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# Pseudo-Protections for Women: An Analysis of Possible Ulterior Motives for Ratifying International Women's Rights Treaties

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***Pseudo-Protections for Women: An Analysis of Possible Ulterior Motives for  
Ratifying International Women's Rights Treaties***

**By**

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**An undergraduate honors thesis submitted in partial fulfillment of the  
requirements for the degree of**

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**and**

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## Abstract

Many international women's rights treaties have been adopted and ratified in the years since the closing of World War II. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was adopted by the United Nations in 1979, and has been ratified by all but six states parties. Women all over the world continue to endure mistreatment and inequality, despite multiple international efforts, such as CEDAW, to improve conditions on their behalf. This thesis aims to analyze possible ulterior incentives for the ratification of women's rights treaties, motivated by the alarming disconnect between rhetoric and action put forth by individual states. I examine and collect data for various indicators chosen to represent the conditions for women in various aspects of life within states who have ratified CEDAW. This data set is then compared with data collected from states who have not ratified CEDAW, in order to determine whether it is reasonable to assume women's rights treaties have a significant impact on the likelihood of states to lower rates of gender-based abuse, improve opportunities, and reduce gender inequality.

## Introduction

While women's rights movements have arguably made significant progress in many states, and specifically western states, there still exists a significant struggle for women around the world. While countless international treaties, declarations and conventions have formed over the last few decades in order to protect and advance the rights of women, we are not able to identify nearly as much progress worldwide as we should be able to reasonably expect given the scale of the promises made by almost every member state of the United Nations. Women are still abused, oppressed, murdered, assaulted, and discriminated against at alarmingly higher rates than men, even in those countries which claim to support women and equality.

The question I aim to address then, is why continue announcing dedication to a cause you have no intention of supporting? The past 100 years holds clear evidence that our current tactics are not improving conditions for women universally or on an international scale, despite the amount of funds, time, and resources being dedicated to the cause. Additionally, cases remain where states refuse to ratify international women's rights treaties, yet claim to support equality as a fundamental pillar of their societies, such as is the case in the United States. Additionally, why choose women to be the recipient of such extensive discussions? I argue that there are underlying reasons, incentives and possible ulterior motives that drive states to sign women's rights treaties, apart from the sole intent to improve conditions for women.

First, I argue that international human rights treaties are largely reputational. While the idea and purpose of women's rights treaties is to grant equality and security between genders, there is no guarantee that those promises will be enforced. I argue that states sign human rights and women's rights treaties in order to be perceived as aligning with world trends and norms and therefore gain world favor.

Most states want to play a part in the international system. One of the most effective ways to enhance your position in the world arena as a state is to improve your international reputation. If other states view you as engaging in positive actions or as supporting causes that align with their own, they are more likely to engage with you. These engagements can take many forms such as trade agreements, the formation of alliances or protections, or foreign aid.

Women's rights treaties are signed as a sign to the rest of the world that their state is on board with the direction these movements are headed, that they are contributing to its progress, and that they care about the citizens that reside within their jurisdiction. Whether they plan to enforce these outward claims is not of importance to them. Compliance with international human rights obligations indicates not only a willingness to abide by treaty agreements, but also a state committed to justice and what the world has deemed appropriate codes of conduct.

Additionally, many of the core human rights treaties we have today came into effect during the Cold War era. Many states viewed ratification of these treaties as having very little consequences given the assumption that the superpowers at the time would either support or ignore their domestic policy in reference to human rights.

Therefore, this time period encourages states to endorse human rights principles without actually having to implement any changes in practice domestically (Hafner-Burton). That being said, this ability to commit to a treaty without fearing heavy enforcement also allowed for states to begin hiding domestic practices under the veil of international law. During this time period, states began using women rights, the participation of women, and equality as a means of democracy promotion itself. One of the main aspects of democracy is that it serves the people, and listens to the voices of society. In theory, you cannot have a sound democracy without popular control, and therefore listening to *all* citizen voices. It would not be logical nor legitimate to attempt to spread democracy to other states if you are not allowing equal participation and granting equal protection for all of your own citizens. Women's rights treaties have become a way for world powers and developed states such as the United States to create an image of equality and participation among all of their people, in order to promote their agendas in other states.

As for developing countries, signing and ratifying international women's rights treaties has become a signal to other states that they are willing to comply (or at least appear to comply) with whatever is deemed necessary in order to maintain their relationships with other states. Many of these states rely on the economies of world powers, as well as relying on foreign aid, trade deals, and formal alliances. By signing women's rights treaties, developing states are complying with the democratic value of equality, and therefore can maintain and reap benefits of countries who are able to

provide them with such things. Given the current rate of abuse and inequality women still suffer, whether they uphold these treaties or not is not of concern.

States cannot function without the participation of women, both at the state level, and at a personal level. Societies need women to drive economic growth, fill job positions that men cannot (or refuse to) occupy, as well as fulfill the traditional roles of mother and caregiver. Women's rights treaties have become the perfect "scapegoat" to show that they are supporting the women within their borders, therefore ensuring that women remain satisfied by the "progress" states are making on behalf of women and increasing the likelihood of women to remain productive members of society and contributing to the furthering of their economic goals. Because women's rights treaties have proven to be generally unenforceable, states have nothing to lose and do not need to worry about being held accountable for these bold statements of alliance with women. Instead, they are able to continue exploiting women for all they are able to give, while continuing to turn a blind eye to the mistreatment women continue to face.

While imposing gender quotas and other parameters for ensuring equal opportunity for women has helped progress in the role that women play in decision making processes, women still suffer remarkably in almost every other sector of society. If states actually cared about women's issues, women's health, and women's safety, we would be able to see progress in all of these sectors, and not just an increase in political participation.



## Literature Review:

International human rights were largely brought to the spotlight after World War II, motivated by the destruction the war had caused. As a result, the United Nations laid the foundation for the first concerted effort to protect the rights of all people. The Universal Declaration of Human Rights, signed in 1948, was among the first of its kind (Wotipka, 2008). However, there has been a disconnect between the language set forth in these treaties, and the actual progress being made on the ground, specifically within the context of women's rights treaties. Given the fact that some ratifiers of women's right treaties actually have worse human rights records than non-ratifiers, it is reasonable to question the motive behind the acceptance of these treaties (Spence, 2014). It has been argued that states have used these international treaties for many underlying reasons, other than the sole purpose of advancing equal rights among their citizens, specifically in the case of women's rights.

While women's rights in many countries around the world have clearly made significant progress, women still face remarkable discrimination and suffering on an everyday basis. If governments truly cared about the rights of women, it would be reasonable to expect that rates of abuses against women would be in sharp decline, specifically after the signing of such women's rights treaties such as Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1979. Decades after both CEDAW, and even longer after the United Nations Declaration of Human Rights, violence against women still remains a problem across every corner of the world

(Cooper, 1999). The WHO states that women between the ages of 15 and 44 are more likely to die or be disabled as a result of violence than as a result of cancer, malaria, traffic accidents or even war (Cooper, 1999). Additionally, human trafficking has become an issue that does not just impact individual states, since transactions can often take place across international borders. According to the State Department, close to 2 million women and girls are trafficked every year for the purpose of forced labor or sexual exploitation (Cooper, 1999).

Additionally, protection of women's rights such as the right to adequate reproductive health has not been a priority for governments, as reflected by the laws they have created domestically. Paternalistic control of women's sexual and reproductive behavior continues to manifest itself in laws and policies within domestic societies. According to the World Health Organization, it is estimated that 500,000 women die from pregnancy-related causes and 25-50% of maternal deaths are caused by unsafe abortions (Cook, 2003). This is a solvable issue- if governments really wanted to protect women, they would be working to grant them access to family planning services, contraception, and access to safe procedures that could dramatically lower this rate and keep thousands of women alive.

While political rights secure an individual's participation in democracy and political decisions, social rights are known to protect economic welfare and security, and are essential for guaranteeing the effective use of these political rights. Many western industrialized democracies have made significant progress in formal promotion of equality between men and women. This is evident in instances of increased

representation of women within legislatures since the 1970s. That being said, it is still important to recognize the difference between perceived equality and true unconditional equality, seeing as though women still continue to have less social, political, and civil power (Bolzendahl & Coffé, 2009). Additionally, because of a lack of cultural support or domestic enforcement of these rights that are granted and recognized by international women's rights treaties, these rights become worth little to women. If there are no duties on the part of domestic governments, organizations, or individuals to respect these rights, then violations will go unrecognized and unremedied (Cook, 2003).

If women's rights treaties were a sign that governments were ready to protect women, we should see femicide rates dropping as well. However, in 1999, decades after the adoption of CEDAW, the number of men killed by their female partners has dropped by more than two-thirds, to around 400 a year, since the mid-1970s, while the number of women killed as a result of domestic violence has remained high, at more than 1,000 a year (Cooper, 1999).

With all of these issues still perpetrating the daily lives of women, it is reasonable to assume ulterior motives to states signing these women's rights treaties. One theory as to why states sign these treaties, regardless of their concern for women is to enhance their reputation among the international arena. According to Zartner, states will comply with international treaties for a number of reasons, one being that states may face pressure from other states and thus feel as though they must uphold their reputation by following suit. Reputation is defined as intangible attributes of a state, such as fairness, reliability, and a desire to follow "the rules of the game" from which

other states can form expectations about future interactions with that state. Most states want to play a role in the international system, and one way to enhance their position is by drawing on their international reputation. (Zartner, 2010). One theory of how states adopt certain international norms is the “theory of appropriateness,” in which a state becomes convinced that a certain behavior is necessary for any actor claiming statehood. These norms often take the form of treaty commitments which show other states that the ratifier is a legitimate member of the international community (Spence, 2014).

Furthermore, the system surrounding global human rights has offered governments strong incentives to ratify treaties as a matter of “window dressing”, and demands no serious commitment to the implementation of these practices (Hafner-Burton, 2005). Often, states respond to this international or regional pressure with cosmetic veils rather than substantive reforms to protect women (Alaimo, 2016). These concessions are commonly made by governments in an attempt to signal to other states that the regime recognizes and supports human rights, but traditionally have done little in regards to policy change (Ryckman, 2016). Generally, governments have reputational incentives to ratify treaties they have neither the means nor the intention to implement (Hafner-Burton, 2005).

Countries may also sign treaties as a means of seeking financial capital or more material assistance from other states. In cases of emerging democracies, states want to demonstrate their commitment to human rights as well as their democratic credentials. These countries are often more vulnerable to outside pressure than wealthier states or

democracies that are already established (Htun, Mala, and S. Laurel Weldon, 2010).

Overall, it is generally agreed upon that one of the best ways for states to enhance their standing in the international arena is through compliance with international human rights norms. These norms have become a key component of modern statehood, and a growing indicator of commitment to principles of justice and appropriate codes of conduct (Zartner, 2010). Additionally, international agreements have served as a shield for disguising current human rights violations within their borders. These treaties make it difficult for foreign influences to pressure states into taking further action, and can often result in governments spiraling into further repressive practices (Hafner-Burton, 2005). In a sense, human rights treaties have served to take the spotlight away from states who violate human rights regularly, by ratifying similar agreements to those other states in their geographic location (Ryckman, 2016).

Another reason states may choose to sign women's rights treaties, other than for the sole purpose of promoting women's rights, is that they might not have much to sacrifice by signing them. International treaties can only serve to monitor local practice, and cannot actually enforce those international standards (Wotipka, 2008). Scholars within the realist and neoliberal ideologies confirm that states largely comply with international law when it is in their national interest to do so, not because they are forced to do so (Hafner-Burton, 2005). The UN is not a supranational entity and does not have the authority to mandate the compliance international law on these issues (Bronwyn, 2006). This system, which is largely based on self-reporting, has been criticized as the weakest form of enforcement. Furthermore, states have the ability to

misrepresent the actual situation in their countries, for which there are no consequences. There is also no protocol to ensure that reports are submitted either in a timely fashion, or at all (Alaimo, 2016).

States are not ignorant to the fact that the human rights regime is not designed to supply states with strong tools to enforce compliance. Because of this, it should not be surprising that we see a gap between ratification and actual behavior (Hafner-Burton, 2005). Often, states use their sovereignty as an excuse to violate UN treaties and as a defense against foreign intervention and pressure (Bronwyn, 2006). There continues to be a gap between states' tendency to join these treaties, and the actual incorporation of these practices into domestic law. This brings into question the authenticity of claims to protect the lives of their citizens (Hafner-Burton, 2005). Laws protecting women's health are largely lacking in many states, and where they do exist, they are rarely or inadequately enforced (Cook, 2003). Women may find it hard to make claims within both the national or international realm, and unless written into national law, they may find that their rights are virtually unenforceable (Bronwyn, 2006).

That being said, another variable that may influence not only the ratification of a treaty, but the actual implementation of its practices is domestic politics and ideologies. Most scholarship on treaties fails to account for the domestic political conflict that treaty ratification raises (Baldez, 2015). Not only does current international law uphold institutions that are fundamentally patriarchal, but the status of women today largely reflects the influence of religion and culture within states (Isaacs-Martin, 2013). Whether states comply with the commitments they make to international treaties largely relies on

domestic mobilization of actors supporting compliance (Hafner-Burton, 2005).

Additionally, states whose cultures align with treaty goals tend to have higher rates of ratification. For example, countries with fewer human rights violations most likely have citizens that value human rights principles, and therefore may be more likely to ratify human rights treaties, since not only does the population support this, but the government will most likely need to make few policy changes in order to comply with the treaty (Wotipka, 2008). Women's movements play a key role in demanding those policies. However, economic, political, and social change relies largely on cultural heritage (Bush, 2011).

It has been found that in general, democratic regimes may be more likely to ratify treaties based off of bottom-up domestic pressure. This is largely due to the fact that nonviolent, pro-democracy movements are difficult to repress but threatening for democracies to ignore. The promotion of rights and protections for marginalized or vulnerable groups, such as women, are foundational to democratic societies (Ryckman, 2016). Because of this, I argue that states have come to use women as a symbol of democracy itself, for the sake of democracy promotion abroad.

Equality and equal opportunity are key pillars within a democratic society. There is understood to be a social contract within western democracies that guarantees equality between individuals (Gordon, 1992). This emphasis on the protection from inequality is integral for the functioning of a sound democratic system. Furthermore, women's rights and social rights groups continue to adhere to a democratic ideal that

holds political institutions responsible for ensuring lower levels of inequality (Oser, 2018).

In the Western Hemisphere, the end of the Cold War presented a great opportunity to provide greater democracy promotion abroad (Azpuru, 2010). However, a state cannot effectively impose a democratic system in nonwestern societies if it cannot first demonstrate a well-functioning society which upholds its own basic principles such as equality. Democracy promotion has become important for many reasons, most of which support the idea that democracy leads to both long-lasting domestic stability as well as international peace (Bridoux, Jeff, and Milja Kurki, 2014). The promotion of gender equality has become a key aspect of international democracy promotion (Bush, 2011). It has become clear that rising levels of inequality could have an effect on the way citizens view their political system. The liveliness of women's organizations have become an important indicator of how well democratic institutions are functioning. Women's roles in legislatures and increased political participation contributes to sustainability of healthy democratic institutions, as well as democratic political culture (Pospieszna, 2014). If the democratic system fails to provide this social protection for all, it does not live up to normative standards of democracy, and therefore can negatively affect democratic legitimacy (Oser, 2018). Many say that benefits of democracy promotion include creating more stable international arenas and environments, which fosters stronger economies. Others argue that democracy promotion is just another form of modern imperialism, and can bind regional allies to donor states, with the threat of withdrawal for noncompliance.



While democracy promotion may explain why developed countries choose to sign women's rights treaties, the answer for why developing countries or nondemocratic states decide to sign these treaties tends to be quite different. Many developing countries rely heavily on foreign aid and investments. That being said, developing countries may sign women's rights treaties as a way to signal to western democracies that they are willing to follow along with global norms. One theory of how these norms develop is called the "logic of consequences," in which other states and third party actors such as large corporations or NGOs reward certain states through investment, trade, foreign aid, and political relationships or alliances (Nielsen, 2014). Constructivists suggest that world powers or hegemonic states sometimes use material sanctions and incentives to encourage others to adopt new international norms (Spence, 2014).

Nielson also describes pressure from western states, with the threat of aid or other benefits, as the first reason that developing states ratify human rights and women's rights treaties. Potential ratifying states view this as a low cost transaction, since most women's right treaties are very loosely enforced, largely symbolic, and in turn they can expect to receive substantial material benefits (Spence, 2014). The more a developing country can adopt democratic ideals and norms such as gender equality into its reputation, the more foreign aid it can be guaranteed to receive.

The last twenty to twenty-five years of the twentieth century saw a massive increase in the international networks and global agreements on women's rights. These networks have been developed to place pressure on governments, raise awareness and share resources and ideas across borders (Htun, Mala, and S. Laurel Weldon,

2010). Growing interconnectedness of this movement across nations has fostered opportunities and resources for women's rights to expand, making it almost impossible for governments to ignore (Tsutsui, 2006). International human rights law has become somewhat of a small aspect of the success of the women's movement, yet it has still been important for its role in enabling the movement to grow and gain momentum (Nussbaum, 2016). An important part of the discussion on how the women's movement has grown lies within the increasing interaction between governmental and nongovernmental sectors (Wotipka, 2008).

International collaboration of these actors has provided women's rights groups with material and ideological resources that have propelled the movement throughout the last century (Tsutsui, 2006). As a result of globalization, these global models are increasingly impacting local politics and have had the effects of socializing states into ratifying human rights and women's rights treaties (Wotipka, 2008). It is also interesting to note that human rights law lags well behind the women's movement, and thus can be seen as a direct result of the pressure women's advocacy networks have placed on governments, along with the growth the movement has been capable of achieving (Nussbaum, 2016).

Local politics continue to be impacted by international standards and norms, which are founded and enforced by women's groups around the world. Because of this, domestic views of the legitimacy of social movements are largely based on these international standards. The growing importance and relevance of social justice at the international level has enabled activists to gain public attention and support and thus

grow their movement (Tsutsui, 2006). Unfortunately, as we have seen, while this growth often results in added pressure to local governments and a decreased ability for governments to ignore women's issues, states are easily able to sign or ratify treaties as a means to satisfy and pacify women, without changing the policies or culture that are subjecting women to maltreatment in the first place.

Since many findings have shown the importance and impact that international organizations, activists, and foreign governments may have on domestic policy and action, many citizens are starting to realize that the best way to achieve domestic reform may be through externalizing their complaints (Alaimo, 2016). Referring back to the issues of reputation, states ratify treaties because it is sometimes viewed as what they are "supposed to do." As states participate in international society, they begin to internalize human rights norms, and use ratification of these treaties as a way to publicly declare their support for these intergovernmental networks and citizen involvement (Wotipka, 2008). However, domestic groups also reach out to external actors to publicize violations in their state. (Hafner-Burton, 2005). Even when a state is not being responsive to its citizens, activists and groups can appeal to the international political arena to place pressure on that state. As we have seen within the contemporary women's movement, social movements that may lack political opportunity domestically have been able to seize political support from outside of their borders in order to become relevant (Tsutsui, 2006).

That being said, women's rights advocates have also begun to mobilize around these treaties, using emerging legitimacy surrounding human rights as the means to

provide pressure to states to improve actual women's rights practices (Hafner-Burton, 2005). The women's movement has continued to expand and include wider issues, and continues to work towards achievement even after their original goals have been met (Tsutsui, 2006). It can be argued then, to some degree, that civil society provides the enforcement that international human rights and women's rights treaties lack, and can pressure governments towards either ratification, and hopefully, compliance (Hafner-Burton, 2005).

### Case Study: The United States and CEDAW

In deciding the extent to commit to an international treaty, or any sort of international agreement, states must determine what costs are worth the benefits they will gain. Under certain circumstances, international human rights laws may undermine state sovereignty, and furthermore, even when international or international treaties are not enforceable they tend to interfere with domestic activity (Wotipka, 2008). A great example of this cost-benefit analysis and concern for state sovereignty is that of the United States and their refusal to ratify the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). There are only six member-states of the UN that have yet to ratify this treaty. The case of the United States is especially unique, given that they are the only industrialized democracy in the world that falls into this category (Baldez, 2014).

The United States has become known as a world leader when it comes to issues of women's rights and gender equality. For this reason, the failure to ratify CEDAW comes as a shock to many around the world, seeing as though women's rights has long been a central part of US foreign policy (Baldez, 2014). However, these treaties offer no material, legal, or political rewards even if practices are followed (Hafner-Burton, 2005). CEDAW requires changes at multiple levels of domestic law, including changes in social, institutional, and individual rights (Englehart, 2014). Since the United States already bears the reputation of a world leader within the realm of human rights, there is

no longer a reputational incentive from a treaty that threatens to take away their state power or interfere with their sovereignty.

For the United States, the costs of ratification outweigh the benefits. The United States argues that the Convention would force the country to renounce too much power to the international community, seeing as though international treaties are intended to have supremacy over conflicting domestic legislation or policies (Shraideh 2017).

CEDAW also goes further than many human rights treaties in the sense that it mandates more than just changes in the public sphere. It also requires changes in the private sphere, and to an extent, may interfere with the very culture or attitudes within a culture that a society fosters. It claims that just changing laws to reflect that men and women are equal on paper is not enough. CEDAW also presses for the elimination of gender-based stereotypes that are harmful to women (Englehart, 2014). However, if the United States truly cared about placing women's rights at the forefront of its society, the costs of ratification and the absence of ulterior incentives would not sway them from adopting CEDAW into their national policies, and fighting to eliminate oppressive institutions or cultural ideals that create barriers for women.

There has also been much domestic conflict, which has been the second source of US reservations for ratification of CEDAW. American society is still considered largely conservative in regards to many issues, despite being seen as a leading example of the protection of civil rights (Shraideh, 2017). Because of disagreements between Democrats and Republicans about the costs of ratifying the treaty, the US has still been unable to commit fully to its cause. There has been an ongoing disagreement about the

role of women within society that began to occur in the late 1970s (Baldez, 2014). This partisan split and overall conservativeness has led to a reluctance to show commitment towards the Convention since its signature (Shraideh, 2017). Most of these partisan issues arose out of a split in ideology in the realm of women's reproductive rights and abortion in the 1980s, in which Democrats became known to favor women's rights, and Republicans began to favor socially conservative views, which opposed abortion. Many of those who identify with the Republican Party would argue that CEDAW does not align with American norms and values, but instead furthers the interests of solely radical feminist ideologies (Baldez, 2014).

Since states are more likely to ratify treaties when their domestic norms and practices align well with those outlined in a specific treaty, one should expect to see the US ratify CEDAW, seeing as though a belief in equality is supposedly so central to American values, as well as a belief in the US to be a world leader in the promotion of women's rights (Baldez, 2014). However, there is concern that CEDAW could be interpreted to affect some issues in the United States that have recently become increasingly sensitive, such as marriage, motherhood, and family structure (Shraideh, 2017). For example, issues of paid parental leave raises questions in other realms of American society, such as socioeconomic inequality and class politics, in which the United States seems less willing to address (Htun, 2010).

Surprisingly, many feminist scholars have put forth arguments stating that campaigns for women's legal rights are, at best, a waste of energy within the context of national laws (Charlesworth, 1994). In general, there have been findings that confirm

CEDAW's positive effects on women's political rights within ratifying states' societies.<sup>1</sup>

However, there has been less evidence proving the extent of positive effects, if any, within women's economic or social rights and wellbeing (Englehart, 2014). Political rights are far more public and may create the illusion of progress for women within other sectors of their lives. However, as my findings will later show, increased political rights and participation do not always translate into further, more personal sectors of women's lives.

Overall, the United States has not opted to ratify CEDAW out of fear that being held accountable for the support of women is a promise they are not willing to keep without guaranteed reimbursement for their work. They are afraid this commitment will interfere with their ability to make political and economic decisions domestically, and will counter the current cultural and ideological state of the country, as well as possibly dilute the power for those few individuals in charge. This is a clear demonstration of how states may only use treaties based on the incentives it may provide for them, instead of simply for the reason the treaty has been written and the goals it aims to achieve.

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<sup>1</sup> This will be demonstrated in the results of my data collection of increased percentages of women represented in national parliaments.



## Methods

In order to test my hypothesis, I established a set of indicators of women's wellbeing within society in order to determine the validity of my theory. For the purpose of this research, I focus solely on CEDAW and compare rates of improvement between states that have ratified CEDAW, and those that have not. If my theory is correct, and it is true that countries sign women's rights treaties for reasons other than solely improving conditions and advancing rights for women, then I should find that in the years after the ratification of CEDAW there has not been significant improvement in these conditions, specifically in comparison to those countries who have not ratified CEDAW.

I have chosen a set of indicators to collect data from various countries in different regions of the world and in various stages of development who have ratified CEDAW. These indicators should provide insight to the overall wellbeing of the women who reside within these countries throughout the last several decades. Indicators were chosen to represent varied sectors of life, which together may provide an overall assessment for the well-being of the women in question including: political participation, economic opportunity and wellbeing, access to healthcare, safety and gender-based violence, and overall equality.

The countries who have ratified CEDAW and have been chosen for data collection include: Poland, Saudi Arabia, Thailand, and Guatemala. These countries have been chosen with geographical location in mind, as to ensure regional variety.

Countries were also chosen based on development, as development may lead to varying results, specifically in things such as access to healthcare.

Data was then collected for each of the six non-ratifying states of CEDAW. These include the United States, Tonga, Iran, Sudan, Somalia, and Palau. Data for non-ratifiers was less accessible, likely due to the fact that they are not responsible for yearly progress reports that ratifying countries are technically meant to submit, as well as varying levels of transparency within regimes in general. Because of this, data was not able to be collected for each non-ratifying country for each indicator, or for each year, but data is still consistent enough to determine overall trends within this group of non-ratifiers.

The indicators I have selected are as follows: first, I will measure the representation of women and their political power based on the percentage of seats in the national parliament that are held by women in ratifying countries.<sup>2</sup> This data has been collected from the World Bank and will be measured based on percentages from 1990, to the percentages in these countries today, to determine trends and possible improvements. These trends will then be compared to the percentages of those countries who have not ratified CEDAW, in order to determine whether any improvements made were strictly as a result of ratification.

I then focus on rates of intimate partner violence or domestic violence. This data has been collected from Our World in Data, and indicates the percentage of women who have experienced violence by an intimate partner in the last 12 months within that

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<sup>2</sup> Graphs 1A (Ratifiers) and 1B (Non-Ratifiers)

state. Data for these percentages will be collected every ten years beginning in 1990, and ending with the most recent data which was collected and recorded in 2016. Again, trends will be compared between the two groups, so as to determine whether the mandated protections of CEDAW have had a significant effect on the percentage of women experiencing abuse.

Next, I will examine the Women's Economic Rights<sup>3</sup> ratings, based off of data collected from Our World in Data. Categories or ratings range from "0" (no economic rights for women in law and the government tolerates a high level of discrimination) to "3" (all or nearly all of women's rights are guaranteed by law with the government fully and vigorously enforcing these laws). Women's economic rights are those defined by the CIRI Human Rights Data project. The same comparison procedure will take place in order to determine if CEDAW has benefitted the economic rights of women in ratifying states.

Fourth, I turn to the Global Gender Gap Index<sup>4</sup>, which is released by the World Economic Forum on a yearly basis and aims to capture the magnitude of the gap between men and women in four areas: economic participation and opportunity, political empowerment, educational attainment, and health and survival. I will be comparing their earlier scores and rankings among other countries from the years 2007 and 2013 to their scores from this year, 2020 and gauging whether they have improved or not, as well as comparing these to the scores and improvements made in countries who have not ratified CEDAW.

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<sup>3</sup> Graphs 2A (Ratifiers) and 2B (Non-Ratifiers)

<sup>4</sup> Graphs 3A (Ratifiers) and 3B (Non-Ratifiers)

I will also be collecting ratings based on the Gender Inequality Index<sup>5</sup>, from the United Nations Development Program's Human Development Reports. Data will be collected for the last few decades and compare rates of increased or decreased inequality between ratifying countries and non ratifying countries. This measurement is aimed at portraying the inequality within three dimensions, which include: reproductive health, general empowerment, and the labor or job market.

Lastly, I collect data on women's health care. Specifically, I will be using access and use of contraceptives in women<sup>6</sup> to indicate whether women's health and reproductive care has taken an increased role in these countries. Data for this indicator has been collected from the World Bank as well as Our World in Data, and is specifically collected for women ages 15-49. Data was only able to be collected based on its availability, which tends to be scarce. Statistics generally ranged from 7 to 10 years apart over the last 30 to 40 years.

I have formatted all of the data into line charts, so as to show the trends of improvement or stagnation over the years since ratification. Data is organized for each individual indicator, and one chart is created for the ratifying states, and the non-ratifying states. This will serve as a visual aid to demonstrate and compare the data I have collected, and to demonstrate progress over time. I then calculate an average for each of the two categories- ratifiers and non-ratifiers, in order to more accurately compare the trends between them. These averages are also included on each of the graphs.

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<sup>5</sup> Graphs 4A (Ratifiers) and 4B (Non-Ratifiers)

<sup>6</sup> Graphs 5A (Ratifiers) and 5B (Non-Ratifiers).

If my theory is incorrect, I should be able to see a clear indication that these numbers and percentages have improved in the lives of women since CEDAW was enacted within each ratifying country. This would signal that countries are indeed following (at least to an extent) the principles of the treaty, and therefore could indicate that the intention behind ratifying women's rights treaties is to actually improve conditions for women, and not primarily for other reasons such as reputation or democracy promotion.

If my theory is incorrect, states that have ratified CEDAW should be improving conditions for women. Even more so, states who have ratified CEDAW should be seeing trends of improvement at significantly higher rates than those countries who have not ratified CEDAW, due to the conditions within the treaty that would not be mandated for non-ratifiers.

## Results

Overall, the results of my data do indicate general improvements in virtually all segments tested. However, these improvements appear to be present in both ratifying and non-ratifying states. At the very least, improvement within ratifying countries do not appear to be significant enough to prove the overall concern for women's wellbeing in these countries, specifically when compared to non-ratifying countries.

The first and most dramatic improvement was in the data collected for the percentage of seats in national parliaments held by women.<sup>7</sup> There are clear trends demonstrating the increase in the representation of women in both ratifying countries and non-ratifying countries. For countries who have ratified CEDAW, the average percentage of women holding seats in national parliaments was at just 7.25% in 1990. There was an increase of 15.19%, raising that average up to 22.44% in 2019 for the countries selected during this research. In non-ratifying countries, improvement was also significant. In 1990, the average percentage of women represented in parliament within these countries was a devastating 4.84%. That number raised by almost 10%, bringing the average up to 14.73% in 2019.

The results for data collected on interpersonal violence were less hopeful, however. Ratifying states did have a decrease in the amount of women who have experienced interpersonal violence in the last 12 months, with the average decreasing from 35.77% of women in 1990, to 26.51% of women in 2016. For states who have not ratified CEDAW, the average decreased, but less so than ratifying states. In 1990, 41%

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<sup>7</sup> Graphs 1A and 1B

of women had experienced interpersonal violence in the last year, while 37.51% of women had still experienced violence in 2016.

Women's Economic Rights do not seem to have improved significantly, or at all. In states who have ratified CEDAW, the average score on a scale from 0 to 2 was a 0.75, and while a few countries have seen spikes in that score over the years, the average in 2010 remained the same at 0.75. For countries who have not ratified CEDAW, we are able to see a bit of a more consistent increasing trend, from an average rating of one in 1981, to an average rating of 2 in 2011.

The fourth indicator, the Gender Inequality Index indicates very slight improvements for both sets of data. For ratifying states, the average score decreased from a 0.41 in 1995 to a 0.3 in 2018. For states who have not ratified, the downward trend is not only still present, but is actually more significant than the ratifying countries. In 1995, the average score for the countries tested was 0.59, which decreased somewhat steadily until 2018, when the average score was a 0.41.

The results yielded by data collection for contraceptive prevalence is somewhat hard to determine based on the lack of consistent data available for both ratifying and non-ratifying states. However, women's health is not only important, but is an essential indicator of women's wellbeing, and therefore the data has still been included in this analysis. Data for this indicator has been collected from the World Bank. While examining the graphs and the averages calculated on each of them, it is clear that there has not been a consistent increase in the use of contraceptives among women either in ratifying or non-ratifying countries. In ratifying countries, the average has increased and

decreased in certain years, but overall has landed right around the same place, with the average in 1983 being 54.5%, and an average of 54.3% in 2016. For non-ratifying countries, the average has slightly increased, although their averages still remain below those states who have ratified CEDAW. Non-ratifying states' averages have increased from an average of 38.85 in 1993 to an average of 44.06% in 2016.



## Discussion

After viewing the outcomes of my data collection, I argue the results of my findings deem my original theory to be accurate. Given the lack of significant improvements in ratifying countries within any of the indicators chosen, it is clear that states have not been taking the mandates within CEDAW seriously. Additionally, where improvements are seen, they are seen both within ratifying and non-ratifying countries, indicating that whatever improvements are being made are likely happening for reasons other than international women's rights treaties such as CEDAW.

Additionally, where rates have improved, it has not been significant. For example, the percentage of women represented in parliament has improved most drastically out of the five indicators. However, it is worth noting and acknowledging that the highest average for either ratifying states or non-ratifying states is merely 22.44%, less than a quarter, meaning women still hold far less political power within these societies. While the average has indeed increased, if states were ratifying women's rights treaties for the sole purpose of improving wellbeing for women, which includes increasing political opportunity and activism in government and politics, then the number of women involved in national parliaments should more accurately portray the ratio of women to men within that society, most likely closer to 50%.

It is also important to note that national parliaments are very public and well-monitored institutions both on a domestic and an international level. Other indicators, such as interpersonal violence, are generally more difficult to monitor,

control, and prevent, due to the private nature of the abuses. That being said, adding women to national parliaments may have less to do with the ratification of women's rights treaties, and more to do with upholding a state's reputation and adhering to international norms, as was argued earlier in this analysis.

One indicator which may clearly disprove the level of functionality of women's rights treaties is the data on women's economic rights. Within countries who have ratified CEDAW, women's economic rights have not made significant or consistent improvements or progress in this sector. However, the small improvements for the countries who have not ratified CEDAW show that it is not treaties themselves that are motivating states to make improvements for women. If treaties were driving states to improve economic rights for women, we should expect to see the opposite- that is, increased rights and opportunities for women within states who have ratified CEDAW, and possible stagnation within states who have not ratified CEDAW.

Additionally, seeing as though these improvements were not consistent with either ratifying or non-ratifying states across all five indicators, it is likely that any improvements that are present are the result of other influences. For example, levels of development tend to have an increased impact on levels of equality.

Given the slow (or complete absence of) improvements in nearly all sectors, it is clear that treaties are not fulfilling their intended purposes of creating gender equality on both a domestic and an international scale. If states are signing women's rights treaties and not fulfilling the duties and obligations set forth within them, then there are clearly alternative reasons for doing so. This means women still have a long road ahead of

them not only to create institutions that are structured to uphold and enforce their rights, but also indicates significant progress will be well delayed as well. Treaties are being signed and organizations are being formed under the disguise of helping women, and yet women around the world are not reaping the benefits. Abuses are being covered up by false words and promises of a more equal future, but not action is taking place. These veils of promises are likely to continue allowing the cycles of oppression and abuse based on gender, and are only making it harder to combat the underlying institutional issues at hand. Without a system that not only encourages, but enforces treaty obligations and a solid system for reporting both abuses and improvements, we cannot expect to see results.

Lastly, it is important to note that data was collected solely based on a standard of whether a state has ratified CEDAW, and other women's rights treaties have not been directly taken into account during this analysis. Some of the states included in this study may have signed multiple other regional or UN declarations or treaties on women's rights or human rights in the years prior, or since ratification of CEDAW. How that has affected a state's ratings and improvements is not included in this analysis, but given the lack of improvements overall up to the present day, it may be assumed that ratification of additional treaties has done little to encourage additional change.

## Bibliography

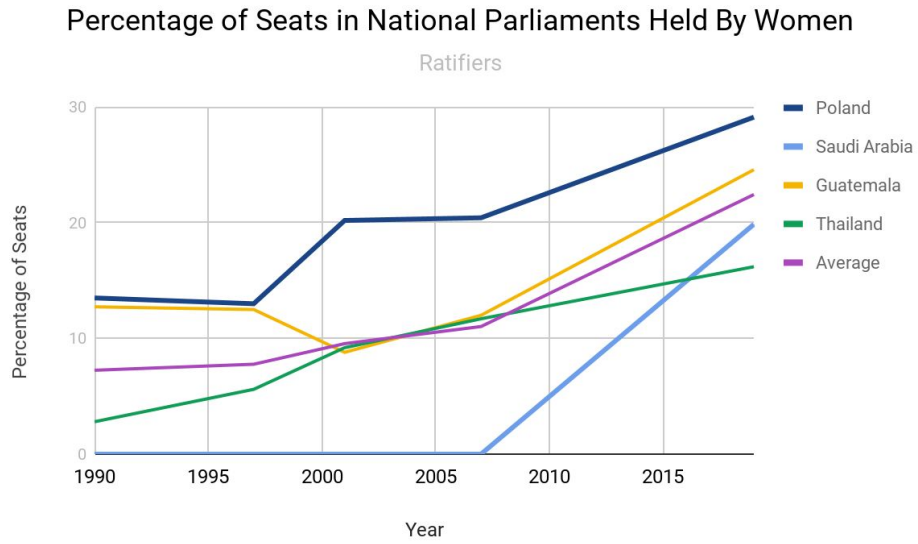
- Alaimo, Kara. "Increased Efforts by Modern States to Improve their Reputations for Enforcing Women's Human Rights." *International Journal of Communication* [Online], 10 (2016): 20. Web. 11 Mar. 202
- Baldez, Lisa. "Why the United States Has Not Ratified CEDAW." *Defying Convention*, pp. 152–182., doi:10.1017/cbo9781107775565.006.
- Bolzendahl, Catherine, and Hilde Coffé. "Citizenship beyond Politics: the Importance of Political, Civil and Social Rights and Responsibilities among Women and men1." *The British Journal of Sociology*, vol. 60, no. 4, 2009, pp. 763–791., doi:10.1111/j.1468-4446.2009.01274.x.
- Bush, Sarah Sunn. "International Politics and the Spread of Quotas for Women in Legislatures." *International Organization*, vol. 65, no. 1, 2011, pp. 103–137., doi:10.1017/s0020818310000287.
- Bush, Sarah Sunn. "The Argument: Structure, Agency, and Democracy Promotion." *The Taming of Democracy Assistance*, pp. 22–52., doi:10.1017/cbo9781107706934.003.
- Charlesworth, Hilary. "Chapter 3. What Are 'Women's International Human Rights'?" *Human Rights of Women*, doi:10.9783/9780812201666.58.
- "Contraceptive Prevalence, Any Methods (% of Women Ages 15-49)." *Data*, data.worldbank.org/indicator/SP.DYN.CONU.ZS?view=chart.
- Cook, Rebecca J., et al. "Human Rights Relating to Reproductive and Sexual Health." *Reproductive Health and Human Rights*, 2003, pp. 437–444., doi:10.1093/acprof:oso/9780199241323.003.0027.
- Cooper, Mary. "Women and Human Rights." *CQ Researcher by CQ Press*, library.cqpress.com/cqresearcher/document.php?id=cqresrre1999043000.
- Englehart, Neil A., and Melissa K. Miller. "The CEDAW Effect: International Laws Impact on Women's Rights." *Journal of Human Rights*, vol. 13, no. 1, 2014, pp. 22–47., doi:10.1080/14754835.2013.824274.
- "Global Gender Gap Report 2007." *World Economic Forum*, www.weforum.org/reports/gender-gap-2007-report-100-years-pay-equality.
- "Global Gender Gap Report 2013." *World Economic Forum*, www.weforum.org/reports/gender-gap-2013-report-100-years-pay-equality.
- "Global Gender Gap Report 2020." *World Economic Forum*, www.weforum.org/reports/gender-gap-2020-report-100-years-pay-equality.

- Gordon, Tuula. "Citizens and Others: Gender, Democracy and Education." *International Studies in Sociology of Education*, vol. 2, no. 1, 1992, pp. 43–56., doi:10.1080/0962021920020103.
- Hafner-Burton, Emilie M., and Kiyoteru Tsutsui. "Human Rights in a Globalizing World: The Paradox of Empty Promises." *American Journal of Sociology*, vol. 110, no. 5, 2005, pp. 1373–1411., doi:10.1086/428442.
- Htun, Mala, and S. Laurel Weldon. "When Do Governments Promote Womens Rights? A Framework for the Comparative Analysis of Sex Equality Policy." *Perspectives on Politics*, vol. 8, no. 1, 2010, pp. 207–216., doi:10.1017/s1537592709992787.
- "Human Development Reports." | *Human Development Reports*, [hdr.undp.org/en/indicators/68606](http://hdr.undp.org/en/indicators/68606).
- Isaacs-Martin, Wendy. "Muslim Women and Human Rights: Does Political Transformation Equal Social Transformation?" *Politikon*, vol. 40, no. 1, 2013, pp. 113–132., doi:10.1080/02589346.2013.765679.
- Nielsen, Richard A., and Beth A. Simmons. "Rewards for Ratification: Payoffs for Participating in the International Human Rights Regime?" *International Studies Quarterly*, vol. 59, no. 2, 2014, pp. 197–208., doi:10.1111/isqu.12142.
- Nussbaum, Martha C. "Women's Progress and Women's Human Rights." *Human Rights Quarterly*, vol. 38, no. 3, 2016, pp. 589–622., doi:10.1353/hrq.2016.0043.
- Oser, Jennifer, and Marc Hooghe. "Democratic Ideals and Levels of Political Participation: The Role of Political and Social Conceptualisations of Democracy." *The British Journal of Politics and International Relations*, vol. 20, no. 3, Oct. 2018, pp. 711–730., doi:10.1177/1369148118768140.
- "Proportion of Seats Held by Women in National Parliaments (%)." *World Bank Data*, [data.worldbank.org/indicator/SG.GEN.PARL.ZS?view=chart](http://data.worldbank.org/indicator/SG.GEN.PARL.ZS?view=chart).
- Ryckman, Kirssa Cline. "Ratification as Accommodation? Domestic Dissent and Human Rights Treaties." *Journal of Peace Research*, vol. 53, no. 4, 2016, pp. 582–596., doi:10.1177/0022343316630038.
- Shraideh, Saleh Al. "CEDAW in the Eyes of the United States." *Journal of Legal Studies*, vol. 20, no. 34, Jan. 2017, pp. 18–37., doi:10.1515/jles-2017-0014.
- Spence, Douglas Hamilton. "Foreign Aid and Human Rights Treaty Ratification: Moving beyond the Rewards Thesis." *The International Journal of Human Rights*, vol. 18, no. 4-5, Aug. 2014, pp. 414–432., doi:10.1080/13642987.2014.884078.
- Tsutsui, K. "Redressing Past Human Rights Violations: Global Dimensions of Contemporary Social Movements." *Social Forces*, vol. 85, no. 1, Jan. 2006, pp. 331–354., doi:10.1353/sof.2006.0145.

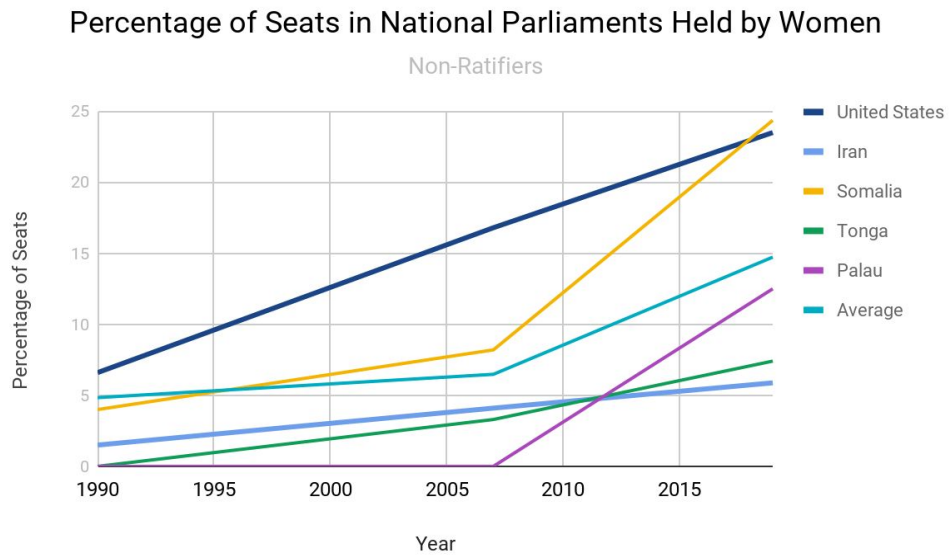
- “Women's Economic Rights.” *Our World in Data*, [ourworldindata.org/grapher/womens-economic-rights](http://ourworldindata.org/grapher/womens-economic-rights).
- “Women Who Experienced Violence by an Intimate Partner.” *Our World in Data*, [ourworldindata.org/grapher/women-violence-by-an-intimate-partner](http://ourworldindata.org/grapher/women-violence-by-an-intimate-partner).
- Wotipka, Christine Min, and Kiyoteru Tsutsui. “Global Human Rights and State Sovereignty: State Ratification of International Human Rights Treaties, 1965-20011.” *Sociological Forum*, vol. 23, no. 4, 2008, pp. 724–754., doi:10.1111/j.1573-7861.2008.00092.x.
- Zartner, Dana, and Jennifer Ramos. “Human Rights as Reputation Builder: Compliance with the Convention Against Torture.” *Human Rights Review*, vol. 12, no. 1, 2010, pp. 71–92., doi:10.1007/s12142-010-0170-y.

Appendix

Graph 1A

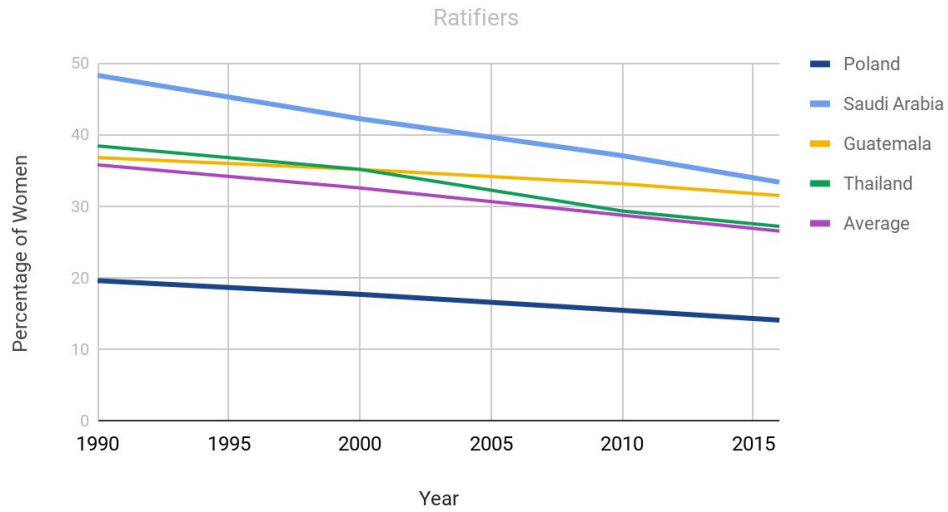


Graph 1B



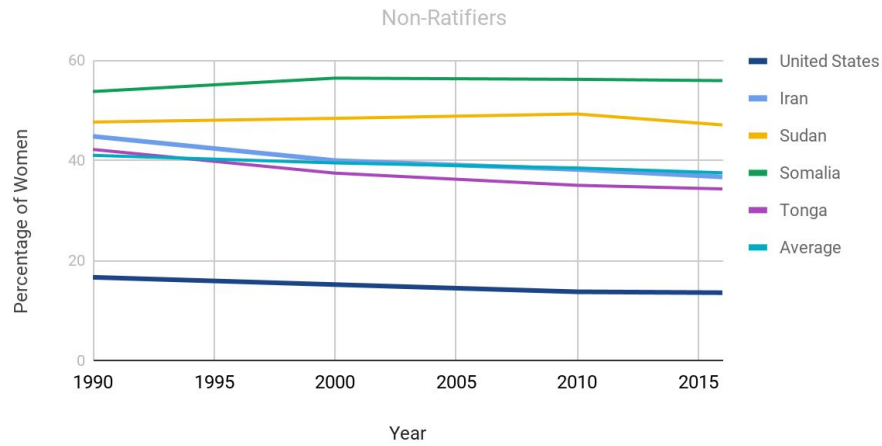
Graph 2A

Women Experiencing Interpersonal Violence in the Last 12 Months



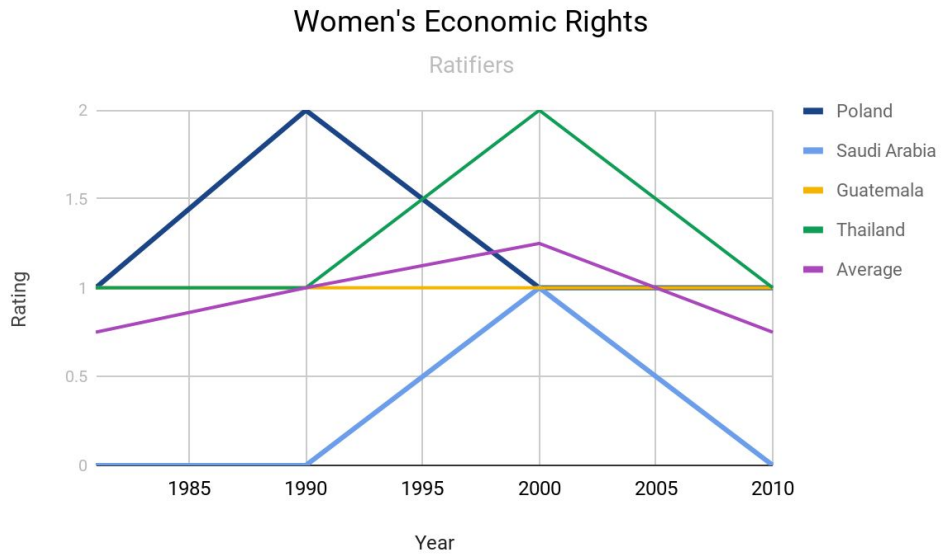
Graph 2B

Women Who Experienced Violence By an Intimate Partner in the Last 12 Months

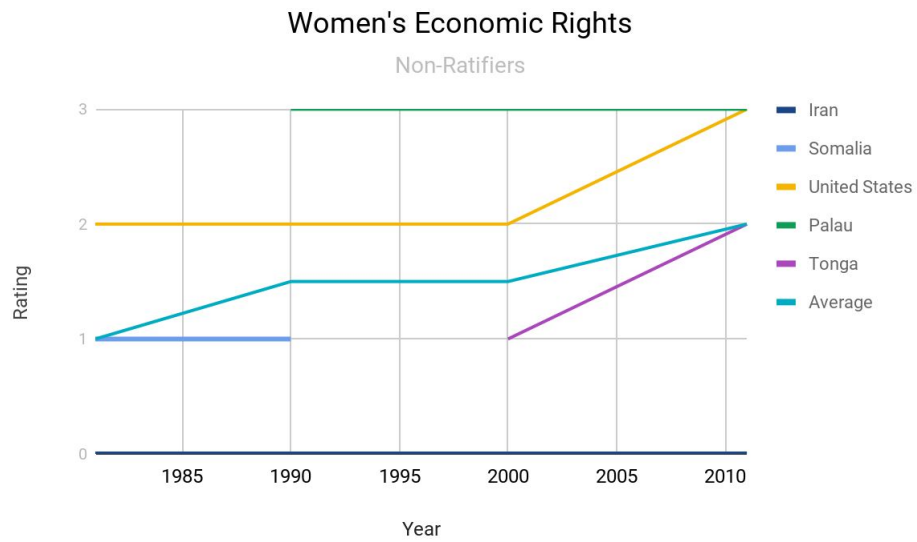




Graph 3A



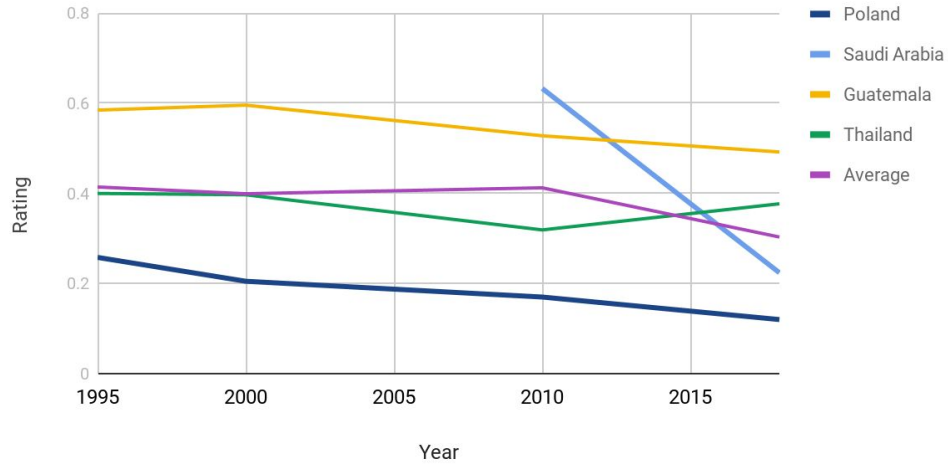
Graph 3B



Graph 4A

Gender Inequality Index

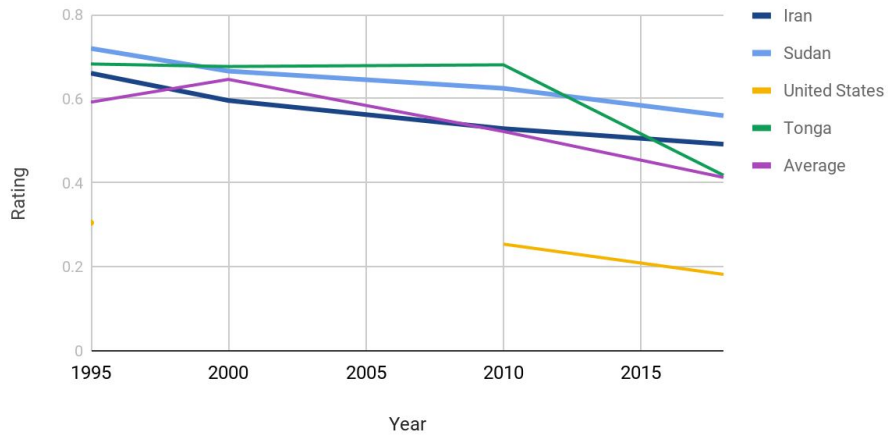
Ratifiers



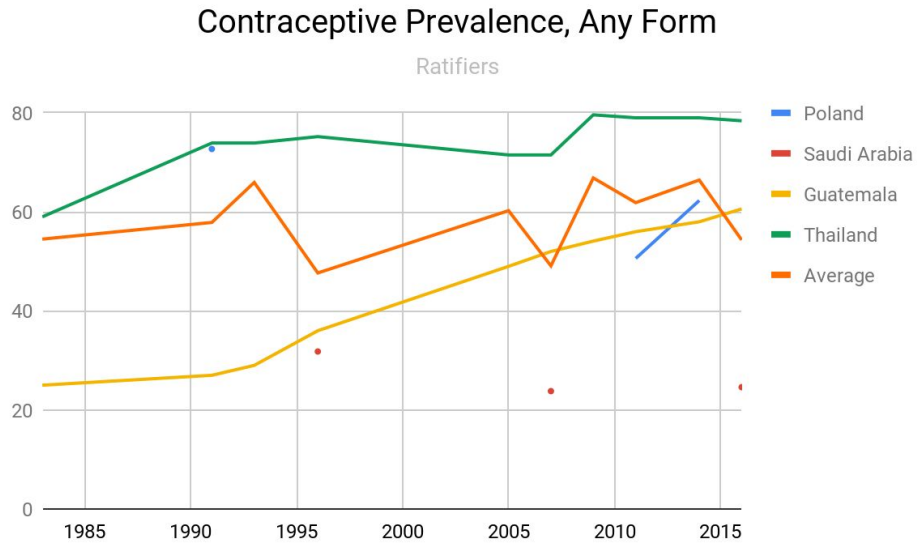
Graph 4B

Gender Inequality Index

Non-Ratifiers



Graph 5A



Graph 5B

