of Representatives

The Case Opposing: The Faces of Choice

by Laurel A. MacLeod

The faces of population control are ever-changing. They include the tanned, beautiful and educated Victoria from Peru. She had been on fertility drugs and was thrilled to be seven months pregnant with her second child.

When labor began, Victoria went to a local hospital that delivered her premature son. He died, then the doctors sterilized Victoria without her knowledge. Why? All Peruvian doctors had been given "targets" (quotas), forcing them to sterilize as many women as possible. Consequently, since 1995, government-run "Tubal Ligation Festivals" have become familiar to Peruvian cities and small, rural villages. Victoria is heartbroken, but she was one of the lucky ones. Unlike some others, she did not die from infection or shock.

Christina was a frightened Nicaraguan refugee in the 1980s. A mobile health clinic drove through the jungle and gave her free medical care. Later, she bled for a month. When an American missionary took

her to a doctor, he discovered that the mobile clinic had put an intrauterine device (IUD) in Christina's womb without her knowledge. Christina almost bled to death.

There is also the nameless, dark-skinned woman in Bangladesh who stood in her ragged sari and shared her story, her unseeing eyes wide as she told of her experience as an unwitting participant in a fertility drug trial of Norplant. "I went to the clinic and pleaded, 'I'm confined to bed most of the time. Please remove it,'" she confided to the BBC reporter. "My health broke down completely." While other women went blind, some were told that the Norplant would only "be removed from their dead bodies." The faces of population control. Faces from every continent. Paid for with your tax dollars.

The United States has been funding overseas population control for 30 years and we donate more toward this cause than any other country. Some defend our actions and call it a "national security" issue. They say that developing nations will threaten us economically if their population is "allowed" to grow. Others rely on faulty science and claim the world is vastly overpopulated. Still others claim the world's women need "choice" from our omniscient hands. But each year, thousands around the world have no "choice." And many cultures do not want the horrors that our Western, pro-abortion, "choice" mentality brings. Yet we still pay for the destruction of their families and bodies.

There is a very simple remedy: ending the funding of international population control. Yet since 1985, the traditional "pro-life" remedy has been to address international "family planning" via the Mexico City Policy. Current law already prohibits *direct* payment of U.S. funds for abortions overseas, yet the tax dollars are fungible. Money can still be given to organizations that perform and promote abortions, as long as they use it for something other than a surgical abortion. In other words, an international organization, such as Planned Parenthood, could use U.S. tax dollars for computer equipment or overhead expenses, thus freeing up other monies they receive from other sources, to be used to perform abortions. (The same principle applies to corporations that fund Planned Parenthood and "restrict" it to "educational" or other seemingly innocent purpose.)

What would happen if the Mexico City Policy were law? Congress would continue to authorize and appropriate hundreds of millions of dollars each year for "international family planning." In fact, when the Mexico City Policy was law, tax dollars given to fund "international family planning" significantly *increased*. Yet those who support the Policy claim that if it were once again law, a huge, pro-life victory would be won because some restrictions would be attached to the use of U.S. tax dollars. On its face, that does seem like a victory, but close inspection shows that it is a hollow achievement at best. There are many activities foreign organizations would still use our tax dollars to pay for, even if the Mexico City Policy were law:

- distribution of *chemicals* and intrauterine devices that cause an abortion (many chemical abortifacients are called "contraceptives," yet Depo Provera, Norplant, the "morning after" pill and some forms of the birth control pill actually stop a *fertilized* egg from implanting in the uterus. Therefore they do *not* stop conception, which begins with fertilization. Instead, they abort a new human life);
- promotion and operation of anti-family and anti-religion sex education programs that seek to radically change cultures;
- carry out experimental fertility-drug trials on poor, third-world women (often without informed consent); and
- practice massive and wasteful condom distribution without regard for marital status.

Each of these activities would continue to be practiced if the "pro-life" Mexico City Policy were in place. This is not good pro-life policy—and it is certainly not good for women, children and the family unit.

We believe that those who support the Mexico City Policy are undoubtedly sincere and we do not question their motives. If the Mexico City Policy would, in practice, save some babies from surgical abortion, we would understand the argument that the Policy is an “incremental step in the right direction.” However, were it to become law, the Mexico City Policy would not save babies from even surgical abortions, because the policy cannot be enforced.

Two entities would be in charge of enforcing the Mexico City Policy. The first, the U.S. Agency for International Development (USAID), is unabashedly pro-population control. Asking USAID to “blow the whistle” on groups that receive federal dollars and still promote or perform abortions, or lobby foreign governments to change their abortion laws, is like asking the fox to guard the hen house. It would be foolhardy to think USAID could be trusted with these critical tasks.

Congress is the only other entity that would have jurisdiction to enforce the Mexico City Policy. Unfortunately, most members of Congress do not care enough about this issue to fall on their proverbial swords to see that it is truly enforced. Those few members who care do not have the staff or resources needed to do the job properly. One or two representatives, no matter how well-intentioned, cannot enforce the Mexico City Policy. This is especially true since, at several U.N. conferences here and abroad, international diplomats warned that population controllers are sneaky and smart. They do not put their demands in writing so a savvy congressman can catch them. Rather, a high-ranking U.S. official, or the World Bank, or some other powerful entity has private, “off-the-record” discussions with these diplomats, and they not-so-subtly imply that if the diplomat’s nation does not accept population monies and programs, other U.S. subsidies or World Bank loans will disappear. It is the kind of blackmail that would make the Mafia proud. Since most foreign diplomats fear for their own jobs and families, they will not fly to Washington, D.C., to testify against a U.S. official who might have issued that subtle threat. No legal restraint will stop such threats from being issued.

Finally, we believe it is simply unconstitutional to send U.S. tax dollars overseas to support population control and so-called “family planning” programs. Our Founding Fathers never intended for Americans to subsidize the deterioration of the families and fertility rates of other nations.

So the only real answer is to stop population funding—*all* the funding. In 1997, Rep. Ron Paul (R-Tex.) offered an amendment to the Foreign Operations Appropriations bill that would have eliminated all federal funding of international population control. The amendment received a record 149 votes in the House. Not enough to win, but enough to show that a substantial number of House members recognize the horrors of population control.

Isn’t it time that we in the pro-life movement recognize the damage done to babies *and* women worldwide by population policies and so-called “family planning?”

Laurel A. MacLeod is director of legislation and public policy for Concerned Women for America

Special Reports is a quarterly publication of Life Decisions International. A minimum donation of \$38.00 per year is requested. Write to: Life Decisions International, P.O. Box 75161, Washington, DC 20013-0161. For additional information call (202) 347-2066. Commentaries are designed to stimulate critical thought and may not represent the views of LDI’s staff or board. Thanks for your support!

© 1999 Life Decisions International. All Rights Reserved.