Gender Equality Oversimplified: Using CEDAW to Counter the Measurement Obsession

DEBRA J. LIEBOWITZ  
*Drew University*  
AND  
SUSANNE ZWINGEL  
*Florida International University*

Global measurements have become foundational for understanding gender equality as well as for directing resources and policy development to address gendered inequalities. We argue in this article that attempts to quantify gender (in)equality globally have limited potential for successfully challenging gender hierarchies if compared to internationally agreed upon women’s rights standards. To make this argument, we start by contrasting the general assumptions underlying the measurement approach with feminist scholarship on gender equality. Second, we examine nine key measures of global gender equality—the majority of which are produced by influential international organizations—and show that their focus on “countability” perpetuates a narrow and misleading understanding of gender (in)equality. Third, we present the CEDAW Convention and associated review process as an alternative to the measurement approach. The comparison highlights the need for evaluative tools that attend to the complexity and fluidity of gender norms and focus on context-specific agency to confront gender hierarchies.

Although feminist and women’s rights advocates would argue that the major players in international politics have a long way to go before their policies embody full substantive support for gender equality, there is wide recognition that the past few decades have brought huge strides toward this goal. On the international stage, a host of international legal instruments, anchored by the United Nations’ *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), articulates a set of norms that prohibit all forms of discrimination, against all groups of women, in all spheres of life (CEDAW Articles 1 & 2) and “achieving gender equality” is on the agenda of all major international institutions. Emblematic of this progress, the CEDAW Convention has been ratified

---

1Authors’ note: This piece was written while we were both on sabbatical leave. We are grateful to our employers, Drew University and SUNY College at Potsdam, for granting us this opportunity. We thank the three anonymous reviewers of ISR for their thoughtful and constructive comments. An earlier version of this article was presented at the International Studies Association’s 2013 Annual Meeting and benefitted from comments made by participants, including Sandra McEvoy, Andrea Den Boer, and Laura Parisi.


© 2014 International Studies Association
by almost all, that is, 188 out of 193, United Nations’ Member States, with the United States being the most notable exception.

Concomitant with the elevation of gender equality in the international policy-making arena is a desire to measure progress toward achieving this goal. A host of international organizations and research institutes has created gender-related indices to measure and compare change across time and space. Concomitant with the elevation of gender equality in the international policy-making arena is a desire to measure progress toward achieving this goal. A host of international organizations and research institutes has created gender-related indices to measure and compare change across time and space. International discussions on development and aid effectiveness have further catalyzed coordinated efforts to measure women’s rights. In 2012, for example, UN Women and the United Nations Statistics Division, in conjunction with the World Bank and Organization for Economic Co-operation and Development (OECD), among others, announced the Evidence and Data for Gender Equality Initiative (EDGE). This initiative congeals and further elevates the work of a group created as part of the international conferences on aid effectiveness to devise “a minimum set of gender indicators” for donors to use and states to collect (UN Women 2012). As these efforts at coordination indicate, donors and international organizations increasingly demand that support, development aid, and programming should be “evidence-based.” That which constitutes “evidence,” however, is narrowed to showing numerical movement on selected indicators. The pressure for results that are to be measured by “indicators” creates a self-fulfilling imperative: create indicators that are measurable and then require that social justice work be directed, even pigeonholed, to achieve progress on said indicators. This dynamic lacks reflection regarding the foundational assumptions and political implications of the measurement imperative and the specific measures being used.

We argue in this article that frequently used measures of global gender (in)equality diverge in important and substantial ways from the notion of gender equality and women’s rights as articulated in feminist discourses and internationally agreed human rights norms and as such, fail to adequately measure that which they claim to capture. To comprehensively confront sexism and gender hierarchies, it is imperative to hold on to the recognition that these phenomena are multilayered, complex, and constituted through multiple forms of agency, and to conceptualize measurement instruments accordingly. Measurement attempts and their inherent logic of simplification and comparability may serve but cannot replace the logic of comprehensive and context-sensitive assessment and problem solving. To make this argument, we proceed in three steps: We start by contrasting the general assumptions underlying the measurement approach with multiple understandings of gender equality produced by feminist scholarship. Second, we examine nine key global gender measures and show along five categories how they are based on and perpetuate a narrow and politically misleading conception of gender equality. Third, we present the CEDAW Committee’s review of State parties to the Convention as an alternative to the measurement approach. Using the example of one country, Chile, we juxtapose the different stories that widely used quantitative measures on the one hand, and the CEDAW monitoring process on the other, create about gender equality. This comparison shows that as a tool to guide policy creation, the CEDAW process is superior to quantitative measures as it combines widely accepted women’s rights standards, context-specificity, and a focus on process-oriented agency.

2For a complete list of the measures examined in this article, see section three (“Producing Gender Equality...”).

3The 2005 Paris Declaration on Aid Effectiveness, with more than 100 signatories from donor and developing countries, donor and international agencies, and regional development banks, is largely recognized as a critical moment in international discussions of the issue (The Paris Declaration 2005). The Declaration details indicators for measuring progress toward aid effectiveness. These indicators have, however, been criticized as “narrow and bureaucratic” (Meyer and Schultz 2008:16).
Over the last four decades, gender equality norms have become widely recognized in international governance institutions and discourses, but their repercussion on real-life gender relations has been much harder to trace. One reaction to this puzzle of scholars and practitioners alike has been to develop strategies to evaluate if and how social change toward more gender equality is taking place throughout the world. Similar efforts can be observed in relation to other sets of norms that promote global justice, for example, human rights (Green 2001; Häfler-Burton and Tsutsui 2005; Rosga and Satterthwaite 2009). Epistemologically, these attempts exist on a spectrum between empiricist and interpretivist approaches but all reflect the fact that “dataism” is, as David Brooks notes, “the philosophy of the day” (2013).

Efforts to develop quantitative indicators on the implementation of gender equality norms must be analyzed as part of a broad shift to the naturalization of measurement. The push to “measure the world” (Merry 2011) is emblematic of the extension of economic and business logic into the law, social development, and rights spheres (Krever 2013). Providing the appearance of scientific objectivity, the measurement imperative privileges a logic that is part and parcel of a gendered neoliberalism (Marchand and Runyan 2010). According to this argument, numerical indicators are attractive precisely because they embody allegedly masculine (read: superior) characteristics of reason, scientism, and hierarchy while eschewing context, emotion, and relationality. Global gender equality indicators are used because they facilitate seemingly dispassionate comparisons. In a political context that increasingly demands “evidence-based” approaches, the pressure to use performance on such measures to guide policy and practice has grown significantly.

Coming from an interpretivist viewpoint, we recognize that quantitative indicators can provide useful information, especially as they can be used to identify patterns that help guide further study. However, to ensure their utility, the limits of the information produced by quantitative measures must be made transparent. As we illustrate below, far too often, widely used and recognized quantitative measures of gender (in)equality are divorced from needed conceptual and methodological caveats. Instead, the presumption of objectivity undergirding the measurement logic renders invisible the limitations of the data. At least four problematic assumptions underlying the measurement logic need to be addressed, not least because they do a disservice to the declared policy goal (in our case, reaching gender equality).

First, indicators are not and cannot be objective. Instead, indicators “rely on practices of measurement and counting that are . . . opaque” and they reflect the judgments and predilections of their creators (Merry 2011:84). Even using rules to make measurement scientifically, objective does not eliminate all elements of judgment, particularly when measuring complex social, political, and economic concepts like gender equality (Schedler 2012:22). Since social science lacks standardized measurements (for example, pounds of power, yards of legitimacy. . .), measurement depends on judgment to classify events and address “unobservable realities, unobserved realities, unexpected realities, and conceptual complexities” (Schedler 2012:33). Framing quantitative indices as objective obscures (inter-) subjective agency, that is, foundational to the process of data generation. What is
worse, seemingly objective measures are often informed by problematic judgments; as we illustrate below, leading gender (in)equality indices inadequately assess social reality (Rosga and Satterthwaite 2009) and are undergirded by neo-colonial assumptions (Merry 2011).

Second, measurements contribute to producing realities rather than simply representing them. Michael Power frames this as the creation of an “audit society” where the external pressure to evaluate gets internalized by a wide range of organizational and political actors that then propagate a regulatory imperative (1997). In other words, the external and internalized pressure to “audit,” or measure, acts as a form of social organization and control—it is not neutral. The pressure to measure serves as a modern form of Foucauldian governmentality; the indicators actually shape and help to produce “facts” as opposed to simply reflecting them. In addition to constructing meaning, indicators often engender an unwarranted level of confidence, one that persists even in the face of evidence demonstrating that their ability to accurately capture political and social life is highly circumscribed. To illustrate this dynamic: While the reduction of maternal mortality has enjoyed the status of an important international goal (MDG 5), it has thus far not been possible to produce reliable data on maternal deaths globally. This desideratum, however, has not diminished the confidence in measurements as “good” revealers of information. As Melinda Gates, cochair of the Bill and Melinda Gates Foundation, puts it, “we’d been making gradual progress on maternal health for years; we just hadn’t been able to measure it” (2013). She is admitting here that the data available are poor, yet at the same time, seems to trust in it sufficiently to draw conclusions from the numbers.

The third problematic characteristic of the measurement approach is that it relies on selected—easily quantifiable—information that promotes simplified visions of concepts being measured. For example, the decision to collect data disaggregated by sex aims at making women and their subordinate status visible. Such data have been instrumental in showing discrimination against women, but it also reifies a heteronormative view of gender differences. It frames the male-as-the-norm from which women inevitably deviate, and often fails to represent the differences among women (and men) along class, race, and other lines (Parisi 2009; Momaya 2010). Simplification also results from the exclusion of social dimensions that cannot easily be translated into categories, not because they are unimportant, but because they are rather complex and fluid. As a consequence, the measurement logic simply obscures key issues from view. But even if we look at what is supposedly measurable, numbers still reduce complexity in problematic ways. For example, increased female labor market participation is used in almost all gender equality measurements as a default indicator of improvement of women’s lives. Leaving the question of comparability between diverse national data collection systems aside, labor force participation numbers do not tell anything about the quality of work (for men or women, nor for different groups of women). Nor do they demonstrate whether wage-labor leads to a double work load for women as they juggle their paid and unpaid responsibilities or whether improvements in the gap between women’s and men’s labor participation are due to increases in women’s employment or decreases in men’s. These numbers also generally fail to take account of gendered wage gaps. For these reasons, a
rise in women’s labor force participation cannot automatically be interpreted as empowerment.

Fourth and finally, measurements remain silent in regard to the social processes and agency that create reality, whether measurable or not. While general trends can be detected, policy processes, supportive and oppositional agency, and relevant context factors are excluded from the picture. The treatment of each indicator as discrete reinforces the idea that a low number represents poor performance in that area, even though poor performance in one area is likely related to a whole host of factors. For example, an increased number of women in parliament may actually be due to de facto reduction of pay discrimination or gender violence prevention efforts, but as these context-specific factors remain out of the equation, the number of women in parliament appears to stand independent of them.

Related to this last point, quantitative measures infrequently capture changes that are subtle; they are better at identifying large shifts. For instance, to achieve greater numbers of women in national parliament, non-governmental organizations (NGOs) might offer training and other programs to encourage women to consider running for office. Although these endeavors may ultimately result in more women running and winning office on the federal level, outcomes are more likely to be evident first at the local or state level, and the process is likely to be slow. A quantitative measure captures whether the ultimate ends were achieved (are there more women serving in parliament?) but not whether more women and women’s groups discuss the issue, or that women may run for office and lose, which would be indicative of women taking a stronger stance in politics; or examine women’s engagement at local levels or outside of formal political channels; or examine the discrimination faced once a woman holds public office.

While we consider the attempt to quantitatively measure gender equality problematic for the above explained reasons, we are not rejecting the quantification of real-life gender relations altogether. Scholarship on gender in international governance has pointed to the manifold ways in which feminist advocates have tried to make the case that gender matters in global politics (Shepherd 2010; Çağlar, Prügl, and Zwingel 2013). The claim for and production of statistical data disaggregated by sex has been crucial in this endeavor from early on, and the ability to express gender hierarchies in numbers has added visibility and urgency to the goal of working for gender equality. However, the point we wish to make is that numerical representation of complex social phenomena is one useful, but nonetheless only one instrument when it comes to addressing gender (in)equality. We suggest that adequately grasping gendered realities requires attention to discourses and practices that are in flux, context-dependent, and contingent on multiple forms of agency. This approach to gender equality ideas has been generated by feminist constructivist International Relations (IR) scholarship (Krook and True 2012). Rather than thinking of norms as embodying a stable content, we assume that they are constantly being re-negotiated and, thus, remain principally unfinished (Hofferberth and Weber 2012; Zwingel 2012; Liebowitz 2013). In the remainder of this section, we address two dimensions—actor- and context-dependency—that contribute to creating the multiplicity of gender equality.

Different actors do not have the same understandings of gender equality. A basic differentiation can be made between gender equality advocates and institutions that were created without an explicit concern for gender issues but have at a later point committed to integrating these concerns into their work, such as

---

9The Danish economist Esther Boserup insisted already in the early 1970s on “the need to quantify women’s unpaid work” (Shahani in Weiss, Carayannis, Emmerij, and Jolly 2005:256).
state bureaucracies and international organizations. Concepts of gender equality articulated by the first group tend to be more transformational, that of the second more incremental.

Gender equality advocates and feminist thinking of the last decades have debunked the idea of biologically based, universal male–female complementarity and shed light on how this idea has legitimized androcentrism and heteronormativity. Feminist activists and scholars have challenged a unitary notion of the category “women” (for example, Moraga and Anzaldúa 1981; Crenshaw 1989). The concept assumes that as a group, women have a set of experiences that are common enough to be applicable to all in the category and that difference among women is not analytically or politically important. Introducing the concept of intersectionality, feminist analyses have shown how gender-based dimensions of social and political life are linked to and constituted by other axes of identity like race, class, sexuality, ethnicity, religion, ability, age, color, etc. (Yuval-Davis 2006; Hancock 2007). While gender equality advocates share core assumptions, for example, that discrimination against women and all others marginalized by heteronormativity needs to be eliminated, they have developed many different problem-solving approaches. In their study of gender equality policies in diverse European states, for example, Verloo and others identify three different frames or understandings of gender equality: “inclusion” (women should be treated as men and included where they were excluded); “reversal” (women should be recognized in their difference from men and androcentric social structures should be reversed); and “displacement” (gender roles based on habits and stereotypes should be eliminated) (Verloo and Lombardo 2007; Lombardo, Meier, Verloo, Emanuela Lombardo, and Verloo 2009). Policy proposals attempting to put these ideas into practice are diverse and sometimes incompatible. One example is the diversity of feminist models to regulate prostitution, ranging from abolishing the patriarchal commodification of women as sex objects to empowering women who earn their living as sex workers (Tertinegg, Hrzenjak, and Sauer 2007).

Institutions that were not originally concerned with gender equality and added this goal retroactively often develop a remarkable awareness regarding gender hierarchies, depending on the extent of internal and external feminist advocacy. However, institutional concepts of gender equality are shaped by the need to accommodate a broad range of positions, including those that see no need to “fix” gender relations. Within the United Nations, the notion of gender as a social construction (see above) has been hotly contested, as many UN members prefer to think of gender as a bipolar difference between men and women based on biological traits (Hannan 2013). Accordingly, the Rome Statute of the International Criminal Court defines gender as “the two sexes, male and female, within the context of society. The term ‘gender’ does not indicate any meaning different from the above” (Art. 7, para. 3).

In the process of integrating gender into organizational practice, other forms of narrowing take place. For example, the concept of gender mainstreaming, introduced in numerous institutions to integrate a gender perspective into all procedures and activities, seems to have made gender “evaporate” rather than gain real traction (Moser 2005; True 2010). Efforts to mainstream gender have often focused exclusively on “raising female numbers” (Charlesworth 2005). Not only does this approach imply that women are deficient and that the problem is solved once they rise to the “male standard”; it also disregards the conditions under which female numbers are indeed rising. As Elson points out, it is not taken into account if numerical improvement for women is based on deteriorating conditions for men or a general decrease of welfare (2006). Also, if a gender perspective is “added” to a policy field without an attempt to transform gender
stereotypes prevalent in this field, these stereotypes are perpetuated. A point in case is global security governance, where gender awareness has become increasingly relevant, but with a much stronger emphasis on female vulnerability than on women’s agency or on the problematic pairing of violence with masculinities (Cohn 2008; True 2012; Braunmühl 2013).

Of the variety of potentially relevant context factors that shape the framing of gender equality, we would like to highlight two, namely the degree of acceptance of this claim and its temporality. First, the degree of acceptance of gendered claims, dependent on the strength of competing ideas, influences the meaning of gender equality. In contexts less “belabored” by feminist advocates, gender equality is often understood in a one-dimensional fashion and strategies of change target the most blatant sexist stereotypes (for example, that women lack the rational capacity to vote). Claims in the name of gender equality become more complex as they gain traction. Accordingly, challenges of the androcentric nature of political institutions first focused on overcoming the legal exclusion of women from voting, then on sociocultural mechanisms that excluded women from public office. One response to these mechanisms of exclusion has been leadership training for women. In the last two decades, female quotas have come to be a surprisingly bold strategy to confront the persistence of male overrepresentation in institutional politics (Krook and True 2012). In international policy fields, we can observe a more complex and integrated understanding of gender in areas where sustained advocacy has made a convincing case that gender matters, such as in development and human rights discourses (Fraser and Tinker 2004; Reilly 2009). In contrast, disregard for the significance of gender remains strong in macroeconomics and international finance management, with the result of a lower level of influence of gender equality norms (Razavi 2013; Young 2013).

Temporality is the second dimension of context-specificity highlighted here. Ideas are products of historical constellations and develop over time. Such development can be both intrinsic and triggered by external influences (Krook and True 2012). The historical development that has led to understanding violence against women (VAW) as a crucial impediment to achieving gender equality is an interesting example: While VAW is prevalent cross-culturally, it took a long time to delegitimize the phenomenon and re-frame it as a massive global problem (Chinkin 2012). However, since VAW resonates with the globally agreeable notion of female victimhood, its condemnation then spread rather rapidly, if much more so in regard to some manifestations (for example, female genital mutilation [FGM], female infanticide and feticide, and wartime rape) than others (for example, marital and date rape, and sexual violence committed by military forces and law enforcement agents). The strengthening of the human rights discourse in the post-cold war period further helped to understand VAW as a profound impediment to the realization of the rights of women. This increasing recognition notwithstanding, VAW is still not fully understood as detrimental to society as a whole, as the absence of combating VAW in the Millennium Development Goals indicates (Balakrishnan and Elson 2012).

Considering all these influences, we argue that the meaning of gender equality is not fixed, but in flux. It is not a clearly definable package to be delivered, but rather a set of multiple nonlinear processes in which many actors are involved. These actors have widely differing and sometimes incompatible ideas of the concept and how it should be implemented. We have argued that the measurement approach in itself is incapable of grasping such complexity. To support this argument, the next section provides a detailed examination of nine key measures of gender equality with a view to their production of meaning.
Producing Gender Equality: Examining Nine Key Indices

The proliferation of attempts to measure progress toward gender equality cross-nationally parallels the push to assess progress toward all types of social justice and governance goals (Kaufmann, Aart, and Massimo 2010; Syed 2010; Krever 2013). This analysis of specific measures focuses on elucidating the narratives of gender equality constructed by and through their use. Although “distinct evaluation tools generate different information” (Kloosterman, Benning, and Fyles 2012:532), we show here that the most widely used measures of gender equality cross-nationally, tell—directly and indirectly—a limited, misleading, neocolonialist story about what gender equality is and to what extent and where it has been realized. Importantly, the narratives of gender equality constructed by and through these measures have serious implications for our understanding of what remains to be done, where, as well as how it should be achieved. As discussed in the previous section, these measures of gender equality carry significant political and programmatic weight because they are used to direct policy, practice, and financial resources on an increasing scale and the organizations that compute these measures are explicit about their utility in this regard (for example, World Bank 2012:8).

Gender-related indices have been developed by a host of international organizations and research institutes: The United Nations Development Program (UNDP) pioneered these efforts with the 1995 introduction of the Gender-related Development Index (GDI) and the Gender Empowerment Measure (GEM). Although these measures were widely used, they were also subject to vociferous criticism about their coherence. While the GDI could only be understood in relation to a country’s rank on UNDP’s Human Development Index, many mistook it as a stand-alone measure of gender inequality (Klasen and Schüler 2011). In response to these concerns, UNDP retired the GDI and GEM in favor of the Gender Inequality Index (GII), which was introduced in 2010. It is one of the nine measures that we examine in this article. Subsequently, and partly reacting to the deficiencies detected in the earlier UNDP measures, other international organizations have created their own indicators that we examine herein: The World Bank has a Gender Data Portal that includes its Women, Business and the Law indicators; the Organization for Economic Co-operation and Development (OECD) computes the Social Institutions and Gender Index (SIGI); the World Economic Forum produces the Global Gender Gap (GGG), and the UN tracks progress toward gender equality as part of the Millennium Development Goals (MDG 3, United Nations 2008). Non-governmental organizations and academics have produced additional measures we include in this analysis: the Gender Equity Index (GEI) is published by the NGO Social Watch; The Economist Intelligence Unit (a subsidiary of The Economist magazine) produces the Women’s Economic Opportunity Index (WEO); the Cingranelli-Richards (CIRI) Human Rights Data Project includes three relevant indices on Women’s Political Rights, Women’s Economic Rights, and Women’s Social Rights;10 and finally, the WomanStats Project produces multivariate scales on a broad range of issues related to gender equality and women’s status.

The majority of these measures are based on a limited number of indicators that attempt to capture outcomes (see Table 1). Some of the most common indicators include labor force participation, literacy rates, and the percentage of women elected to national parliament (for example, GII, GEI, GGG, SIGI, MDG 3). Some of these indices include more varied inputs that attempt to elucidate additional dimensions of gender relations including policies, attitudes, outcomes, and compliance with international norms (for example, WEO and WomanStats). The measures also differ in terms of exactly what they are designed

---

10The indicator on Women’s Social Rights was retired in 2005 (Cingranelli and Richards 2008).
Some attempt to delineate the gap between women and men in certain areas, like Social Watch's GEI, while the World Economic Forum's GGG does so by measuring how countries divide resources and opportunities among male and female populations (Hausmann, Tyson, and Zahidi 2012). UNDP's GII measure takes a slightly different approach by focusing on the “loss to potential achievement” due to gender inequality (UNDP 2013b). The World Bank’s *Women, Business and the Law* measures gender difference in legal treatment in areas that affect women’s participation in the economy (The World Bank 2012:5). Another group of measures try to capture that which shapes access to opportunity and/or the causes of inequality. For instance, the OECD’s SIGI focuses on what explains discriminatory outcomes by quantifying discriminatory social institutions (OECD Development Centre 2012) and The Economist Intelligence Unit’s WEO measures factors underlying women’s access to opportunity in the formal economy (2012:5).

### Table 1. Quantitative Measures of Gender Equality

<table>
<thead>
<tr>
<th>Publisher</th>
<th>Name of Measure</th>
<th>Number of Indicators</th>
<th>Subscales</th>
</tr>
</thead>
<tbody>
<tr>
<td>UN</td>
<td>Millennium Development Goal 3 (MDG 3)—Promote Gender Equality and Empower Women</td>
<td>3</td>
<td>None</td>
</tr>
<tr>
<td>UNDP</td>
<td>Gender Inequality Index (GII)</td>
<td>5</td>
<td>Reproductive Health Empowerment Labor Market</td>
</tr>
<tr>
<td>WB</td>
<td>Women, Business and the Law</td>
<td>24*</td>
<td>Accessing Institutions Using Property Getting a Job Providing Incentives to Work Building Credit Going to Court</td>
</tr>
<tr>
<td>OECD</td>
<td>Social Institutions and Gender Index (SIGI)</td>
<td>12</td>
<td>Discriminatory Family Code Restricted Physical Integrity Son Bias Restricted Resources and Entitlements</td>
</tr>
<tr>
<td>WEF</td>
<td>Global Gender Gap (GGG)</td>
<td>14</td>
<td>Economic Participation and Opportunity Educational Attainment Health and Survival Political Empowerment</td>
</tr>
<tr>
<td>The Economist Intelligence Unit</td>
<td>Women’s Economic Opportunity Index (WEO)</td>
<td>29</td>
<td>Labor Policy and Practice Access to Finance Education and Training Women’s Legal and Social Status General Business Environment</td>
</tr>
<tr>
<td>Social Watch</td>
<td>Gender Equity Index (GEI)</td>
<td>11</td>
<td>Economic Participation Empowerment Education</td>
</tr>
<tr>
<td>CIRI</td>
<td>Cingranelli-Richards Human Rights Data Project (CIRI)</td>
<td>5</td>
<td>Women’s Political Rights Scale</td>
</tr>
<tr>
<td>WomanStats</td>
<td>WomanStats</td>
<td>27</td>
<td>Discrepancy Scale–CEDAW Implementation &amp; Enforcement</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Physical Security Scale 14</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Inequity in Family Law 14</td>
</tr>
</tbody>
</table>

*The measure includes 24 distinct indicators, 21 of which are measured for both married and unmarried women.*
Apart from these general characteristics, we have found five specific dimensions of “narrative production” that these measures contribute to (see Table 2): They articulate a very narrow understanding of gender equality; they produce a logic of ranking rather than problem solving; they construct the South as deficient “at the bottom”; they lump women together into a collective without differences; and they obscure processes of agency in social change. These dimensions are addressed in turn.

**Checking Off Boxes: The Simple Way to Achieve Gender Equality**

Gendered ideas and practices touch all aspects of human existence, so the scope of needed action for eliminating all forms of discrimination against women and achieving gender equality is vast. The measures of global gender equality analyzed in this article embody a paradox: They rhetorically recognize the complexity of achieving these goals but equate the broad goals with narrowly framed measures, generally measuring gender equity or parity, while claiming to measure gender equality.\(^{11}\)

This paradox is not limited to the measures with the smallest numbers of indicators; all nine of the measures examined herein exhibit versions of it. Although the number of indicators included in each of these measures vary from three (MDG 3) or five (GII and CIRI measure of Women’s Political Rights) at the low end, to 24\(^{12}\) (World Bank’s *Women, Business and the Law*) and 29\(^{13}\) (The Economist’s WEO) at the high end, they all use very narrowly conceived indicators to make claims about “women’s equality,” “gender inequality,” “the gap between women and men,” and/or inequality in a specific field like the economy, health, or political empowerment. Take the World Economic Forum’s Global Gender Gap measure as a case in point. It includes 14 indicators, divided into four sub-scales. The WEF’s report analyzing 2012 data explains that the “Health and Survival” subscale “provides an overview of the differences between women’s and men’s health” (Hausmann et al. 2012:4). The report, coauthored by noted Harvard and Berkeley economists, asserts that the “135 countries covered in the report, representing more than 90% of the world’s population, have closed almost 96% of the gap in health outcomes between women and men...” (Hausmann et al. 2012:7). In other words, this index tells us that gender equality in health is an almost worldwide reality. However, this claim is feebly based on data from only two indicators: female/male sex ratio at birth and the gap between male and female life expectancy. There is no logic that would equate these two quantitative measures to “health outcomes” writ large because health policy is designed to do more than reduce mortality. Gender discrimination in health potentially exists in the incidence, prevalence, treatment, and social meanings of conditions that cause illness, even when that illness does not reduce life expectancy. Since health policy is aimed at improving both fatal and non-fatal health outcomes, any measure of the “gender gap” in health must take this into account.

The UNDP’s GII provides another example that uses narrowly formulated indicators to draw sweeping conclusions. It claims to measure “losses in achievement due to gender inequality” along three dimensions: reproductive health, empowerment, and in the labor market. The GII, however, expresses these three

---

\(^{11}\)For a discussion of the problems of measuring equity as opposed to equality, see Facio and Morgan (2009). In her analysis of the GII, Parisi makes related points by distinguishing between measures that capture gender parity versus gender equality (2013:445).

\(^{12}\)The measure includes 24 distinct indicators, 21 of which are measured for both married and unmarried women. Three of the 24 refer only to unmarried women.

\(^{13}\)A host of these 29 indicators capture aspects of the general business environment in a country and do not address gender equality or women’s experiences.
dimensions in only five indicators (maternal mortality, adolescent fertility, female parliamentary participation, female secondary education, and female labor force participation). The result is that the GII draws conclusions about inequality in the field of “reproductive health” by measuring only maternal mortality and adolescent fertility. In so doing, it ignores all aspects of family planning for adult women, access to information and services, constraints on women’s sexual expression, treatment for infertility and sexually transmitted diseases, availability of abortions, and gender-based violence, among others. Furthermore, only two of the nine measures include, at all, an indicator related to reproductive rights or contraceptive use (SIGI and WEO). In addition, only one index (WEO) explicitly addresses the availability, affordability, or quality of childcare (in or outside of the family).

Many issues like these simply cannot be included, either because generalizable, quantitative data are not available or because the data cannot be constructed as difference between women and men. Thus, issues where men’s experiences are not the referent are often ignored—for example, violence against women, reproductive rights, gender stereotypes, etc. Women’s political empowerment, for instance, is generally reduced to the percentage of women in parliament (MDG 3, GII, SIGI). Or, in a few cases, this number is augmented with data about the ratio of female to male legislators, cabinet ministers, or those holding executive office (GGG, WEO, GEI, CIRI).14 Similar patterns exist for the indicators used

14Three of these measures use at least one additional variable to measure what they alternately refer to as “Women’s Empowerment” or “Political Participation”: SIGI includes the existence of electoral quotas; WEO includes CEDAW ratification; CIRI Women’s Political Rights index includes women’s ability to vote, run for office, join political parties, and petition government officials.
in other substantive areas. In the area of women’s economic participation, the measures generally rely on labor force participation or estimated earned income. To draw conclusions about inequality in the area of education, indices generally use the ratio of girls to boys in school and/or the literacy rate. While all of these measures are important, they are unable to adequately capture the complexity of gender hierarchies.

These indicators are not, however, measures of “human rights enjoyment” as experienced by individuals and groups (Ackerly and Cruz 2011). Instead, they are reasonable indicators of equity between women and men. In large part, these indicators are used because they rely on information that is readily quantifiable, but information that does not get ignored, even when it illustrates critical equality concerns. Only three of the nine measures, for example, explicitly include indicators that address violence against women (SIGI, WEO, and WomanStats), and of them, only WomanStats treats the issue in a remotely adequate way. The World Economic Forum’s measure of the “gap between women and men” is one of those that fails to include anything explicit about violence against women (except as it relates to sex ratio at birth). Given this, it is not surprising that South Africa, the country with the highest reported rate of rape anywhere in the world, ranked 16th of 135 countries on its 2012 measure (GGG). As the UN High Commissioner for Human Rights, Navi Pillay, implored the nation’s leaders to take more adequate steps to address the “pandemic of sexual violence” in the country (United Nations 2013), the GGG measure applauded South Africa’s low level of inequality. At best, this produces cognitive dissonance, at worst it (re)inscribes the notion that addressing violence against women is not key to redressing gendered inequities and provides the South African government with “evidence” of its gender equality success.¹⁵

I’m Better Than You—Ranking as Raison d’être

These nine measures provide information about the barriers to and status of women’s equality with the hope that the information provided will be useful for policy development. Although it goes without saying that the women’s rights situation varies across (and within) countries, the idea of ranking countries based on their “scores” is highly problematic, as an OECD report plainly articulates:

Composite indicators are valued for their ability to integrate large amounts of information into easily understood formats for a general audience. However, [they]...can be misleading, particularly when they are used to rank country performance on complex economic phenomena. ... They have many methodological difficulties which must be confronted and can be easily manipulated to produce desired outcomes.... [C]omposite indicators can result in distorted findings on country performance and incorrect policy prescriptions. (Freudenberg, 2003:5)

In spite of methodological concerns voiced by social scientists and statisticians alike (for example, Munda and Nardo 2003; Cherchye, Moesen, Rogge, and Van Puyenbroeck 2007; Klasen and Schüler 2011; Davis, Kingsbury, and Merry 2012), five of the nine indices rank order country’s performance—UNDP’s GII, OECD’s SIGI, World Economic Forum’s GGG, The Economist’s WEO, and Social Watch’s GEI. The other four abstain from giving countries a numerical rank (for example, 1–100) instead creating broad categories of measurement (high, moderate, low, for instance).

¹⁵Balakrishnan and Elson (2012) make this point with regard to the absence of violence against women in the MDGs.
As the above OECD quotation indicates, composite measures are vulnerable to methodological problems. Our particular concern, however, with the ranking of countries is that it contributes to the perpetuation of a hierarchically organized narrative that the equality project is, in some places, complete or nearly complete, and that we can easily measure just how close a country is to this goal. The rankings obscure the ways in which these measures are partial, often inadequate, and only address a very limited range of issues. For instance, the NGO Social Watch graphically presents its GEI on a ruler, with the tag line, “Know The Size of Your Gender Gap.” The GEI claims to measure the gap between women and men on 11 indicators across three areas: education, empowerment, and the economy—and country’s scores are scaled from 0 to 100 with 100 meaning “perfect equality.” To present GEI results, country names are placed next to their score on a ruler. The ruler is color coded by section, to distinguish between varying levels of inequality. A score of 1–40 indicates a “critical” level of inequality; 41–60, a “very low” level, up to 91–100 that denotes an “acceptable” level of inequality (Social Watch 2012). Although no country appears in the “acceptable” category, a handful of usual suspects come close to that desirable level: Norway at 89; Finland at 88; and Iceland and Sweden at 87. It is important to recognize the message(s) reinforced by this graphic: The rankings create the illusion that the equality project is about done in certain places, even when most feminists residing in these countries would dispute this message, based on different forms of data. The rankings also numerically “show” that Angola, Azerbaijan, Belarus, China, Colombia, Guyana, Mexico, and Venezuela with a score of 64, all have the “same” levels of gender inequality and are positioned slightly lower than Belize, Burundi, Peru, Singapore, and Ukraine at 69. These ranks, rather than providing assistance in addressing gender inequalities, paint a reductive picture, equating different contexts in a way that is essentially devoid of meaning.

Additionally, the method of averaging the scores on each of the three sub-scales misrepresents the situation in countries that show huge disparities between those scales: Albania, for example, reaches a medium level GEI of 55, but its subscale scores paint a different picture: The overall GEI is only comparable to the subscale in economic participation (score 57). Albania’s rank in the area of education is much higher (subscale score of 94) while it is abysmally low in the area of empowerment (subscale score of 13). Even with the assumption that the subscale scores have validity, the aggregated GEI remains unable to tell us anything substantive about the picture of equality in the country. The GEI does not stand out in this respect—the other indices have similar methodological problems. Take the OECD’s SIGI: Because the index underwent significant methodological changes between 2009 and 2012, the OECD admits that “a genuine comparison” of the SIGI rankings across years is “not possible” (OECD 2012:12). Nonetheless, the chart of the 2012 data and the graphics used consistently make these comparisons. For example, South Africa ranked 49th in 2009 and “jumped” a dramatic 45 places to rank 4th in 2012. The result is a narrative of a country’s relative rank, improvement, and/or deterioration, that is, even by OECD’s own admission, without substantive merit.

Colonialist discourses “represent the colonized, whatever the nature of their social structures and cultural histories, as ‘primitive’ and the colonizers as ‘civi-
lized’” (Ashcroft, Griffiths, and Tiffin 2000:35), producing what Mrinalini Sinha refers to as “imperial social formations” (2000). With regard to women’s status, this mindset produces the assumption that women in postcolonial societies are by default oppressed, echoing Spivak’s sarcastic observation that it requires white men to save brown women from brown men (Spivak 1988; Narayan 1997; Shih 2002). Hence, it is perhaps not surprising that this “neocolonialist stance” (Narayan 1997) is evident in a range of ways in the nine measures examined in this article. OECD’s Social Institutions and Gender Index (SIGI) shows the most obvious manifestation of this logic as it explicitly omits advanced industrialized countries from its calculations. SIGI aims at capturing the “long-lasting social institutions that are mirrored by societal practices and legal norms that might produce gender inequalities” (Branisa, Klasen, and Ziegler 2009:1) and is thus meant to be a complement to outcome-oriented measures. The absence of OECD countries is not because “discriminatory social institutions do not exist in these countries” (OECD Development Centre 2012:10). Rather, it is because the variables included in the index are tailored to capturing the discrimination of “others” (Branisa et al. 2009:16). This includes indicators of FGM, missing women/son bias, and early and forced marriage. Astonishingly, the 2009 index measured the prevalence or absence of civil liberties for women by using only two indicators, one of them being “obligation to wear a veil.” It is hard to imagine how to create a measurement that is more biased against one religion, in this case Islam. It is clear, however, that the indicators used capture extraordinarily little of the discrimination faced by women in OECD countries, Muslim and non-Muslim alike.

Other indices include high-income countries but hold them up as a model for gender equality, making it seem like it is only in developing countries where the equality project is unfinished. For instance, in analyzing the results of its 2012 Women’s Economic Opportunity Index (WEO), The Economist Intelligence Unit’s report notes that Western European countries have “uniformly perfect scores in property ownership and citizenship rights, and nearly uniformly perfect scores in accessing financial programs and addressing violence against women” (p.15, our emphasis). Looking through “Western Eyes” (Mohanty 1988), they take the opposite approach in analyzing the rank of East and South Asian countries, equating school enrollment rates for girls in Pakistan with the rates found in the United States in the year 1810 (The Economist Intelligence Unit 2012:16). This analysis of the data serves to reinscribe neocolonialist understandings of gender (in)equality, where Europe is nearly “perfect” and the barbarism of the “others” has created poor, uneducated, abused women.

The two indices published by academics—Cingranelli-Richards and WomanStats—engage to differing extents in constructing this problematic narrative. Although both include high-income countries in their calculations, the indicators comprising CIRI’s Women’s Social Rights Index, for instance, are rife with cultural biases that are more likely to capture discrimination against “others” (those residing in the South and Muslims) than against “us” (those residing in the West and Christians). CIRI’s framing of women’s social rights perpetuates a “death by culture” narrative (Narayan 1997) where “violence is decontextualized and becomes a visible, static mark of cultural otherness” (Fernandes 2013:111). The index is comprised of 12 components, 11 of which we identify as intended to capture discrimination against “others.” The most glaringly problematic is the inclusion of “freedom from FGM” and “freedom from forced sterilization” as the...
only indicators of violence against women. Furthermore, the coding manual explicitly directs coders to “(i)gnore,” in the source documents, “any mention...of domestic violence, trafficking and prostitution, sexual harassment, honor killings, dowry deaths, and rape” since they “hope to develop separate indicators for these things” (p.85). In the meantime, CIRI retired the Social Rights Index. Nonetheless, a measure of violence against women that aims at representing 195 countries cannot be based on only two types of violence, regardless of where and by whom they are practiced.

In comparison with the other eight measures examined in this study, the WomanStats’ measures generally include a wider range of materials and take more seriously that discrimination against women occurs in the North as well as the South. That said, the “Physical Security of Women” scale, which specifically includes indicators on rape and sexual assault, murder and marital rape, also singles out “honor crimes” as relevant to determining security. It does not, however, specifically include other forms of violence—date rape or sexual harassment—that are serious problems in most Western countries. It also ignores feminist critiques of honor killings as somehow different from other domestic violence murders, where, unlike such murders in the United States, culture is the culprit (Moosa 2008:45–6).

**Differences among Women Are Inconsequential**

In spite of the fact that many of these indices are biased toward identifying gender inequality in politically, economically, historically, socially, and culturally “othered” groups, they almost universally minimize the importance of differences among women within countries, “mask[ing] particularities in favor of the appearance of universal categories” (Grewal and Kaplan 1994:16). None of the nine measures analyzed herein comprehensively or systematically incorporate differences among women into their assessment of gender equality. In fact, these indices would more accurately be framed as measures of “majority women’s rights” than “women’s rights” in a particular country. It is generally true, for instance, that lower rates of literacy among women from a racial, ethnic, or religious minority would be included in an overall percentage of women’s literacy in a country. Yet, simply including minority experiences in an overall average effectively renders intersectional inequalities invisible. In many cases, the fact that women from a majority population vastly outnumber those from the minority population means that discrimination targeting a minority group is lost in the process of creating a numerical “average.” Furthermore, so doing reinforces the perception that women, as a group, have one experience that can be captured by a single number. For example, the fact that 20% of current US Senators are female is significant given that only 44 women have ever served in the Senate (CAWP 2014a). However, looking only at the aggregate fails to address the absence of women of color among the 20% and renders this absence politically, socially, and morally unimportant. 20

Because all of these measures are ultimately reduced to one (or very few) numbers or rankings, and because the experiences of minority groups are not explicitly linked to the coding schemes, the experiences of racial and ethnic minorities, or lesbians, for instance, are invisible. Two of the nine measures make explicit references to women from minority groups in at least one place in their coding scheme, but do so inadequately. In the coding directions for the Economist’s WEO 29 indicators, difference among women is explicitly refer-

20Mazie Hirono (elected 2012) and Carol Moseley Braun (1993–1999) are the only women of color ever to have served in the US Senate (CAWP 2014b).
enced only once and in a parenthetical fashion (Hausmann et al. 2012:46). The OECD’s Social Institutions and Gender Index (SIGI) does little better. It includes 14 indicators to measure the social institutions that produce gender inequality. Coding directions suggest that discrimination against “some women”—which generously speaking could be used to take account of discrimination against a minority group—could be used in determining a country’s score for three of the 14 indicators.

In addition to these minimal explicit references, the measures that draw partially on qualitative data for some of their indicators—WomanStats, CIRI, WEO, and the World Bank’s WBL—could be derived from information that takes seriously the experiences of women from minority groups. In practice, this depends on the source of the information and the coder’s predilections because coding rules do not explicitly require it. Many of the indices’ coding guidelines score a country based on whether discriminatory practices are “widespread” or “limited.” However, without explicit direction to take the experiences of minority groups into account, discriminatory practices that are “widespread” but target a minority group (for example, lesbians or indigenous women) are deemed inconsequential by the index’s coding scheme.

In sum, only two of the nine measures included in this analysis take explicit account of differences among women, and those references are minimal. This reproduces the problematic assumption that women’s experiences are unitary and can stand apart from other forms of inequality.

Women Are Fortunate or Victims but Not Advocates for Change

By and large, the nine measures examined in this article quantify gender equality outcomes—for example, literacy rates, labor force participation, etc. A couple of the measures also quantify some aspect of law or policy related to gender equality—for example, whether law gives women equal standing in divorce proceedings or in regard to inheritance. In so doing, these measures conceptualize women’s agency or empowerment as individual-level phenomena. With higher levels of education or labor force participation, they suggest, individual women are more able to participate in social, political, and economic life. Although these individual-level factors are clearly important to women’s agency, limiting the discussion to them reproduces a notion of women as recipients of rights rather than political actors crucial to their claiming.

Discussions of women’s rights and radical or feminist educational pedagogy have long critiqued this individualistic, passive construction of rights holders, pointing out that women must be understood as claimants of their rights or education, not simply banks or empty slates upon which rights and information are deposited (Rich 1977). Recent research about women’s political agency builds on these insights, demonstrating that feminist collective action is critical for achieving change. Htun and Weldon’s study of 70 countries overwhelmingly illustrates this point, showing that “autonomous mobilization of feminists in domestic and transnational contexts—not leftist parties, women in government, or national wealth—is the critical factor accounting for policy change (on violence against women)” (2012:548).

21The guidelines for coding indicator 4.3 on property rights specify that a country should be given a 4 (where 5 is maximum score) if “men and women have equal ownership rights according to legal codes... but customary practices occasionally (in up to 20% of the cases) take precedence over statutory law in ways that are harmful to women (for example, in minority ethnic groups in a country)” (Hausmann et al. 2012:46).

22For instance, in the coding scheme for the “legal age of marriage” indicator, countries are to be given the score of 0 if the minimum age of marriage does not discriminate against women and 0.5 if the law “discriminates against some women, for example through customary, traditional and religious law” (OECD Development Centre 2012:30). Two other indicators—“parental authority” and “inheritance”—make similar references.
Understanding or measuring change thus requires attention to agency, channels of influence, strategies, and competing ideas and practices. The measures analyzed here, however, generally quantify political participation narrowly as the percentages of women in national parliament or serving as cabinet-level ministers (MDGs, GII, GGG, WEO, GEI). Two of the nine measures contain a slightly broader conceptualization of women’s political participation, either by including the existence of electoral quota laws (SIGI) or the right to vote, run, and hold office, join political parties, and petition government (CIRI). WomanStats codes some information produced by women’s and human rights organizations but does not specifically measure their activity. The World Bank’s WBL measure does not include any indicators on women’s political participation. Their 2012 report, however, notes that civil society organizations, along with labor unions and industry groups, ought to be targeted for “future strategic partnerships” (The World Bank 2012:30).

In sum, the measures favor an individualistic concept of political participation over a collective, activist version. In so doing, they (re)inscribe the idea of women as passive recipients of rights, rather than as political actors whose collective efforts are critical to social and political change even while engagement can heighten risk. This individualistic framing of agency is also unable to account for the ways that interventions to change the status quo produce “risks and injuries” for politically marginalized individuals and groups (Madhok and Rai 2012).

The CEDAW Committee’s Dialog with States as an Alternative to Quantitative Measurements

Most of the nine indices we examined point to specific provisions in CEDAW as justification for their selection of indicators. However, this connection is typically made post hoc, that is, the indicator is selected and then linked to a provision in CEDAW. Only WomanStats (Multivariate Scale #2) and four of the individual indicators comprising the WEO start from human rights provisions or agreements (CEDAW for WomanStats and ILO Conventions for WEO) and develop indicators accordingly. In this section, we make the case that human rights standards, and the CEDAW Convention and its monitoring procedure specifically, provide a better framework than the indices both for evaluating levels of gender (in)equality cross-nationally and for conceptualizing meaningful gender equality policies.

We find CEDAW a useful compass both in terms of its content and process parameters. As for its content, the core vision of CEDAW is to eliminate all forms of discrimination against women, de jure and de facto, to achieve equality of women with men. According to the principles of international human rights law, states are responsible for realizing this goal. The Convention’s 16 substantial articles provide both general guidelines for states (for example, Article 2) and formulate more detailed goals and state responsibilities in regard to specific fields (for example, education, employment, health, political participation, and family relations). The substantial provisions of CEDAW have limits, for example, large parts of them are based on the construction of the male (non-discriminated) comparator rather than on women’s empowerment and well-being per se (Charlesworth 2013), and the Convention does not explicitly include violence against women as a violation of women’s rights. However, the text has been consistently interpreted by the committee of independent experts that oversees the development of the treaty, as well as the case law of the Committee of Experts on the Elimination of Discrimination against Women.
implementation of the Convention by addressing impediments to gender equality in a comprehensive and context-specific manner. Thus, the CEDAW Committee has made violence against women an integral part of the Convention’s framework; it has also interpreted the definition of discrimination against women in Article 1 broadly and with a view to intersecting forms of discrimination that affect certain groups of women in particularly harmful ways (Byrnes 2012). This dynamic interpretation of the Convention is also sometimes accused of lacking cultural sensitivity (Merry 2006) or being too radically feminist, for example, in its advice regarding abortion (Jacobson 2010), or being inconsistent in addressing discrimination against lesbians. The point, however, is that although the understanding of gender equality developed in the CEDAW process is not perfect, it is an international standard that acknowledges the multifaceted nature of gendered relations and politics. Unlike the quantitative indices, its evaluative goal is to take account of complexity rather than narrowing it down (cf. Measuring vs. Allowing for Complexity: What’s at Stake?).

The Convention’s procedural set-up enables an inclusive, context-specific, thorough approach to problem solving for each state party. At least three elements are noteworthy here: First, CEDAW has been ratified by nearly all sovereign states, and this makes it relevant for most of the world’s women. While a state’s ratification should not be mistaken for a comprehensive commitment to working for gender equality, it does open the state to being scrutinized on whether or not it is implementing the Convention’s provisions. Second, if a state partakes in the CEDAW process, it commits to submitting reports and engaging in a constructive dialog with an independent expert committee on a regular basis—ideally, every 4 years. This dialog serves to evaluate the achievements and problems in understanding and implementing international women’s rights norms context-specifically. Thanks to the highly knowledgeable and engaged input of an ever-increasing number of civil society organizations and a number of other reforms, the dialog is typically constructive, critical, and substantial. Finally, the fact that the CEDAW monitoring procedure is a principally infinite instrument takes account of the long-time horizon necessary to deal with deeply ingrained problems. It allows the CEDAW Committee both to better evaluate change (or lack thereof) and to focus on identifying adequate problem-solving approaches.

To illustrate the different results of the measurement vs. the CEDAW approach, we take a brief look at one country—Chile—through both lenses. From the measurement perspective, Chile belongs to the group of countries with very high development, visible in its rank 40 out of 186 on the Human Development Index (HDI) in 2013 (UNDP 2013a). When it comes to gender equality and women’s empowerment, Chile displays significant deficits, the most obvious of which lie in the fields of female participation in the labor market and political decision making (see Table 3). Accordingly, Chile’s GII rank—66—is low in comparison with its HDI rank, and this is the result of a low if increasing labor force participation rate of women 15 years of age and older (47.1% compared to 74.2% of men). The WEF’s 2013 Global Gender Gap ranks Chile significantly

---

24Many commentators have pointed out that a significant number of states have entered reservations—59 as of 2010 (Connors 2012). We do not share the corresponding assumption that because of these reservations, the integrity of the treaty is undermined. While they do reflect a state’s concerns with the Convention, the CEDAW Committee does not “exempt” the state from being scrutinized in the areas for which the reservations are relevant. On the contrary, CEDAW experts consistently push state parties to explain, rethink, narrow and withdraw any reservations they have entered.

25For a number of reasons, among them, tardiness in state reporting and a high work load of the Committee, 4-year intervals of state-committee encounters are the exception rather than the rule.

26Chile serves well for this purpose because it is included in the relevant quantitative measures and has consistently participated in the CEDAW review process.
lower than the GII (at rank 91 out of 136) and translates women’s performance in gainful employment into an abysmal rank of 112 in its subcategory “economic participation and opportunity.” Women are further blatantly underrepresented in political decision making. This is measured in the share of female representation in national parliaments, which stands at 14% in Chile (13.9% according to UNDP and 14.2% according to MDG 3). On the positive side, the indices suggest that women are nearly equal to men in educational achievements—the Global Gender Gap’s subscale on educational attainment ranks Chile at 32, and MDG 3 finds an almost ideal 95 girl-to-boy ratio in primary school enrollment.

In respect to MDG 5 (improvement of maternal health), Chile is a successful case, displaying a low maternal mortality rate (25 deaths per 100,000 live births) and “moderate access to reproductive health,” represented by 64.2% of women aged 15–49, married or in union, using contraception (MDG country progress snapshot: Chile 2012).

This information suggests that Chile’s challenges in regard to gender equality lie in the areas of gainful employment and political decision making, while other fields are in satisfactory shape (education in particular, but also the situation of reproductive health). To be sure, a more careful reading of the indices and their subscales do flesh out the picture more. However, the overall message suffers from the deficiencies we have identified in the section, Producing Gender Equality: Examining Nine Key Indices of this article, in particular, a narrow and compartmentalized view of gender equality; a logic of ranking rather than problem solving, as the latter would need to include an analysis of the reasons for deficiencies; the treatment of women as a singular group, which results in overall positive assessments in fields where multiply marginalized women are nonetheless disadvantaged; and a lack of focus on women’s agency.

Looking at Chile through the CEDAW review process brings to light a more complex picture. As a state party to the Convention since 1990, Chile has submitted its reports without significant delay and has had four opportunities to enter into constructive dialog with the CEDAW Committee (1994, 1999, 2006, and 2012). This relationship shows, on the one hand, that respective Chilean governments have been committed to their reporting duties; the quality of the reports as well as the well-prepared delegations sent to meet with the Committee are

<table>
<thead>
<tr>
<th>Index</th>
<th>Most Pronounced Problem/Feature</th>
<th>Overall Rank/Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender Inequality Index (GII) 2013 (UNDP)</td>
<td>Low female labor market participation Low female representation in national parliament (13.9%)</td>
<td>66 out of 186</td>
</tr>
<tr>
<td>MDG 3—Promote Gender Equality and Empower Women 2012 (UN)</td>
<td>Low female representation in national parliament (14.2%) Near parity in educational achievements</td>
<td>Negative and positive</td>
</tr>
<tr>
<td>MDG 5—Improve Maternal Health 2012 (UN)</td>
<td>Low maternal mortality rate Moderate access to reproductive health</td>
<td>Positive</td>
</tr>
</tbody>
</table>
further proof that Chile has taken the monitoring procedure seriously. On the other hand, the fact that Chile has been monitored for almost 20 years and that its encounters with the Committee have happened on a regular basis underline the long-term and periodical support structure the constructive dialog is meant to provide. Further, while Chilean NGOs were absent at the first encounter between the government and the CEDAW Committee, they have been present in the latter three meetings in increasing numbers, covering more fields, doing so in more detail, and representing more segments of society, including, at the 2012 meeting, LBT and Mapuche (indigenous) women.27 During this process, the Committee, the government, and NGOs come together to document and analyze problems and discuss ways to overcome them.

While many issues have been discussed across these four constructive dialogs, five emerge over time as the most important: (i) low female labor market participation, combined with female overrepresentation in precarious and temporary work, resulting in high rates of female poverty; (ii) underrepresentation of women and their interests in political decision making; (iii) discriminatory and insufficient legislation in relation to marriage and divorce; (iv) deficiencies in the area of reproductive rights and health, most often discussed with regard to teenage pregnancies and illegal and unsafe abortions; and (v) a high prevalence of violence against women (VAW). As we show in the following, the analysis of these issues in the dialog allows for connecting rather than separating phenomena, thus reaching a more comprehensive understanding of the scope of gender inequalities, and it also increasingly takes notice of the problem of intersectional inequalities.

The government shows problem awareness in all five fields since its first encounter with the Committee (see Table 4). In regard to women’s labor market participation, it has been designing some laudable policies, for example, support programs specifically geared toward poor women and maternal and (very limited) paternal leave provisions (see dialogs 1994 and 99). NGOs have consistently pointed to two major underlying problems, namely the high percentage of women in precarious work on the one hand, and the near exclusive responsibility of women for household and child-rearing tasks on the other. Thus, the need to reconcile family responsibilities with gainful employment is the major constraint for women to earn money. It also explains why women are overrepresented in precarious and part-time work, and why, as a consequence their position in the labor market is “deficient.” It is only in the very last dialog in 2012 that the government presents some policies that address these imbalances, namely the increase in child care facilities and legal improvements in the situation of domestic workers, one of the fields of precarious employment where mostly poor women, often of rural or immigrant background, try to earn a living.

Participation of women in formal political arenas has traditionally been low in Chile. Over the course of the dialogs, we see the government respond to this fact by creating a women’s policy agency (SERNAM) and introducing gender equality matters of various kinds into legislation. However, non-governmental voices have pointed to the ineffectiveness of such steps undertaken by a political establishment that, overall, is more conservative than the population as a whole and sometimes outright hostile toward the idea of gender equality. Both NGOs and

27All documentation relevant to the constructive dialog, including state reports, Committee questions, Concluding Comments, and NGO reports are available at the United Nations High Commissioner for Human Rights’ Web site (www.ohchr.org). For the particular case presented here, the increase in NGO input is remarkable: It started with two concise reports submitted by two NGOs in 1999, followed by one extremely comprehensive report compiled by 10 NGOs in 2006. In 2012, six reports were submitted by either individual NGOs or NGO coalitions. Three had a comprehensive focus and three highlighted one specific issue.
<table>
<thead>
<tr>
<th>Voices</th>
<th>Government—Committee</th>
<th>Government—Committee—NGOs (limited)</th>
<th>Government—Committee—NGOs (broad)</th>
<th>Government—Committee—NGOs (broad; Mapuche/LBT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor market integration</td>
<td>Recognition of problem; programs to support poor women</td>
<td>Legal improvements (for example, parental leave); NGOs: De facto discrimination; burden of domestic work</td>
<td>Not much de facto change (huge wage gap); NGOs: Segregated labor market; female family responsibilities</td>
<td>Fivefold increase of crièches; sexual harassment law/equal pay law; rights for domestic workers; NGOs: unbalanced family responsibilities/ stereotypes</td>
</tr>
<tr>
<td>Political representation</td>
<td>Recognition of problem; creation of SERNAM, public gender policies</td>
<td>Pending quota bill; NGOs: SERNAM ineffective</td>
<td>Pending quota bill; NGOs: Lack of political will</td>
<td>Gender mainstreaming efforts, quota bill archived; Committee: TSM</td>
</tr>
<tr>
<td>Marriage regime and divorce</td>
<td>One discriminatory marriage regime; no divorce</td>
<td>Several marriage regimes, the default one remains discriminatory; divorce bill pending</td>
<td>Marriage regime unchanged; divorce possible; NGOs: practical obstacles (for example, dysfunctional family courts)</td>
<td>Marriage regime unchanged, amendment is pending; divorce more accessible; Committee/NGOs: same sex couples should be included in civil union law</td>
</tr>
<tr>
<td>Reproductive rights/health</td>
<td>Recognition of problem: teenage pregnancies and unsafe/illegal abortions</td>
<td>Educational measures to reduce teenage pregnancies; no access to contraception; NGOs: access to contraception; legalize abortion</td>
<td>Limited access to birth control; abortion not legalized; NGOs: proposal of reproductive rights law; legalize abortion</td>
<td>Legal right to information on and access to birth control, including emergency pill; abortion not legalized; NGOs: still barriers to obtain contraceptives; legalize abortion</td>
</tr>
<tr>
<td>VAW</td>
<td>Recognition of problem</td>
<td>Domestic violence law; NGOs: not effective</td>
<td>Health care policies address VAW; increase of support centers; NGOs: no coherent policy</td>
<td>Shelters (since 2007); more comprehensive definition of violence; NGOs: VAW levels high; LBT women not recognized as victims</td>
</tr>
</tbody>
</table>
the Committee have therefore suggested introducing temporary special measures
to counterbalance patriarchal traditions and approach equal conditions faster.
The Chilean legislature, however, has not been keen on the issue: The debate of
a quota bill along the lines proposed by the Committee was indefinitely post-
poned and, by 2012, the bill was archived. Thus, what comes to light in the dia-
log is not only a deficit in terms of numbers of women in parliament, but also
the factors that actively keep the numbers low, including lack of political will,
embedded in gender stereotypical beliefs and a political system that favors male
candidates.

Although women’s labor force participation and prevalence in parliament are
the issues that the quantitative indices most frequently measure, the CEDAW
review process is more conducive to understanding the problem in a compre-
hensive, context-specific way. The remaining three core issues addressed dur-
ing the Chilean government’s interactions with the CEDAW Committee all focus
on the ways in which sexism and gender hierarchies in Chile are deeply rooted
in family life and the private sphere. Thus, the dialog raises key issues that are
not captured by the indices. It also brings to light that government action has
often been hesitant with respect to creating gender equal family policies.

The first major issue relates to the legal foundation of marriage: At the time
of the first dialog, the only marriage regime that existed in Chile assumed a
male head of household who administered the joint property of the spouses
(sociedad conyugal). By 1999, two other, more egalitarian marriage regimes were
available, but the discriminatory sociedad conyugal remained the most common
version of marriage, as either of the other two options has to be explicitly chosen
by the couple. Both the Committee and NGOs have vocally criticized this
continuing de facto discrimination, but the government has only recently
reacted (by the time of the 2012 dialog, an amendment to the law had been
introduced but was pending). Also, it took until 2004 that divorce became legal
—before, marriages could only be annulled, which had particularly negative eco-
nomic consequences for women. According to NGO complaints in the 2006 dia-
log, practical impediments still made it difficult to have access to divorce (for
example, dysfunctional family courts). The government reacted to these prob-
lems, and in 2012, divorce was legally and practically accessible. In the context of
the ongoing debate about a civil union law, the Committee urged the govern-
ment to make it inclusive and non-discriminatory, in particular with regard to
same sex couples. However, in 2012, NGOs raised the point that proposals sup-
porting the inclusion of same sex couples were introduced by some MPs, but
not discussed in Parliament. In sum, while slow and incremental changes in the
regulation of marriage have taken place, the dialog brings to light that underly-
ing patriarchal and heteronormative stereotypes of what a “real family” is remain
powerful.

Another area where the CEDAW process allows us to “dig deeper” than the
indices is reproductive health policy. From the government’s perspective, the
biggest challenge is the high prevalence of teenage pregnancies. Not only are
poor girls getting pregnant at a higher rate than middle- and upper-class girls,
but a pregnancy is also more detrimental to them, as it often means the end of
schooling, either because they feel they have to drop out or because they were
expelled for “inappropriate behavior.” While the government reported in 2006

28The Committee, however, bases its work on data disaggregated by sex and other categories. It considers this
information crucial to understand the de facto situation in each country.
29According to the first model, joint ownership only applies to jointly acquired assets; the second provides for a
complete separation of assets.
30More affluent girls who get pregnant have a better support structure to keep them in school (or allow them
to return after giving birth). Often, they also have the means to end the pregnancy in secrecy.
that it was made illegal for all schools, public and private, to dismiss pregnant students, the dropout rate of girls due to pregnancy is still significant, and it is highest among the most marginalized groups of girls. In line with our earlier criticism, an assessment of the gender ratio in education that treats girls as one homogeneous group overlooks these severe deficiencies in access to education for specific groups of girls. To reduce teenage pregnancies, governmental policies focused on abstinence and responsibility education only, and explicitly not on providing contraceptives, due to strong resistance from conservative sectors. As this strategy turned out to be unsuccessful, the government allowed underage girls some limited access to contraceptives. This cautious expansion is tied to the criminalization of abortion under all circumstances. NGOs have been steady critics of this situation, and the Committee has been particularly concerned with the high risks unsafe abortions pose for women’s health and life. Restricted access to contraception reinforces the need for abortion, even while the widespread practice can lead to years in prison for women and providers. This reality is hard to count as no statistics of illegal abortions exist, but it clearly alters the benevolent picture that MDG 5 paints of Chile providing “moderate access to reproductive health.”

Finally, in the field of VAW, the dialog shows a promising development in the sense that problem recognition within the government has deepened and has slowly been supplemented by policies that reflect this recognition. However, this process can also be described as painfully slow—see, for example, that 13 years passed between the creation of a law addressing domestic violence (1994) and the public funding of shelters for victims of violence in 2007. NGOs have further pointed to blanks in this context that need to be addressed, for example, the fact that lesbian, bisexual, and transgender women are not recognized by government policies as potential victims of violence.

While this is only a cursory description of the interaction between the CEDAW Committee and one country, the CEDAW process has, in our view, a number of advantages over the measurement approach when it comes to grasping gender inequalities and designing strategies to overcome them. For one, it is agency oriented in the sense that diverse actors have a voice in the process, but also in the sense that it becomes clear where attitudes and interests of powerful actors are part of the problem. Second, while statistical data plays an important role in understanding the situation of women and men in a country, the focus of the CEDAW process is always on helping that particular country to recognize and address policies, practices, beliefs, and institutions that create and perpetuate gendered inequalities within its borders. This country-by-country focus means that no country is let off the hook for even low levels of discrimination simply because the situation of women in the country is numerically better than in others. Third, the CEDAW review process refrains from a narrow, compartmentalized view of gender equality. Rather, it draws a comprehensive picture in which “public deficiencies” detected by quantitative measurements are intertwined with hard-to-count, but powerful and deeply rooted phenomena, in particular patriarchal gender stereotypes. In the cases examined, these stereotypes are particularly prevalent in private life, but the dialog reveals that public policies actually reinforce (rather than correct) them. Thus, the dialog is conducive to understanding the interrelatedness of different phenomena, for example, the ways in which discriminatory marriage legislation, combined with the inaccessibility of family planning methods, negatively affect female employment and political representation, and how these imbalances provide fertile ground for high rates of violence against women. Fourth, because the CEDAW process is designed to capture the issues that are important in a particular country, it does not risk missing—as do the quantitative indices—key issues from the assessment, like the unbalanced parenting ideals that make it hard for Chilean women to define themselves as
other than mothers and for Chilean men to embrace fatherhood as a practice. Fifth and finally, while the measurement logic tends to treat “women” as an undifferentiated group, the context-specific assessment of the CEDAW review highlights issues faced by subgroups of women.

**Conclusion**

In this piece, we did two things: First, we have shown that the most widely used quantitative measures of global gender (in)equality are based on a set of problematic assumptions and narratives. They inappropriately suggest that gender equality can be adequately measured by a limited number of quantitative indicators and that the information “learned” can lead to meaningful gender equality policies. The ranking logic further suggests that gender equality policies are about “coming out on top”—and once there, little else remains to be done. Metaphorically speaking, the race is then won and over. In practical terms, this implies that further commitment to and investment in gender equality policies or programs is unnecessary. Second, we have argued that transformative gender equality policies need to be developed out of a fundamentally different mindset, that is, one that recognizes the fluidity, complexity, and context-specificity of gender equality as well as the fact that social change toward that goal is produced by multiple forms of collective agency. Thus, rather than thinking of “doing gender equality” as a race that can be won, we see it as yoga practice: Doing yoga brings many benefits, but only so long as one keeps practicing. The diverse styles of yoga allow flexibility to fit many people’s needs, and this diversity suggests that exact postures are less important than continuity of practice. We have argued that the CEDAW Convention provides a framework along these lines. It contains both pragmatic and visionary elements (for example, near universal ratification and a political space for engaging and holding states to account for their policies and practices) and pays attention to context-specific agency. While the Convention does not articulate a version of gender equality that is entirely inclusive, its monitoring procedure provides room for exchange about and further interpretation of this complex goal. From our point of view, this makes CEDAW a tool that is better equipped than international indices to meaningfully assess and address global gender (in)equality.

**References**


Global Gender Equality Measures Analyzed


