

P31- Indexes, indicators and numbers: processes of quantification in social policy

Indexes, indicators and numbers in human rights monitoring

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Abstract: Indicators are understood as a new type of governance (cf. i.e. Sack 2013: 148 f. and Davis and Kingsbury and Merry 2012: 3 ff.) and are also used in the field of human rights (cf. Merry 2011: 83). Here standards-based measures, which “[...] apply an ordinal scale to qualitative information” (Landman and Carvalho 2010: 37) are dominant. But the standards-based measures are not plain sailing without problems: quantifications are, on the one hand, very efficient in order to create acceptance (cf. Heintz 2010: 162) and make the unknown visible (cf. Heintz 2008: 119). On the other hand an area of something non-observable is being created because statistics are based on observation schemes which can be chosen as they are or differently (cf. Heintz 2008: 119). The quantification and possible biases within four instruments are investigated within this paper. Moreover possible reasons for differences between the measures are analysed within three exemplary countries: Mozambique, Vietnam, and Mexico. I conclude that human- and women’s rights are not easily quantifiable.

Keywords: human rights, women’s rights, monitoring, indicators, quantification, standards-based measures

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1. Introduction

“Indicators are widely used at the national level and are increasingly important in global governance. [...] The reliance on simplified numerical representations of complex phenomena [...] has recently migrated to the regulation of nongovernmental organizations and human rights.” (Merry 2011: 83) Consequently human rights measurement has become increasingly important “for international donor agencies’, intergovernmental organizations, and governments themselves” (Landman and Carvalho 2010: 40) and indicators are understood as a new type of governance (cf. i.e. Sack 2013: 148 f. and Davis and Kingsbury and Merry 2012: 3 ff.).

One type of human rights measurement are standards-based measures which “[...] are one level removed from event counting and violation reporting, and merely apply an ordinal scale to qualitative information.” (Landman and Carvalho 2010: 37) But standards-based measures are not plain sailing without problems: Heintz describes that quantifications are, on the one hand, very efficient in order to create acceptance (cf. Heintz 2010: 162). Statistics have the task to make the unknown visible but, on the other hand, they create invisibility because statistics are based on observation schemes which can be chosen as they are or differently (cf. Heintz 2008: 119). So complexity is being reduced but an area of something non-observable is being created. Consequently every observation is constructed asymmetrically: it names one side (and not the other) and thereby creates communicative adaptability; the choice differentiation remains non-observed (cf. Heintz 2008: 119).

In this paper I firstly want to give an overview of human rights monitoring in general (2.). I will introduce five types of human rights monitoring (2.1) and then explain some aspects of quantification (2.2). Secondly, I will investigate four quantifying monitoring instruments concerning especially women rights (3.1) and possible biases within the instruments themselves (3.2). Thirdly, I will deal with the question whether the way of measurement influences the way we deal with human rights; my thesis here is that the numeric communication camouflages some human rights violations. Some short empirical examples will prove the thesis (4) and the result will be summarised and discussed in the conclusion (5).

2. Human Rights Monitoring

“Indicators are widely used at the national level and are increasingly important in global governance. There are increasing demands for “evidence-based” funding for nongovernmental organizations and for the results of civil society organizations to be quantifiable and measurable. The reliance on simplified numerical representations of complex phenomena began in strategies of national governance and economic analysis and has recently migrated to the regulation of nongovernmental organizations and human rights.” (Merry 2011: 83)

Human rights measurement has become increasingly important “for international donor agencies’, intergovernmental organizations, and governments themselves” (Landman and Carvalho 2010: 40) and indicators are understood as a new type of governance (cf. i.e. Sack 2013: 148 f. and Davis and Kingsbury and Merry 2012: 3 ff.). Consequently Espeland and Stevens identify “new regimes of measurement” (Espeland and Stevens 2008: 402). But which roles play these instruments for human rights?

2.1 Types of Human Rights Monitoring

Landman and Carvalho differentiate four types of human rights measurement: firstly events-based measures which are available whenever a special event like prolonged authoritarianism, foreign occupation, or civil war takes place in a country (cf. Landman and Carvalho 2010: 36). Secondly standards-based measures “[...] are one level removed from event counting and violation reporting, and merely apply an ordinal scale to qualitative information.” (Landman and Carvalho 2010: 37) The third type is the survey-based measure that captures attitudes, perceptions, and experiences of human rights and fourthly there are “socio-economic and administrative statistics that capture different structures, processes, and outcomes within countries that have a bearing on human rights.” (Landman and Carvalho 2010: 36) I will explain the types shortly and afterwards include a fifth type: qualitative human rights monitoring.

Event-based measures give an overview on “[...] what happened, when it happened and who was involved, and then report descriptive and numerical summaries of these events.” (Landman and Carvalho 2010: 37). Here the information is “[...] disaggregated to the level of the violation itself, [...]” (Landman and Carvalho 2010: 37). These “[...] forms of violations data are used to estimate the total number of violations that have occurred (usually extra-judicial killings and disappearances), the temporal and spatial patterns in the data, and any ethno-political dimensions that might demonstrate that particular groups suffered disproportionately.” (Landman and Carvalho 2010: 37). A disadvantage of this type is the little coverage, because “[...] there are very good but limited collections of [...] data available for a handful of countries that have experienced prolonged authoritarianism, foreign occupation, or civil war (Claude and Jabine 1992: 14 ff.).

Standard-based measures “[...] are one level removed from event counting and violation reporting, and merely apply an ordinal scale to qualitative information.” (Landman and Carvalho 2010: 37). Measures of the de facto realization of human rights ('rights in practice') and of the de jure commitment of states to human rights ('rights in principle') take place (cf. Landman and Carvalho 2010: 38). The data cover all countries and long time periods and thereby “[...] capture broad trends in the protection of certain human rights” (Landman and Carvalho 2010: 36).

“Survey-based measures of human rights move away from the reliance on narrative accounts of violations or conditions and collect data on human rights using structured or semi-structured survey instruments applied to a sample of individuals. Typically, the sample is large and random such that inferences can be drawn about the target population.” (Landman and Carvalho 2010: 38) The data captures “attitudes, perceptions, and experiences of human rights (good and bad) that rely on random samples, some form of cluster sampling, or targeted sampling of 'at risk' groups in particular political contexts.” (Landman and Carvalho 2010: 36) Examples include 'Physicians for Human Rights' or 'Minorities at risk'. “Survey analysis and public opinion research has also begun to explore the degree to which citizen attitudes and perceptions about human rights are in line with the actual human rights situation in countries.” (Landman and Carvalho 2010: 39)

“Socio-economic and administrative statistics produced by national statistical offices or recognized international governmental organizations have been increasingly seen as useful sources of data for the indirect measure of human rights, [...] health,

education, and welfare” (Landman and Carvalho 2010: 39). “For example, academic and policy research has used aggregate measures of development as proxy measures for the progressive realization of social and economic rights. Such aggregate measures include the ‘Physical Quality of Life Index’ (PQLI) and the ‘Human Development Index’ (HDI). In both cases, the indices have been used to track both the level of development, and the change in development, both of which are then linked to the notion of fulfilling social and economic rights.” (Landman and Carvalho 2010: 40) “In any such application, however, these measures are imperfect since they provide little information on the degree to which different groups in society enjoy the benefits of development.” (Landman and Carvalho 2010: 40)

A fifth type of human rights monitoring sticks to qualitative data. Examples are the Universal Periodic Reviews (UPRs) of the OHCHR, the Annual Reports by Amnesty International (AI) or the Country Reports on Human Rights Practices by the U.S. State Department. The UPRs exist since 1965. They are a self-reporting system by which countries present their own human rights conditions every three years; the reports are very defensive and are seldom used (Claude and Jabine 1992: 15). NGOs use these reports for human rights defense but the power of the instrument, although realised by positive law, still remains a merely normative one (Satterthwaite and Rosga 2011: 10). Amnesty International publishes reports on political prisoners, torture, extrajudicial killings, grievances in prisons and other human rights violations since 1962 (Cain and Claude and Jabine 1992: 397). Interestingly AI explains why they stick to the qualitative data presentation:

“Amnesty International is often asked to compare the human rights records of different countries. It does not and cannot do this. Government secrecy and censorship obstruct the flow of information from many countries and impede efforts to verify allegations. Statistical or other generalized comparisons can never measure the impact of human rights abuses on the victims, their families and the societies of which they are part. Comparisons of governments’ human rights practices can be manipulated and misused for political ends.” (Amnesty International Report 1987: 16)

The third qualitative instrument are the Country Reports on Human Rights Practices by the U.S. State Department which exist since 1976. These reports are widely respected and used, although they also face problems (Innes 1992: 235), which will be discussed in chapter 2.3. Beforehand I will take a closer look at one type, which is of interest here: standards-based instruments.

2.2 Quantification in Standards-based monitoring

Quantification is defined as “the production and communication of numbers” (Espeland and Stevens 2008: 402) and it is “usually [...] embedded in larger social projects. It is work that makes other work possible.” (Espeland and Stevens 2008: 411) “Rigorous, defensible and enduring systems of quantification require expertise, discipline, coordination and many kinds of resources, including time, money, and political muscle.” (Espeland and Stevens 2008: 411) Consequently, standards-based measures are not plain sailing without problems: Heintz describes that quantifications are very efficient in order to create acceptance (cf. Heintz 2010: 162). So, statistics have the task to make the unknown visible, but at the same time they create invisibility because statistics are based on observation schemes which can be chosen as they are or differently (cf. Heintz 2008: 119). “[Measurement] can narrow

our appraisal of value and relevance to what can be measured easily, at the expense of other ways of knowing [...].” (Espeland and Stevens 2008: 432)

So on the one hand complexity is being reduced but on the other hand an area of something non-observable is being created. Consequently every observation is constructed asymmetrically: it names one side (and not the other) and thereby creates communicative adaptability; the choice differentiation remains non-observed (cf. Heintz 2008: 119). The “increasing public and governmental demand for the quantification of social phenomena, [...is ...] one of the most notable political developments of the last thirty years” (Espeland and Stevens 2008: 401). “Like words, numbers also can be evaluated in terms other than their accuracy as representations, although accuracy is a common criterion for evaluating numbers. Numbers that defy conventions or expectations can be infelicitous as well as wrong, [...].” (Espeland and Stevens 2008: 403) But in order to work, quantification has to be developed with caution, not even the usage of simple schemes is always as easy as it seems and not always each aspect of the measured object fits into the given scheme (cf. Espeland and Stevens 2008: 410-411).

Another problem is data availability. Reliable and current data are the basis for measurement but source material on human rights is “[...] 'lumpy', biased and incomplete [...].” (Landman and Carvalho 2010: 34). Bollen argues that there are six levels of information on human rights violations: (1) on the first level a human rights violations takes place and is either reported or unreported, (2) on the second level a violation gets recorded and (3) on a third level the violation is known and accessible. (4) On a fourth level reports on the violation within its home state take place and (5) on a fifth level the violation gets internationally reported. (6) Finally the reports have to reach the place where the measurement takes place (cf. Bollen 1986: 578). A next challenge is the reliability and validity of data.

“Recorded observations may not be an accurate reflection of the reality that a measuring instrument is trying to capture. In the process of data creation, subjectivity enters: classifying an event as a violation, coding qualitative information according to a scale, or conducting surveys in different cultural or linguistic contexts may bias responses. Even data that is meant to capture subjectivity – such as perception/barometer surveys – needs to be used cautiously: an individual’s response may not correspond to their behaviour or even their attitudes. Moreover, there are the practical challenges of missing data and technical dilemmas, such as weightings given to respondent groups or indicators in composite indexes.” (Langford and Fukuda-Parr 2012: 234)

In consequence, Espeland and Stevens demand a sociology of quantification based on an ethic of numbers: Once sociology makes clear that quantification is fundamentally social – an artifact of human action, imagination, ambition, accomplishment, and failing – the ethical implications and possibilities of quantification become more visible.” (Espeland and Stevens 2008: 431) It should be admitted that numbers stand for rationality, with which they cannot always comply (cf. Espeland and Stevens 2008: 432). Still, the importance of ranking cannot be denied: Merry (Measuring the World 2011) and Davis et al. (Governance by Indicators 2012) recognise a growing production and use of indicators in many fields which has „[...] the potential to alter the forms, the exercise, and perhaps even the distribution of power in certain spheres of global governance.“ (Davis et al. 2012: 4). Heintz describes quantifying comparisons as indirect form of governance (cf. Heintz 2008: 121) und Sack and Kessler see a special governance-mode within the comparative

observation with hierarchical, contesting and cooperative relations between differently organized actors (cf. Sack and Kessler 2011: 209). Satterthwaite and Rosga emphasise the growing demand for indicators and the almost nonexistent realization of its disadvantages (cf. Satterthwaite and Rosga 2011: 2). The reasons for the growing demand can be found in the advantages the measures offer, first of all reduction of complexity (cf. Pickel and Pickel 2012: 1): several information are bundled into one single statement which still includes multiple dimensions of information (cf. Pickel and Pickel 2012: 2). This offers a systematic and secured comparison over time and between objects (cf. Pickel and Pickel 2012: 2). Indices are moreover understood as stable and rarely influenced by random errors (cf. Pickel and Pickel 2012: 3). So the importance of indicators, also in the field of human rights, appears to be high, but how do different instruments work?

3. Quantifying instruments of human rights monitoring

My research objects are four monitoring instruments that either explicitly or at least implicitly include women's rights: firstly the Cingranelli and Richards Human Rights Data Project (CIRI) which measures 13 internationally recognized human rights, secondly the Freedom in the World Index (FitW) by Freedom House measuring civil liberties and political rights, thirdly the Gender Inequality Index (GII) of the UNDP which reflects inequality in achievements between women and men concerning reproductive health, empowerment and the labour market, and finally two indicators by the Bertelsmann Transformation Index (BTI): 'socioeconomic development' and 'equality of opportunity'. I will compare the measurement results of these four instruments with the women's rights situation of three countries that show discrepancies between the measurements in order to find hints on the connection between the reproduction of gendered inequalities in the epistemic culture of this academic area and the presentation of and the communication about women's rights.

3.1.1 Cingranelli and Richards Human Rights Data Project

The Cingranelli and Richards Human Rights Data Project (CIRI) measures 13 internationally recognized human rights. The measurement of torture, extrajudicial killing, political imprisonment, and disappearance are moreover combined in a physical integrity rights index. The measurement of freedom of foreign and domestic movement, the freedom of speech, of assembly and association, workers' rights, the electoral self-determination, and the freedom of religion are combined in an empowerment rights index (cf. CIRI 2014: 3-6). These rights concern women and men equally. But CIRI also measures women's economic¹ and political² rights (cf. CIRI 2014: 7). So this instrument also explicitly concentrates on women's rights.

¹ The economic rights include "Equal pay for equal work; free choice of profession or employment without the need to obtain a husband, or male relative's consent; the right to gainful employment without the need to obtain a husband or male relative's consent; equality in hiring and promotion practices; job security (maternity leave, unemployment benefits, no arbitrary firing or layoffs, etc...); non-discrimination by employers; the right to be free from sexual harassment in the workplace; the right to work at night; the right to work in occupations classified as dangerous and the right to work in the military and the police force" (cf. CIRI 2014: 7).

² The political rights include "The right to vote; the right to run for political office; the right to hold elected and appointed government positions; the right to join political parties and the right to petition government officials" (cf. CIRI 2014: 7).

3.1.2 Freedom in the World

The index Freedom in the World (FitW) by Freedom House measures civil liberties and political rights³. The index can be understood as pretty much gender neutral, but the best score in the category civil liberties includes “[...] equality of opportunity for everyone, including women and minority groups.” (cf. Freedom House 2014a: 4) Hence women’s rights are understood as one aspect of the broad category civil rights which includes several basic human rights like freedom of expression and belief, associational and organizational rights, the rule of law, and personal autonomy and individual rights (cf. Freedom House 2014a: 3).

3.1.3 Bertelsmann Transformation Index

The Bertelsmann Transformation Index (BTI) analyses whether and how 129 developing and transition countries are steering towards democracy and market economy. It evaluates and ranks 17 criteria with altogether 52 indicators in order to measure the political and economic transformation and the transformation management of a state (cf. Bertelsmann Stiftung 2014a: 122-127). The two indicators which are interesting here are socioeconomic development being measured with the question: ‘To what extent are significant parts of the population fundamentally excluded from society due to poverty and inequality?’ and equality of opportunity being measured with the question ‘To what extent does equality of opportunity exist?’ (Bertelsmann Stiftung 2014a: 126).

3.1.4 Gender Inequality Index

The Gender Inequality Index (GII) concentrates on women’s rights exclusively and includes the environment of women’s lives around the world. It can give very good hints on the situation for women within a country but does not measure the above mentioned rights violations.

“The GII is a composite measure reflecting inequality in achievements between women and men in three dimensions: reproductive health, empowerment and the labour market. [...] The health dimension is measured by two indicators: maternal mortality ratio and the adolescent fertility rate. The empowerment dimension is [...] measured by [...] the share of parliamentary seats held by each sex and by secondary and higher education attainment levels. The labour dimension is measured by women’s participation in the work force. The Gender Inequality Index is designed to reveal the extent to which national achievements in these aspects of human development are eroded by gender inequality, and to provide empirical foundations for policy analysis and advocacy efforts.” (United Nations Development Programme 2014)

³ “Political rights enable people to participate freely in the political process, including the right to vote freely for distinct alternatives in legitimate elections, compete for public office, join political parties and organizations, and elect representatives who have a decisive impact on public policies and are accountable to the electorate. Civil liberties allow for the freedoms of expression and belief, associational and organizational rights, rule of law, and personal autonomy without interference from the state.” (Freedom House 2014a).

3.2 Biases within Human Rights Monitoring

A bias is “an asymmetry that is ill-founded or unjustified.” (Elson 1995: 3) Consequently a bias within human rights monitoring can lead to obfuscation or contortion of the objects being measured and our understanding of them. I look at a possible political bias and gender bias aspect.

3.2.1 Conservative and left biases

According to Mitchell and McCormick (1988) in the late 1980s only Amnesty International, Freedom House and the Amnesty-based reports by the U.S. State Department could be considered politically neutral (cf. Mitchell, McCormick 1988: 483 f.). Other authors see ‘even’ these instruments as biased. Freedom House regularly gets accused of an U.S.-bias (cf. Banks 1992, Landman 2004: 928, Bollen 1986: 568). Moreover Freedom House has some other problems: the counting of rights violations cannot be retraced and problems within the measurement are known, but do not get addressed and the range of each measured dimension, the weighting-system, and data aggregation do not get discussed (cf. Stohl et al. 1986: 598 f.). So measurement error, both random and systematic, take place; also in other instruments. The systematic errors “[...] arise from the subjective nature of ratings and the information on which ratings are based. Indeed some authors argue that assessments of “human rights” based on U.S. State Department reports or on data from Freedom House have conservative biases in favor of countries with pro - U.S. positions. Others argue that Amnesty International has a left-wing bias.” (Bollen 1986: 568)

“Some filters can contribute to an overly optimistic perspective on rights and liberties while others can underestimate them. It is hard to predict the net effect of these factors but it seems likely that locally, internationally, and U.S. reported information contain biases that in turn can distort ratings of political rights and liberties.” (Bollen 1986: 582)

Biases are found in different forms, and might even balance and equalise each other to some degree: CIRI used two sources for the coding: the U.S. Department of the State’s Country Reports on Human Rights Practices are used for all variables and the Amnesty International’s Annual Reports are moreover used for the measurement of physical integrity rights. In order to avoid a potential U.S.-bias the AI-data are authoritative if discrepancies occur.

Still, the problem of subjectivity applies to three of the four instruments, only the ‘pure statistics’ of the Gender Inequality Index can be considered unbiased to a large extend. Within the other instruments qualitative information gets transformed into quantitative information by researchers:

“The analysts [of Freedom House, JNW], who prepare the draft reports and scores, use a broad range of sources, including news articles, academic analyses, reports from nongovernmental organizations, and individual professional contacts. The analysts score countries based on the conditions and events within their borders during the coverage period. The analysts’ proposed scores are discussed and defended at annual review meetings, organized by region and attended by Freedom House staff and a panel of the expert advisers. The final scores represent the consensus of the analysts, advisers, and staff [...]” (Freedom House 2014a)

The process appears to be very much like the BTI-coding process. Country experts prepare country reports and provide the first scorings which are then being discussed by other experts. Many types of human rights violations will therefore be included in these data, still the measures are subjective.

It can be summarised, that not 'the one' correct form of human rights measurement exists; still some guidelines are available for better measurement: firstly, better, comprehensive, and diverse background information is needed as a basis for the measurement. Secondly, it has to be explained which data are used; this is what most instruments do today. Thirdly, there should be no precision simulated, where is none. Fourthly, the complex phenomenon of human rights has to be operationalised with care and last but not least the measurement has to be guided and influenced by accurate and scientific analytical analysis (cf. Stohl et al. 1986: 603- 605)

3.2.2 Gender Bias

A gender bias is a contortion concerning the social gender and not the sex (cf. Eichler and Fuchs and Maschewsky-Schneider 2000: 293). Gender bias is exclusion, discrimination, violence against women (cf. Jacobsen 1992: 9). Three main types of gender bias can be differentiated: firstly androcentrism or over-generalisation. Here the male point of view is being adopted, meaning that men are in the foreground and that women are being measured according to them. Male results are transferred to women. The second type, gender insensitivity, ignores the social or biological gender as an important factor and embezzles that sexes and genders have to be treated differently. Thirdly we find a double standard of evaluation. In research this means i.e. that different evaluations of the same situation for men and women take place, different concepts or methods are being used dependent on gender (cf. Eichler and Fuchs and Maschewsky-Schneider 2000: 295). Gender bias exists in every phase of a research process (cf. Eichler and Fuchs and Maschewsky-Schneider 2000: 295) and, as can be seen with the different types, takes very different shapes. Moreover the successful avoidance of one bias does not mean that one does not fall for another. For example in health research equality between male and female health risks is oftentimes supposed although it is not existent and differences between male and female patients are assumed were there are none (cf. Ruiz and Verbrugge 1996: 106).

Of course a gender bias can work in both directions, discriminating against women but also against men. But the 'male version' of gender bias is much wider spread and also my focus of attention here. A male bias can be based on prejudices but also can be created and incorporated unconsciously by every day habits and perceptions, i.e. women doing the housework, men earning the money as a habit that has been downgrading women for centuries (cf. Elson 1995: 7). This bias results in economic and social structures disadvantaging women, for example if sons are more valuable they get more food in times of shortage. This seems to be a rational decision for a family but is none overall (cf. Elson 1995: 8) for it results in a notable shortage of women as a result nowadays (cf. Sen 1992: 587). Moreover gender bias is not always easily detected for supposed gender neutrality oftentimes masks gender bias (cf. Elson 1995: 11).

The bias is very pronounced where women work a lot free of charge. In many "third world"-countries women work twice as much as men but do not own the land they work on and are consequently much more affected by poverty (cf. Jacobsen 1992: 5-

6). Jacobsen names gender bias as one of the main reasons for poverty and also for an explosive population growth because it also hinders the access to contraception (cf. Jacobsen 1992: 7). "Gender bias exists in every country, at virtually every income level, and in every stratum of society. And in most societies, it compounds – or is compounded by – discrimination based on class, caste, or race." (Jacobsen 1992: 9) The connection to other forms of discrimination is being mentioned here and of course gender bias is not the only type of bias, moreover a northern bias, an academic bias, an urban bias, or biases based on race, ethnicity, region, class etc. exist (cf. Elson 1995: 3-6). In order to overcome male bias a change of the economic and social structures and of collective action, i.e. profound changes in raising children, is needed (cf. Elson 1995: 15). "Removing bias does not mean complete standardization and removal of all differences." (Elson 1995: 4) But the inequality of life chances is one urgent problem in many regions (Elson 1995: 5).

However, can a gender bias within the monitoring instruments be detected? The Cingranelli and Richards Human Rights Data Project has three main researchers: Dr. David L. Cingranelli (Professor of Political Science at Binghamton University), Dr. David L. Richards (Associate Professor of Political Science and Human Rights at the University of Connecticut), and Dr. K. Chad Clay (assistant professor in the Department of International Affairs at the University of Georgia). All three are (white, male, western educated) political scientists. The main topics include 13 variables: political and other extrajudicial killings or the arbitrary or unlawful deprivation of life, disappearance, torture and political imprisonment compose the physical integrity right index. Freedom of speech and press, freedom of religion, freedom of domestic and foreign movement and travel and the freedom of assembly and association, the electoral self-determination and worker rights compose the empowerment rights index. Moreover women's political and economic rights are measured and the independence of the judiciary. Until 2007 women's social rights were also included (CIRI 2014). So within CIRI we have the explicit measurement of important basic women's rights. So on the one hand, we find the underrepresentation of women, but on the other hand, women's rights are explicitly included in the instrument.

In 2014 more than 60 country analysts compiled the Freedom in the World report, but they are not closer specified. Out of the 20 experts of FH which are staff members 11 are women (cf. Freedom House 2014b). So the very common type of gender bias, the underrepresentation of women, cannot be found. The Freedom House measures for the FitW index include seven main variables: electoral process (executive and legislative elections, and electoral framework), political pluralism and participation (party system, competition, and minority voting rights), functioning of government (corruption, transparency, and ability of elected officials to govern in practice), freedom of expression and belief (media, religious freedom, academic freedom, and free private discussion), associational and organizational rights (free assembly, civic groups, and labor unions), the rule of law (independent judges and prosecutors, due process, crime and disorder, and legal equality) and the personal autonomy and individual rights (freedom of movement, property rights, women's and family rights, and freedom from economic exploitation) (cf. Freedom House 2014a). Like mentioned above the last four of them build the civil rights measurement and can be compared to the understanding of human rights within other measures, but the human rights concept stays very broad and unspecific, women's rights play a marginal role.

The Gender Inequality Index (GII) offers concrete numbers and, like mentioned earlier, is another type of human rights monitoring: statistics. Here one could argue

that it does not matter as much as with qualitatively based numbers like the BTI-, CIRI- and FitW-data, who created the data for they are collected from official statistics. Of course, statistics can be biased as well and offer many opportunities for camouflaging and are moreover problematic because they are understood as very confidential (cf. i.e. Heintz 2008, 2010). However, we do not get to know who calculates the GII and I claim that is less important than with the other three instruments because of the very clear focus and the quantitative character of the instrument. Eventually one could also argue that the question is not applicable and appropriate for this instrument. Moreover the instrument explicitly concentrates on women rights, and consequently does not carry a (female) gender bias.

The last considered instrument are the indicators socioeconomic development and equality of opportunity by the Bertelsmann Transformation Index. The backbone of the BTI is a report for each country written by country experts; of the almost 300 experts 55 are women (cf. Bertelsmann Stiftung 2014a: 134). The BTI Board has the final say in the scores, they audit and approve the results and here we find one woman in a team of 23 (cf. Bertelsmann Stiftung 2014a: 129). So we find a very common type of gender bias, the underrepresentation of women. Also a western, white bias can be detected, although the BTI tries to include country experts from the countries themselves and abroad; still it is a Germany-based institute and the criticism of a 'very German' understanding of market economy and democracy is very common for the instrument. "Freedom, justice, competition and human rights are the overall point of view [...]." (Bertelsmann Stiftung 2014a: 4). The analytical framework comprises three categories: political transformation, economic transformation and transformation management. Political transformation is being measured by five criteria: stateness, political participation, rule of law, stability of democratic institutions and political and social integration. Economic transformation is being measured by the level of socioeconomic development, the organization of the market and competition, currency and prize stability, private property, welfare regime, economic performance and sustainability. The transformation management is eventually measured with the level of difficulty a country faces, its steering capability, resource efficiency, consensus-building, and international cooperation. Each of these 17 criteria is being measured with several questions, only the level of socioeconomic development comprises only one question. Altogether 52 questions have to be answered for each country report which includes, consequently, 52 indicators (cf. Bertelsmann Stiftung 2014a: 124-127).

For women's rights we find some relevant indicators within the BTI framework: Indicator 6 concerns the level of socioeconomic development and asks for the extent to which significant parts of the population are fundamentally excluded from society due to poverty and inequality. Indicator 10 concerns the welfare regime and asks for the extent to which social safety nets provide compensation for social risks and the extent to which equality of opportunity exists. Here women are implicitly included. Other explicit indicators concerning women's rights are not included in the BTI but of course a solid banking system, an effective government and the citizens' approval to democratic norms also concern women; in most parts the index appears to be very gender neutral though. No explicit focus can be detected although we have the focus on freedom, justice, competition and human rights and many authors claim that the inequality between men and women worldwide is one main hindrance of development and good governance (cf. i.e. United Nations 1986; Schmidt-Häuer 2000: 285; Tomasevski 1993; Schad 2000; Malhotra 2003).

However, the BTI offers no explicit focus on human rights although it is one of its four main points of view. Human rights or their violations are included in many indicators, but an explicit focus would be preferable in order to enforce their own claims. Consequently it is hard to say which human rights violations are included and which are excluded for the country reports answer 52 questions in about 30 pages and therefore cannot mention everything they consider when scoring. Although the instrument offers the broad and very useful instrument of country reports the user still cannot be sure about the understanding and consideration of human rights in many cases. One example is the missing focus concerning the rights of persons whose self-identification lies within the LGBTTI spectrum, these rights violations are a huge hindrance of development, especially in many African countries, that is actually getting worse nowadays.

4. Does the measurement influence the understanding of human rights?

In a last step I want to compare the human rights situation in three countries with their measurement result. I hereby concentrate on the women's rights situation in countries that show discrepancies between the monitoring results: Mozambique, Vietnam, and Mexico. Firstly, I investigate the kind of women's rights violations appearing in these countries. Secondly I explain the discrepancies between the measurements, and thirdly I try to find possible explanations for these discrepancies.

4.1 Mozambique⁴

Mozambique has a population of 25.833.752 persons and a very low population density of approximately 30 persons per square kilometer. The median age of the population is very young with 17.2 years. The share of women in the parliament is with 39.2 per cent twice as high as the worldwide average. Between 2005 and 2012 only 55 per cent of the births have been attended by skilled staff, a very low number. The female life expectancy at birth in 2011 ranged at approx. 51 years and the male life expectancy at birth at 49. Male literacy ranged at 67 per cent for men older than 15 and is increasing because approx. 80 per cent of the boys under the age of 15 are literate. The literacy of women is much lower, but increasing even more rapidly: approx. 36 per cent above the age of 15 and 65 per cent for girls under the age of 15. Also concerning school enrollment boys are still slightly privileged: between 2005 and 2012 approx. 84 per cent of the girls and 89 per cent of the boys visited a primary school, 18 per cent of the boys and 17 per cent of the girls a secondary school and only approx. 6 per cent of the young men and 4 per cent of the young women were enrolled in tertiary education. A huge problem amongst the extreme poverty is HIV/AIDS and once more women are more disadvantaged than men: 59 per cent of the HIV-positive population was female in 2012 and the prevalence of HIV with women aged from 15 to 24 is more than twice as high with 6.6 per cent as that of men (2.8 per cent) in the same group. Summing up one can say that Mozambique is an extremely poor country facing huge challenges.

⁴ Source of data in this chapter: World Bank (2014).

4.1.1 What kind of women's rights violations do appear in these countries?

Women's rights are violated by some of the so far mentioned aspects: women are more affected by HIV/AIDS and are worse educated than men. Other concrete examples of women's rights violations can be found:

“Although women make up the majority of the economically active population, they are predominantly engaged in the agricultural sector, and generally in a household production context with limited surplus production. Particularly in rural areas, women face enormous obstacles in the realization of their work as a result of prevailing gender relations in rural communities.” (Bertelsmann Stiftung 2014b: 18)

Here a general problem is being mentioned already, the antiquated, unequal gender relations obviate progress in many areas. Moreover women avoid preventive medical examination during pregnancy even if good possibilities are given. The reason for this is the fear of an early detection of the pregnancy by neighbours etc., because they might bewitch the mother and / or child. The influence of such beliefs is still very widespread (cf. Chapman 2003: 355 ff., cf. also Chapman 2006). “[Women even] attribute the most serious maternal complications to human- or spirit-induced reproductive threats of witchcraft and sorcery.” (Chapman 2006: 487)

Like already mentioned girls are still worse educated than boys which results in an underrepresentation of women in the public sector employment and the education sector. “Hindering factors include early marriages, girls' household workloads, and the sexual harassment that about 70 % of girls are exposed to by their male teachers.” (Bertelsmann Stiftung 2014b: 26)

Other problems, which result in Mozambique's very bad position in the Gender Development Index (predecessor to the GII, position 139 out of 144 countries), are “the poor access to the courts, traditional barriers in relation to property, disadvantages in the right of inheritance and access to productive resources.” (United Nations Human Rights Council, Working Group on the Universal Periodic Review. 2010: 11)

Gawaya also reports on the problems women face concerning economic rights. Knowledge about the policy process on i.e. the registration of a business is missing and information is not spread properly. The access to credit is a huge challenge, especially for rural women. Although women dominate food marketing the access to markets is oftentimes difficult due to missing infrastructure, local norms which constrain women from marketing (i.e. no allowance to go 'far' away from home), the missing ability to read and consequently to get information and the financial situation oftentimes not allowing the transport of goods to the markets. Moreover rural women remain unable to determine the size of their families. And for child care is not available, unmet reproductive rights obviate to practice economic rights (cf. Gawaya 2008: 152-154).

A study by Machel (2001) found that young women are likely to engage in risky sexual behaviour. Especially working class women tend to accept “gender power differentials, were less assertive and tended to be dependent on their partners for material needs more often, which served to weaken their bargaining power in relation to safe sexual behaviour and rendered them more vulnerable.” (cf. Machel 2001: 82) Condom use had to be negotiated with oftentimes older assertive partners and so many women abdicate condoms although they know about the dangers (cf. Machel 2001: 88). Interestingly Machel's data are from South-Mozambique. Arnfred (2007)

describes a different gender understanding and consequently draws a different perception of women which will be discussed in chapter 4.1.3.

Another problem women face is intimate partner violence and also non-partner violence. In Mozambique, on the one hand, the numbers are higher compared to those of other SSA countries. On the other hand there seems to be less sexual assault (cf. Cruz and Domingos and Sabune 2014: 1599).

4.1.2 What kind of discrepancies can be observed between the measurements?

Mozambique showed very high discrepancies in all measurement comparisons. Concerning gender the GII and CIRI's women's political and economic rights were compared. CIRI's economic rights range at 1 out of maximal 3 points in 2010 but the political rights achieve the maximum of 3 points. CIRI's social rights for women were factual not existent with 0 points. Strong contradictions within Mozambique's women's rights become already obvious. According to the GII Mozambique is a country of the category 'low human development' which is also reflected in the GII rank 125 in 2011 with a value of 0,602. So, although the instruments agree on a poor women's rights situation, there are still discrepancies between the measures. But how do these contradictions arise?

4.1.3 What are possible explanations for these discrepancies?

A special phenomenon in Mozambique makes it generally difficult to measure where women's rights are violated and for which reason: western conceptions of male / female do not necessarily play an important role, i.e. for the Yoruba⁵ age and societal position are much more important and the same holds true for peoples in Mozambique (cf. Arnfred 2007: 144). An example:

“The word for counsellor (for male/female initiation rituals) is olaka, an un-gendered noun. And similarly the word for healer/diviner, kulukana, is also un-gendered. Other positions are gendered. Somebody who is an expert on food and sex occupies a female position. Generally such a person is a biological woman, but occasionally may be a man.” (cf. Arnfred 2007: 145)

Moreover “[provincial] asymmetries indicating the impact of poverty on the equality of opportunity remain striking. Whereas about 52% of girls in the southern provinces have the ability to attend secondary schools, this percentage is only around 39% in Northern provinces [...]” (Bertelsmann Stiftung 2014b: 26) Along these lines we find another very striking difference: “Mozambique is generally divided into two systems of lineage, matrilineal prevailing mostly in the northern and central parts and patrilineal in the southern part of the country. [...] Women's position in relation to the two systems of lineage impacts on their access to land.” (Gawaya 2008: 149) The different societal systems are a problem for the measurement. In Mozambique two very different regions exist which offer different possibilities for women and result in different environments. These are represented by one number for the whole country which is problematic and may be one reason for the measurement discrepancies.

⁵ Western African people situated in Nigeria and Benin.

4.2 Vietnam⁶

Vietnam has a population of 89.708.900 persons and a very high population density of approximately 268.467 persons per square kilometer. The median age of the population is average with approx. 29 years. The share of women in the parliament is with 24 per cent slightly higher than the worldwide average. Between 2005 and 2012 90 per cent of the births have been attended by skilled staff. The female life expectancy at birth in 2011 ranged at 77 years and the male life expectancy at birth at 71. Male literacy ranged at approx. 96 per cent for men older than 15 and is slightly increasing⁷. The literacy of women is lower, but increasing rapidly: approx. 91 per cent above the age of 15 and 96.5 per cent for girls under the age of 15. School enrollment data are only available for tertiary education and the numbers are almost equal: approx. 25 per cent of the young women and 24 per cent of the young men enjoy tertiary education. HIV/AIDS is not an overall problem with 0.1 per cent of the young women and 0.2 per cent of young men (aged 15-24) being infected. Also the prevalence of HIV with women aged from 15 to 24 is with approx. 28 per cent lower than the world average⁸. Summing up one can say that the Communist one-party-state faces challenges like corruption and repression of political activists but is performing better than other south-east-Asian states according to women's rights; the GII is "one of the best values in Southeast Asia." (Bertelsmann Stiftung 2014c: 15).

4.2.1 *What kind of women's rights violations do appear in these countries?*

"Vietnam has made good progress towards gender equality – gender gaps have been particularly reduced in education at primary and lower secondary level. Women are well protected within the family context. [...] Women play an important role in the Vietnamese economy, accounting for 46.6% of the active workforce." (Bertelsmann Stiftung 2014c: 23)

One key to the progress appears to be the 'National Strategy on Gender Equality and Women's Progress' working against trafficking and domestic violence. Also it is aimed at closing the gap between the law and practice (work, income, social standing, etc.). In Vietnam women are accounted for 49%⁹ of the workforce and school enrolment has improved as well for girls (cf. United Nations Human Rights Council, Working Group on the Universal Periodic Review. 2013: 14). It has been understood, that "[...] the mentality to favour men over women has been an obstacle for gender equality; [...]." (United Nations Human Rights Council, Working Group on the Universal Periodic Review. 2013: 17)

But still problems are obvious. The social welfare system is inefficient and social insurance exclusively covers labor in the formal sector excluding 75 per cent of the workforce and especially female work in informal, vulnerable types of employment (cf. Bertelsmann Stiftung 2014c: 22 f.). And so, although the GII is high for the region, it has been subsiding "[...] over the last 13 years [...] showing a decline in gender inequality." (Bertelsmann Stiftung 2014c: 23)

"However, family violence, abuse of women for prostitution, and trafficking of women are still pressing issues in the country. Current law and policies do

⁶ Source of data in this chapter: World Bank (2014).

⁷ 97 per cent of the boys under the age of 15 are literate.

⁸ Women's share of the population living with HIV approx. 40 per cent.

⁹ Notice difference to BTI data of 46.6% in the quote above.

not adequately address some core issues, such as migration and domestic violence. Women within ethnic minority communities are particularly disadvantaged: At least one in four is illiterate; among girls aged 15 to 17, only about 60% are in school, compared with over 72% of boys; some 20% of ethnic minority women have never attended school; and ethnic minority women have much higher infant and maternal mortality rates than do their majority counterparts.” (Bertelsmann Stiftung 2014c: 23 f.)

Vietnam is facing different challenges than Mozambique of course. Women’s rights are protected much well de jure and de facto, but still women face disadvantages compared to men.

4.2.2 What kind of discrepancies can be observed between the measurements?

Vietnam also showed very high discrepancies in all measurement comparisons. Concerning gender the GII and CIRI’s women’s political and economic rights were compared. CIRI’s economic rights for women achieve only 1 out of maximal 3 points, political rights 2 points. The social rights were with only 1 point also weak in 2007. Still Vietnam performs better than many other states concerning the data for the GII and consequently achieves rank 48 with the value of 0.305 which reflects the medium human development of Vietnam. The factual data of the GII present a better overall women’s situation, while the CIRI data show women’s rights violations still taking place, especially economically and socially.

4.2.3 What are possible explanations for these discrepancies?

In Vietnam women’s rights seemed to be developing positively, but since some years a decline is observable. This might not be recognised by all instruments at the same point in time. An important aspect is the difference between women’s rights and human rights in general. In Vietnam human rights violations seem to be less gender specific than in many other countries; the communist political system is a possible explanation for this. It creates, on the other hand, many human rights violations concerning men and women equally: Vietnam tries to control communication and access to the internet, freedom of expression, also online, gets systematically constricted, being accompanied by the prolonged holding of prisoners of consciousness (cf. Amnesty International 2013: 10, 295). Also the rule of law appears to be violated, beatings during interrogations occurred and several “[...] peaceful dissidents, including bloggers and songwriters, were sentenced to long prison terms in 14 trials that failed to meet international standards.” (Amnesty International 2013: 295) It is also obvious that official gestures do not coincide with the de facto human rights situation, for Vietnam “[...] adopted the ASEAN Human Rights Declaration, despite serious concerns that it fell short of international standards.” (Amnesty International 2013: 295) In Vietnam the death penalty is still a part of the justice system, it is only not in use because of an EU ban on export of the required drugs (cf. Amnesty International 2013: 296).

CIRI grades worker’s rights with 0 points because “[workers] are not free to join or form unions of their choosing.” (CIRI 2013: 68) This can also be seen as an indicator for the thesis that rights violations in Vietnam are less gender specific, so a specific gender bias cannot be found and is moreover probably not the reason for the measurement discrepancies. Other possible explanations can be the following: (1)

the very good GII data may influence other data measuring rights violations and (2) an overall good women's rights situation might becloud specific rights violations.

4.3 Mexico

Mexico has a population of 122.332.399 persons and a population density of approximately 60.201 persons per square kilometer. The median age of the population is slightly below average with approx. 26 years. The share of women in the parliament is with 25 per cent slightly higher than the worldwide average. Between 2005 and 2012 94 per cent of the births have been attended by skilled staff. The female life expectancy at birth in 2011 ranged at 79 years and the male life expectancy at birth at 75. Male literacy ranged at approx. 95 per cent for men older than 15 and is slightly increasing¹⁰.

The literacy of women is lower, but increasing rapidly: approx. 93 per cent above the age of 15 and 98 per cent for girls under the age of 15. School enrollment data paint a picture of a female advantage, which decreases with increasing age: 99 per cent of the girl and 97 per cent of the boys visit a primary school, 69 per cent of the girls and 66 per cent of the boys a secondary school. At the tertiary level men overtake women slightly and finally 12 per cent of the women and 14 per cent of the boys reach a degree of tertiary education. HIV/AIDS is not an overall problem with 0.1 per cent of the young women and men (aged 15-24) being infected. Also the prevalence of HIV with women aged from 15 to 24 is with approx. 22 per cent lower than the world average¹¹.

Summing up one can say that the most urgent problem Mexico faces is "its war against organized crime, although the death toll and efficacy of this policy has increasingly been questioned. [...] Although the government has effectively beheaded the most important cartels, the struggle between subordinates that are younger and even crueller has increased violence enormously." (Bertelsmann Stiftung 2014d: 2-4).

4.3.1 What kind of women's rights violations do appear in these countries?

Since 1993 the number of women being brutally murdered in Ciudad Juárez, northern Mexico seems to be rising (cf. also Sack and Wirsinna 2012: 7 ff.), in 2011 AI reported on 300 murdered women within that year¹² (cf. Amnesty International 2011 Mexico). It is impossible to be precise on numbers of victims or acts of violence, because many women also simply disappear. There exists no consistent explanation on perpetrators, motives, causes for the murders, only numerous speculations on collective crimes, single perpetrators or the mafia, trafficking of persons or organs, perverse weekend pleasure for rich men, copycat criminals, pornography or trials of courage by cartels, passion crimes or economic crimes linked to 'maras' (street gangs) (cf. Rahmsdorf 2006; Weissman 2010: 12 f.; Gotfredsen 2008: 7, 19; Sauer 2007, Melgar 2011: 92). Also the surrounding and societal attributes have caught attention, when dealing with the murders: symbolic mechanisms of power and *machismo* have been used to explain them while the authorities resorted to the argument of violence within families (cf. Rahmsdorf 2006, Weissman 2010: 12 f.). But

¹⁰ 98 per cent of the boys under the age of 15 are literate.

¹¹ Women's share of the population living with HIV approx. 40 per cent.

¹² Moreover the numbers are not distinct and range for example from 233 to 500 victims for the year 2003 (cf. Ensalaco 2006: 419; Melgar 2011: 91).

in other societies with comparable cultural attitudes and gender role models no such phenomenon exists.

Moreover, the maquiladora-industry¹³ is a special factor. These factories create alternatives for women in a male-dominated society, make them more independent, break up old power structures (cf. Berndt 2004: 237; Livingston 2004: 70) and have created a contradictory gender-regime by the specific industrial employment (Berndt 2004: 267). On the other hand women are oftentimes attacked on their duty strokes (Berndt 2004: 131, 237 ff.; cf. also Staudt 1986: 98). A next factor is the context of impunity from the side of the police and the judiciary according to violence against women (cf. Ensalaco 2006: 420; Berndt 2004: 259; Livingston 2004: 60; Weissmann 2010: 55). Corruption is moreover evident within the Mexican justice system (cf. Jäger 2011). Three points can be made on the violence against women in Ciudad Juárez: (1) the source of the violence remains unknown. "So after one of the worst cases of femicide in world history, we are left with speculation [...] but few answers." (Heyman and Campbell 2004: S. 207). (2) Neither the police nor the justice fulfils their protective function. Historical conditions have created social practices which tolerate attacks against the physical integrity, health or freedom of women. The state does not effectively guarantee to protect and does not create safe conditions for women. Therefore the femicide is also a crime of the state (Lagarde y de los Ríos, María Marcela. o.D.). The responsibility of the state to protect from physical violence is not only emphasised by several authors, also the Inter-American Court of Human Rights has confirmed it (CoIDH-jugdenment 2009, cited after Melgar 2011: 95). (3) In the mid-2000s rising numbers of victims of organised (drug) crime superimposes the femicide. A concurrency about the transnational attention of observers has evolved (cf. also Sack and Wirsinna 2012: 7 ff.). "However, no one knows for certain who is responsible for the recent deaths of these young women because little is being done to investigate the crimes. Victims of femicide generally have two things in common: they are women and they are poor." (Jackson 2006: 2-3)

4.3.2 What kind of discrepancies can be observed between the measurement and what are possible explanations for these discrepancies?

For Mexico I want to explain the discrepancies and the reasons together in one chapter, because the discrepancies themselves are on the one hand not so striking; and on the other hand, another phenomenon plays an important role.

Like mentioned above the femicide in Mexico is observed since 1993; since the 2000s public interest has developed, but the Freedom House¹⁴ (FH) categorization is not changed until 2011, when Mexico is downgraded from 'free' to 'partly free' which is related to the increasing violence, especially organised crime, drug violence and the hundreds of murders targeting women. Furthermore perpetrators are seldom held accountable and Mexico is a source and transit country for human trafficking (cf. Freedom House 2011 a.). In the 2000s the ratings for violence worsened as well as the measures. From 2003 to 2006 political rights and civil liberties achieved a two, implying "some political corruption, limits on the functioning of political parties and opposition groups, and foreign or military influence on politics." (Freedom House 2011 b.) But in these years the overall country status 'free' was obtained thanks to

¹³ "Labor-intensive, export-producing subsidiaries of multinational corporations which take advantage of inexpensive labor outside the U.S." (Staudt 1986: 97).

¹⁴ Freedom House measures political rights and civil liberties from zero (free / best) to seven (not free / worst).

the aggregation of problematic factors. The new categorisation comes along with the violence which is connected to the drug crimes; the femicide in Ciudad Juárez is part of the overall rising violence numbers. The femicide is not central, and although it causes the figure of violence in the mid-2000s it does not cause a decline of the overall freedom or the guaranteed protection of civil rights.

Also the Bertelsmann Transformation Index (BTI) evaluates Mexico continuously worse in the 2000s. The overall aggregated indexes decline since the measurement began in 2003. Within the BTI country reports one can find a drift in the attention according to the situation in northern Mexico: in 2003 and 2006 femicide is being used as a proof for the functional deficits of justice and police (cf. BTI Country Report Mexico 2006: 6, cf. also BTI Country Report Mexico 2003: 7). In the country reports 2008 and 2010 there is an explicit overlap by “[violence which] escalated to unseen levels, with policemen, soldiers and drug dealers being killed every week.” (BTI Country Report Mexico 2010: 2). In the latest country report the phenomenon emerges again: “Severe violations of women’s rights also take place. The national scandal of the hundreds of unsolved women’s’ murders in the northern city of Ciudad Juarez is emblematic of this problem; [...]” (BTI Country Report Mexico 2012: 12-13) Consequently, the problem is still in the focus and moreover the descriptions here show that country reports are very useful to understand the numbers better and to gain an insight in the reasons for the different numbers. In the 2012 BTI Mexico socioeconomic barriers are ranked with six points¹⁵ and equal opportunities (for women or minorities) with five points.

Also CIRI shows a general deterioration of the human right situation in Mexico, i.e. visible in the category „Independent Judiciary“. The femicide is explicitly named as an example of a violation of the state-owned duty to protect in the CIRI Coding Guide (cf. Cingranelli and Richards 2008 a: 100). Unfortunately no country reports¹⁶ are available; it is only a coincidence that this example has been chosen for the Coding Guide. However, because of its broad understanding of human rights the CIRI-instrument delivers a useful scaling: women’s political rights, women’s economic right and women’s social rights. The measures show a slight improvement since 1996 and a broader improvement since 2006 for these women’s rights and the explanation of the number claims, that the government enforces these laws effectively but still tolerates a low level of discrimination against women (cf. Cingranelli and Richards 2008 a: 77, cf. also p. 86).

Notably the broadest human rights measurement paints a specific picture of the femicide. Like the other instruments it explains the systematic violence against women *only* as failure of the state and not *also* as political violence of the society. This fixation on the state is completed by the presentation of a general improvement of the social and the economic situation of women in Mexico. So here the broad human rights concept seems to lead to an obfuscation of the political violence (cf. also Sack and Wirsinna 2012: 10 ff.).

5. Conclusion

Summing up it can be stated, that measuring women and human rights in numbers is not an easy project. The understandings of human rights and women’s rights in the instrument have to be operationalised with care. Political and gender bias are

¹⁵ The BTI measures several indicators from one (worst) to ten (best).

¹⁶ For the also popular Political Terror Scale there are also no such reports, that is why I decided to exclude it.

dangers for an objective measurement and the sources being used for the quantification are not very precise and reliable. Moreover the human- and women's rights-situation within the countries themselves is problematic and not very distinct. So, several problems could be shown here. Another problem for this paper is moreover that many aspects of the daily life, i.e. economic growth, are gender blind (cf. Jacobsen 1992: 9). This also applies to human rights development. As a consequence it is quite tough to find the bias in instruments that do not explicitly deal with women's but with human rights.

Moreover I think the bias can be found at two points of interest here. On the one hand the epistemic community itself can be understood as biased by i.e. gender-insensitive working structures or a northern, white, male working culture and on the other hand the measurement can create a bias by a selective theoretical background and by observing one thing and not the other (cf. Heintz 2008: 119). Lastly one could discuss whether what I am looking at is a gender bias at all or a more general problem of numeric observation: simply not all relevant aspects are measured, graded, evaluated equally. So the problem could reflect a selective observation on the one hand and a gender-blindness of the discipline on the other hand.

References

- Amnesty International. 2013. *Amnesty International Report 2013: The state of the world's human rights*, <http://www.amnesty.org/en/annual-report/2013/downloads>, accessed January 7th 2015.
- Amnesty International. 2010. *Annual Report 2011 Mexico*, <http://www.amnesty.org/en/region/mexico/report-2011#section-91-8>, accessed October 11th 2011.
- Amnesty International. 1987. *Amnesty International Report 1987*, London: Amnesty International Publications, <https://www.amnesty.org/en/documents/document/?indexNumber=pol10%2F0002%2F1987&language=en>, accessed May 21st 2015.
- Arnfred, S. 2007. *Sex, Food and Female Power: Discussion of Data Material from Northern Mozambique*, *Sexualities*, Vol. 10(2): 141–158.
- Banks, D. L. 1992. *New patterns of oppression: An updated analysis of human rights data*. In: *Human Rights and Statistics. Getting the record straight*, edited by Claude, R. P., and Jabine, T. B., 364-391, Philadelphia: University of Pennsylvania Press.
- Berndt, C. 2004. *Globalisierungs-Grenzen. Modernisierungsträume und Lebenswirklichkeiten in Nordmexiko*, Bielefeld: transcript.
- Bertelsmann Stiftung. 2014a. *Transformation Index BTI 2014. Political Management in International Comparison*, Gütersloh: Verlag Bertelsmann Stiftung.
- Bertelsmann Stiftung. 2014b. *BTI Country Report Mozambique 2014*, <http://www.bti-project.de/reports/country-reports/esa/moz/index.nc>, accessed: January 7th 2015.
- Bertelsmann Stiftung. 2014c. *BTI Country Report Vietnam 2014*, <http://www.bti-project.de/reports/laenderberichte/aso/vnm>, accessed: January 7th 2015.
- Bertelsmann Stiftung. 2014d. *BTI Country Report Mexico 2014*, <http://www.bti-project.org/reports/country-reports/lac/mex>, accessed: May 20th 2015.
- Bertelsmann Stiftung. 2006. *BTI Country Report Mexico 2006*, http://bti2006.bertelsmann-transformation-index.de/index.php?id=109&tt_news=&type=98&L=0, accessed October 25th 2011.
- Bertelsmann Stiftung. 2003. *BTI Country Report Mexico 2003*, <http://bti2003.bertelsmann-transformation-index.de/109.0.html?&L=1>, accessed January 9th 2012.
- Bertelsmann Stiftung. 2010. *BTI Country Report Mexico 2010*, <http://www.bti-project.de/fileadmin/Inhalte/reports/2010/pdf/BTI%202010%20Mexico.pdf>, accessed October 1st 2012.
- Bertelsmann Stiftung. 2012. *BTI Country Report Mexico 2012*, <http://www.bti-project.de/fileadmin/Inhalte/reports/2012/pdf/BTI%202012%20Mexico.pdf>, accessed October 1st 2012.
- Bollen, K. A. 1986. *Political Rights and Political Liberties in Nations: An Evaluation of Rights Measures, 1950 to 1984*, *Human Rights Quarterly* 8: 567-591.
- Cain, M., and Claude, R. P., and Jabine, T. B. 1992. *A guide to human rights data sources*. In: *Human Rights and Statistics. Getting the record straight*, edited by

- Claude, R. P., and Jabine, T. B., 392-442, Philadelphia: University of Pennsylvania Press.
- Chapman, R. R. 2006. *Chikotsa - Secrets, Silence, and Hiding: Social Risk and Reproductive Vulnerability in Central Mozambique*, *Medical Anthropology Quarterly* 20(4): 487-515.
- Chapman R. R. 2003. *Endangering safe motherhood in Mozambique: prenatal care as pregnancy risk*, *Social Science & Medicine* 57: 355–374.
- CIRI Human Rights Data Project. 2014. *Short Variable Descriptions for Indicators in The Cingranelli-Richards Human Rights Dataset*, <http://www.humanrightsdata.com/p/data-documentation.html>, accessed June 25th 2014.
- CIRI Human Rights Data Project. 2013. *Coding Manual, Manual Version 5.20.14*, <http://www.humanrightsdata.com/p/data-documentation.html>, accessed June 25th 2014.
- Cingranelli, D. L., and Richards, D. L. 2008a. *The Cingranelli-Richards (CIRI) Human Rights Data Project Coding Manual Version 2008.3.13*, http://ciri.binghamton.edu/documentation/ciri_coding_guide.pdf, accessed October 9th 2011.
- Claude, R. P., and Jabine, T. B. 1992. *Exploring Human Rights Issues with Statistics*, *Human Rights and Statistics. Getting the record straight*, edited by Claude, R. P., and Jabine, T. B., 5-34, Philadelphia: University of Pennsylvania Press.
- Cruz, G. V., and Domingos, L., and Sabune, A. 2014. *The Characteristics of the Violence against Women in Mozambique*, *Health* 6: 1589-1601.
- Davis, K. E., and Kingsbury, B. , and Merry, S. E. 2012. *Introduction: Global Governance by Indicators*, *Governance by Indicators. Global Power through Quantification and Rankings*, edited by Davis, K. E., and Fisher, A., and Kingsbury, B., and Merry, S. 3-28, Oxford: Oxford University Press.
- Eichler, M., and Fuchs, J., and Maschewsky-Schneider, U. 2000. *Richtlinien zur Vermeidung von Gender Bias in der Gesundheitsforschung*, *Zeitschrift für Gesundheitsforschung* 8(4): 293-310.
- Elson, D. 1995. *Male bias in the development process: an overview*, *Male bias in the development process*, edited by Elson, D., 1-28, Manchester and New York: Manchester University Press.
- Ensalaco, M. 2006. *Murder in Ciudad Juárez. A Parable of Women's Struggle for Human Rights*, *Violence Against Women* 12(5): 417-440.
- Espeland, W. N., and Stevens, M. L. 2008. *A Sociology of Quantification*, *European Journal of Sociology* 49(3): 401-436.
- Freedom House. 2014a. *Freedom in the World 2014 Methodology*, <http://freedomhouse.org/search/methodology#.U7p3-RAvgXg>, accessed July 7th 2014.
- Freedom House. 2014b. *Experts*, http://freedomhouse.org/experts#.U6qZ_xAvgXg, accessed June 25th 2014.

- Freedom House. 2011a. *Country Report Mexico 2011*, http://www.freedomhouse.org/modules/mod_call_dsp_country-fiw.cfm?year=2011&country=8091, accessed January 9th 2012.
- Freedom House. 2011b. *Methodology*, http://freedomhouse.org/template.cfm?page=351&ana_page=363&year=2010, accessed November 9th 2011.
- Gawaya, R. 2008. *Investing in women farmers to eliminate food insecurity in southern Africa: policy-related research from Mozambique*, *Gender & Development* 16(1): 147-159.
- Gotfredsen, A. 2008. *Femicides in Guatemala. A study of gender based violence and the construction of female identities*, PhD Diss, <http://lup.lub.lu.se/luur/download?func=downloadFile&recordId=1320760&fileId=1320761>, accessed July 23rd 2012.
- Heintz, B. 2010. *Numerische Differenz. Überlegungen zu einer Soziologie des (quantitativen) Vergleichs*, *Zeitschrift für Soziologie* 39(3): 162–181.
- Heintz, B. 2008. *Governance by Numbers. Zum Zusammenhang von Quantifizierung und Globalisierung am Beispiel der Hochschulpolitik*, *Governance von und durch Wissen*, edited by Folke Schuppert, G., and Voßkuhle, A. 110-128, Baden-Baden: Nomos.
- Heyman, J. M., and Campbell, H. 2004. *Recent research on the U.S.-Mexico border*, *Latin American Research Review* 39(3): 205-220.
- Innes, J. E. 1992. *Human rights reporting as a policy tool: An examination of the State Department Country Reports*, In: *Human Rights and Statistics. Getting the record straight*, edited by Claude, R. P., and Jabine, T. B., 235-257, Philadelphia: University of Pennsylvania Press.
- Jackson, A. 2006. *The Issue of Femicides in Guatemala*, <http://lanic.utexas.edu/project/etext/llilas/ilassa/2007/jackson.pdf>, accessed October 11th 2012.
- Jacobsen, J. L. 1992. *Gender Bias: Roadblock to Sustainable Development*, Worldwatch Paper 110, Washington D.C.: Worldwatch Institute.
- Jäger, M. 2011. *Schritt zurück nach vorn? Mexikos Demokratie*, *Aus Politik und Zeitgeschichte* 61(40–42): 22-28.
- Lagarde y de los Ríos, M. M. without date. *Was ist feminicidio?*, <http://www.muieresdejuarez.org/>, accessed October 12th 2011.
- Landman, T., and Carvalho, E. 2010: *Measuring Human Rights*. London: Routledge.
- Landman T. 2004. *Measuring Human Rights: Principle, Practice, and Policy*, *Human Rights Quarterly* Vol. 26: 906-931.
- Langford, M., and Fukuda-Parr, S. 2012. *The turn to metrics*, *Nordic Journal of Human Rights* 30(3): 222-238.
- Livingston, J. 2004. *Murder in Juárez. Gender, Sexual Violence, and the Global Assembly Line*, *Frontiers: A Journal of Womens Studies* 25(1): 59-76.
- Machel, J. Z. 2001. *Unsafe sexual behaviour among schoolgirls in Mozambique: a matter of gender and class*, *Reproductive Health Matters* 9(17): 82-90.

- Malhotra, A. 2003. *Conceptualizing and measuring women's empowerment as a variable in international development*, paper presented at the Workshop on "Measuring Empowerment: Cross-Disciplinary Perspectives", World Bank, Washington, DC, Feb. 4th & 5th, 2003.
- Melgar, L. 2011. *Labyrinthe der Straflosigkeit. Frauenmorde in Ciudad Juárez und extreme Gewalt in Mexiko heute*, Aus Forschung, Politik & Praxis 2(Gender): 90–97.
- Merry, S. E. 2011. *Measuring the World. Indicators, Human Rights, and Global Governance*, Current Anthropology 52(3): pp. 83-95.
- Mitchell, N. J., and McCormick, J. M. 1988. *Economic and Political Explanations of Human Rights Violations*, World Politics 40(4): 476-498.
- Pickel, S., and Pickel, G. 2012. *Die Messung von Indizes in der Vergleichenden Politikwissenschaft – methodologische Spitzfindigkeit oder substantielle Notwendigkeit*, Indizes in der Vergleichenden Politikwissenschaft, edited by Pickel, S., and Pickel, G. 1-18, Zeitschrift für Vergleichende Politikwissenschaft, Comparative governance and politics, Sonderheft 2/2012.
- Rahmsdorf, I. 2006. *Reden gefährlich, Schweigen alltäglich*, Lateinamerikanachrichten 383, <http://www.lateinamerikanachrichten.de/index.php?/print/876.html>, accessed January 4th 2012.
- Ruiz, M. T., and Verbrugge, L. M. 1996. *A two way view of gender bias in medicine*, Journal of Epidemiology and Community Health 51: 106-109.
- Sack, D. 2013. *Regieren und Governance in der BRD*, München: Oldenbourg Verlag.
- Sack, D., and Wirsbinna, J.-N. 2013. *Menschenrechtsverletzungen im Vergleich, Gewaltbefragungen. Beiträge zur Theorie von Politik und Gewalt*, edited by Martinsen, F., and Flügel-Martinsen, O. 117-142 Bielefeld: transcript.
- Sack, D., and Kessler, O. 2011. *Erfolg durch Scheitern? – Menschenrechtsmonitoring als transnationaler Governance Modus*, Grundrechtsmonitoring. Chancen und Grenzen außergerichtlichen Menschenrechtsschutzes, edited by Gusy, C., 206-237 Baden-Baden: Nomos.
- Satterthwaite, M. L., and Rosga, A 2011. *Measuring Human Rights: U.N. Indicators in Critical Perspective*, <http://ssrn.com/abstract=1916796>, accessed May 4th 2012.
- Schad, U. 2000. *Frauenrechte und kulturelle Differenz: das Geschlechtsverhältnis in Theorie und Praxis der interkulturellen sozialen Arbeit*, Neuwied: Luchterhand.
- Sauer, J. 2007. *Guatemalan Femicide: the struggle for a life without violence*, <http://slingshot.tao.ca/displaybi.php?0086013>, accessed October 13th 2011.
- Schmidt-Häuer, J. 2000. *Menschenrechte - Männerrechte - Frauenrechte: Gewalt gegen Frauen als Menschenrechtsproblem*, Münster: Lit Verlag.
- Sen, A. 1992. *Missing women*, British Medical Journal 304: 587-588.
- Staudt, K. 1986. *Economic Change and Ideological Lag in Households of Maquila Workers in Ciudad Juárez*, The social ecology and economic development of Ciudad Juárez, edited by Young, G. 97-121, Boulder and London.

Stohl, M., and Carleton, D., and Lopez, G., and Samuels, S. 1986. *State Violation of Human Rights: Issues and Problems of Measurement*, Human Rights Quarterly 8: 592-606.

Tomasevski, K. 1993.: *Women and human rights*, London: Zed Books.

United Nations Development Programme. 2014. *Frequently Asked Questions - Gender Inequality Index (GII)*, http://www.tr.undp.org/content/dam/turkey/docs/Publications/hdr/faq_gii.pdf, accessed June 2nd 2014.

United Nations. 1986. *Report of the World Conference to review and appraise the achievements of the United Nations Decade for Women: Equality, Development and Peace*, <http://www.un.org/womenwatch/confer/nfls/Nairobi1985report.txt>, accessed August 5th 2014.

United Nations Human Rights Council, Working Group on the Universal Periodic Review. 2010. *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1: Mozambique* (A/HRC/WG.6/10/MOZ/1).

United Nations Human Rights Council, Working Group on the Universal Periodic Review. 2013. *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Viet Nam* (A/HRC/WG.6/18/VNM/1).

Weissman, D. M. 2005. *The political economy of violence: towards an understanding of the gender-based murders of Ciudad Juárez*, Journal of International Law and Commercial Regulation, 30: 795.

World Bank. 2014. *World Bank Open Data*, <http://data.worldbank.org/>, accessed: September 8th 2014.