

THE EFFECTS OF THE CONVENTION ON THE
ELIMINATION OF DISCRIMINATION AGAINST
WOMEN(CEDAW) ON MOBILIZATION: ANALYSIS
OF MOBILIZATION AS A COMPLIANCE
MECHANISM

By

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Abstract: Human rights treaty compliance remains an open question in comparative politics literature. There have been treaties like CEDAW, which have achieved remarkable women's rights improvement. But how this treaty accomplishes this is less clear. Previous research has addressed the results and mechanisms of CEDAW compliance by supporting the rights outcomes on quantitative research and addressing the mechanisms through case studies (Simmons 2009). Other authors have studied the engagement of the party states with the CEDAW committee and the submission of shadow reports as a mechanism for compliance (Algren 2021). In this analysis, I propose to test the theories developed by the case study research – specifically Simmons (2009). I propose that CEDAW compliance follows a two-step process. First, CEDAW ratification activates women's mobilization at the local level. Then, a stronger women's movement leverages ratification to enact more domestic change, leading to better treaty compliance. To test my hypotheses, I create a country-year analysis covering the period of 1975 to 2021 in 181 of the 189 countries. As 1979 was the year CEDAW was signed, I go back to 1975 marks the start of my dataset. To identify the countries, I utilize the Varieties of Democracy (V-Dem) database (Coppedge et al. 2021) as the foundation for my dataset. I use the *women's civil society participation index* as a proxy for feminist mobilization.

I found evidence to support that, as established in H1, women's mobilization will become more active in countries that have ratified CEDAW than those that have not. Also, I find support for H2 Countries with strong women's activism are more likely to comply with CEDAW.

Despite this, I did not find support for the feeding loop between ratification and mobilization. H3 Countries with strong women's activism, which have also ratified, are more likely to comply with CEDAW. Furthermore, my results question the interactive effects of ratification on women's rights enhancement.

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CHAPTER I

INTRODUCTION

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted in 1979, was the first legally binding international treaty to protect women's rights. As of this writing, the convention has been ratified by 189 of the 193 recognized United Nations (UN) member states, and 114 have ratified its Optional Protocol, which allows individuals and groups to directly submit complaints to the committee regarding violations of their rights under the Convention. Forty years later, it remains the most important piece of international law in defense of women's rights. CEDAW has been recognized for its ambition and comprehensiveness as it aspires to enhance the daily life of women worldwide. It also defies cultural differences and embedded beliefs, as discrimination against women is often deeply rooted in local culture (Englehart and Miller, 2014).

As for what policy areas this treaty addresses, CEDAW defines discrimination against women as "any distinction, exclusion or restriction made based on sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, based on equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any

other field." (United Nations, 1979). States, by ratifying the Convention, agree to be legally bound to eliminate all forms of discrimination against women in all areas of life. More specifically, CEDAW ratification also obligates them to ensure women's social, economic, and political development so that they can exercise and enjoy the same human rights and fundamental freedoms as men. Furthermore, ratifying states also agree to allow the Committee on the Elimination of Discrimination against Women – also known as the CEDAW Committee – to inspect their efforts in implementing this treaty.

Diverse authors have studied the CEDAW's effectiveness (Bowman, 2012; Cole, 2013; Englehart and Miller 2014). For instance, research by both Hill (2010) and Lupu (2013) is critical of many human rights treaties yet reports that CEDAW ratification improves women's rights in signatory countries. Moreover, while CEDAW fails to reduce a state's overall human rights record (Hafner-Burton and Tsutsui 2005) and has contestable results when it comes to economic rights (Englehart and Miller 2014), it does seem to lead to change in *women's* rights within a society.¹ Even more impressive, this high compliance rate is achieved despite CEDAW lacking any significant enforcement mechanism beyond the oversight offered by the CEDAW Committee – a finding that runs counter to some recent scholarship on the treaty, which argues that enforcement is often necessary to ensure compliance (Hoffman et al. 2022).

How CEDAW achieves this remarkable level of rights improvements is less understood. Previous research has addressed the results and mechanisms of CEDAW

¹ It is worth noting, however, that Farriss (2018) warns that most research finding that states that ratify human rights treaty engage in worse human rights abuses might be an artifact of the data. Human rights treaties typically include monitoring agencies like CEDAW's Committee, and so human rights abuses are more likely to be reported by states that sign human rights treaties.

compliance by supporting the results of quantitative research and addressing the mechanisms through case studies (Simmons 2009). Other authors have studied the engagement of the party states with the CEDAW committee and the submission of shadow reports from NGOs as a mechanism for compliance (Algren 2021). Simmons (2009) proposes a model to study CEDAW compliance through three mechanisms at the local level. Still, given data availability, only the human rights outcomes of the convention are studied quantitatively, while case studies support the mechanisms.

The qualitative literature has seen treaties as tools for strategic or normatively driven actors to change the politics of human rights compliance in institutional contexts. This influenced a generation of quantitative researchers who have attempted to propose causal models on the causes of compliance (Simmons, 2010). Under this perspective, the findings on the effectiveness of human rights treaties have been contested. However, the literature on human rights compliance has recently changed considerably and shifted from qualitative to quantitative methods. This tendency is partly attributable to the development of varied datasets on human rights practices (Simmons 2010). In addition, some authors have pointed out that HRT compliance depends heavily on internal enforcement by domestic groups and individuals. More studies still need to explore the mechanisms through which treaty compliance and internalization are accomplished.

In this analysis, I propose to test the theories developed by the case study research – specifically Simmons (2009). Following Simmons’ predictions, I propose that CEDAW compliance follows a two-step process. First, CEDAW ratification activates women’s mobilization at the local level. Then, a stronger women’s movement leveraged ratification to enact more domestic change, leading to better treaty compliance. I use a global dataset

that examines CEDAW ratification and compliance using country-level, annual data. Using this data, I find that ratification does activate women's mobilization, CEDAW compliance is better where there is stronger women's mobilization, and that women's mobilization, regardless of ratification, enhances women's rights outcomes.

CHAPTER II

INTERNATIONAL RELATIONS DEBATES AROUND TREATY COMPLIANCE: AN OVERVIEW OF THE LITERATURE

International treaties, as a binding tool among states and nations, are one of the oldest forms of communication among sovereigns and have shaped the modern world as we know it. In the twentieth century, the international law-making process has been characterized by a growing inclination towards treaties as the authoritative instrument for law-making (Lim & Elias 1997). Given their increasing use and importance in international politics, it is no surprise that an extensive body of literature has developed examining why states adopt and ratify treaties (Simmons, 2010), whether treaties are effective at achieving their policy goals (Englehart & Miller, 2014; Nusbaum, 2016; Hill & Watson, 2019; Ahlgren, 2021), and most relevant to this study, treaty compliance (Chayes and Chayes 1993; Fariss 2018; Hill 2010; Koremenos, Lipson, and Snidal 2001). Compliance, after all, gets to the heart of the definition of a treaty. The United Nations *Treaty Handbook* uses the term treaty as a generic term for all binding instruments under international law, regardless of their formal designation, concluded between two or more

international juridical persons (UN 2013).² Treaties are intended as legally binding agreements between two or more states or international organizations that express the intention of creating rights and obligations enforceable under international law.

At the same time, not all international scholars believe treaties are truly binding. The realist school argues that the pursuit and use of power and the anarchic structure of the international system are the key determiners of international behavior. International law has no significant impact on states' behavior because, according to realists, the law only influences behavior in unimportant, non-security issues. Therefore, in situations when rights treaties lead to state behavior change, many realists would assume that this pattern would be explained by coercion or a coincidence of shared interest between signatory states (Hathaway 2002). Systems that work under coercion need to commit plenty of resources to enforcement and surveillance, and low levels of compliance are expected in the absence of these.

Critics such as Simmons (2010) argue that realists underestimate the impact of treaties, especially human rights treaties (HRTs). She contends that realism is unable to explain why so many states comply with human rights treaties even when it goes against their self-interest. Furthermore, the realist coercion argument fails to explain this compliance since most HRTs have extremely weak or nonexistent external enforcement. Neoliberal institutionalists accept the realist assumptions about power and anarchy yet still argue that cooperation and compliance with rules are still possible under certain conditions. Keohane (2005) observed that international cooperative structures – like organizations and

² This is not the only available treaty definition. The Vienna Convention (1969) defines an international treaty as: “an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation.”

treaties – tend to emerge from relations of coercion and/or conflicting self-interest. Under these conditions, theories of normative acceptance are a better fit to explain compliance.

As Keohane argues, international institutions enable state members to create long-term relationships, helping them overcome the “shadow of the future” and increasing the costs of cooperation defection (aka noncompliance). In addition, by creating monitoring instruments – such as the CEDAW committee – organizations and treaties also increase the transparency of international relations, allowing member states to self-police rather than rely on an outside enforcer to uphold the law. Neoliberal institutionalists also note that cooperation in one area can promote a ripple effect in other areas by creating issue linkages in institutional negotiations. For instance, agreements promoting economic openness create spillover, increasing the likelihood of domestic political reform and that trade openness, which provides opportunities for meaningful contact and exchange of democratic ideals (Powell 2005). Finally, at the national level, there is usually a set of domestic institutions establishing the authority of arbitration processes and courts to address the disputes that arise in the community. While legal enforcement mechanisms remain relatively undeveloped at the national level (Burgstaller 2004), domestic courts may integrate international law into their ruling decisions, thereby providing an additional enforcement mechanism internal to a state’s government (Slaughter and Burke-White 2006).

It is also important to distinguish when compliance is deliberate and not coincidental. This can be assessed by process tracing, identifying credible causal mechanisms that influence the choice to comply (Keohane, 1992). For some authors, compliance can be seen as a matter of state choice (Shelton, 2003). Compliance implies

that states commit scarce resources such as personnel, time, political energy, attention, money, etc., making it a decision with distributional consequences.

When and Why Countries Comply: Insights from the Managerial School

Expanding on these core arguments, rational design scholars (Koremenos, Lipson, and Snidal 2001) and authors in the managerial school (Chayes and Chayes 1993) have argued that states are more likely to comply with international agreements *under certain conditions*. While Koremenos et al. (2001) focus on the specific design features of institutions (membership, scope, centralization, control, and flexibility), Chayes and Chayes (1993) argue that international cooperation and treaty compliance depends on both treaty design and characteristics of the signatory states. They offer three explanations as the roots of noncompliant behavior: (1) ambiguity and indeterminacy of treaty language, (2) limitations on the capacity of parties to carry out their undertakings, and (3) the temporal dimension of the social and economic changes contemplated by regulatory treaties (p.188). Ambiguity is present in treaty language, sometimes reflecting the lack of political consensus on strict definitions and mandates. On the other hand, the complexity of a treaty can also create ambiguity. This drives the states to test the acceptable limits of compliance. On the side of capabilities, not all states possess the resources to implement the treaty, as treaty enforcement may require establishing domestic institutions and creating and implementing new legislation. This itself is a challenging task, and the chances of enforcement are worse when the issues addressed by a treaty are highly technical. Finally, the temporal dimension is a hurdle when treaties are designed to influence state behavior during long periods. On the other hand, most treaties carry a time lag on their

implementation. Therefore, noncompliance can be simply the time it takes to make initial agreements to achieve the goals specified by the treaties.

As for which countries are more likely to comply, Chayes and Chayes (1993) argue that state capacity helps improve compliance. In fact, they argue that while most countries intend to comply, an inability to dedicate resources to issues is a major reason why some countries are less able to enact the desired change. Regime type is also a significant predictor of treaty compliance. For instance, Landman (2005) finds that democracies tended to be faster on agreement ratification than autocracies and that third and fourth-wave democracies ratified faster and with fewer reservations than well-established democracies.

There is extensive literature focused on a rational approach supporting normative drivers and subjective influences on state behavior (Simmons 2010). The theories under the umbrella of institutionalism characterize states as rational actors that behave based on self-interest. According to institutionalists, states join human rights conventions because it creates significant incentives to comply with the norms established by the system. The norms established by institutions change the state's decision-making process and encourage cooperation. This is achieved as the state gives up on short-term goals to attain long-term gains.

So far, we can conclude that realist theories do not fit well when explaining human rights compliance. Realist theories argue that enforcement is necessary for strong state compliance to laws; however, most human rights treaties (including CEDAW) generally lack any enforcement mechanisms. Neoliberal institutionalists argue that strong monitoring increases compliance (Keohane 1992). While CEDAW does have an oversight

mechanism, this is fairly weak with few resources. For the managerial school, state capacity is a major determining factor for the ability to comply with a treaty. However, the countries who most need to change human rights behaviors (pseudo-democracies and non-democracies) frequently are less wealthy than the democracies who already practice these laws. As a result, the states who most need to change after adopting an HRL (human right law) like CEDAW have the least resources to do so. Taken together, none of these theories would predict any significant compliance with CEDAW. However, past research has found that compliance with at least this law is very high (Bowman, 2012; Cole, 2013; Englehart and Miller 2014; Hill 2010). Therefore, none of these previous theories can fully explain how and why compliance is so high. Constructivism offers better alternatives to address human rights as it accounts for the influence of norms and institutions on state behavior.

Constructivist Explanations for Treaty Compliance: Norm Internalization Through International and Domestic Actors

If realists believe treaty compliance only occurs through coercion, and the liberal/neoinstitutional off-shoots view compliance as dependent on effective design and domestic resources, constructivists view compliance as heavily dependent on norm adoption and internalization. According to Hurd (1999), there are three reasons for actors to obey the law: coercion, self-interest, or legitimacy.

While self-interest motivations are internally motivated and need little outside incentive, coercion is often achieved through a social control paradigm (Ellickson 1991), in which prosocial behavior is rewarded, and anti-social behavior is punished. Compliance with human rights regimes can occur in several ways: by rewarding states that develop a

good reputation, by creating greater interdependence among states and raising the cost of non-compliance, by increasing the available information to ensure monitoring, giving early warnings of non-compliant behavior, or by reducing the transaction cost of individual agreements. All these make cooperation more attractive to self-interested states (Powell 2005). This first logic overlaps with realists' prediction of compliance, which largely requires a treaty to enact strong oversight and enforcement mechanisms – something largely missing from CEDAW and other human rights treaties.

Alternatively, constructivists argue that states become more willing to comply with a treaty if they believe the norms this treaty represents are especially legitimate. This behavior is subjective and internally driven by a sense of obligation. The legitimacy argument denotes accord with the principles of law, recognition of rightfulness, and also connotes contestability (Burgstaller 2004). Translating this logic into treaty compliance, constructivists would argue that human rights violations occur when conditions supporting compliance are absent or weak, for example, when international norms are ambiguous.

However, the creation of treaties can play a key role in creating and socializing countries in acceptable human rights practices – under certain conditions. A classic work in the literature is Finnemore and Sikkink's (1998) norm cascade theory, which argues that norms have a life cycle where these emerge, cascade, and become internalized. In this cycle, norm entrepreneurs lead the way for norms to emerge by using institutions and institutional tools to spread new norms and beliefs to broader audiences. In this fashion, states adopt norms based on political calculations, and when a significant number of states adopt the new norm, it reaches the cascading point. In this second stage, states adopt norms

in response to international community pressures, to legitimize themselves, to be in conformity, or for status reasons. Finally, internalization consolidates over time when the norm is followed without coercing and is taken for granted. In this model, some norms are more likely to reach the cascade stage than others depending on their perceived legitimacy, prominence, intrinsic qualities, adjacency to other accepted norms, and world timing, which can work in favor or against the adoption of some norms (Sikkink 1998).

As for when and why norm adoption might occur, some scholars have focused their attention on international actors and their actions. International organizations, for instance, can create incentives for countries to enact domestic policy changes either through the appeal of membership status (Schimmelfennig 2005) or by establishing preferential trade agreements with countries that exhibit better human rights practices (Hafner-Burton 2005). Alternatively, other scholars have examined domestic government institutions and their role in easing norm adoption. Risse et al. (1999), for instance, argue that the enduring implementation of human rights requires political systems to establish the rule of law. Therefore, stable improvements in human rights conditions usually require some measure of political transformation, which can be seen as part of a larger liberalization process. In this way, enduring human rights changes go hand in hand with domestic structural changes.

Finally, another branch of the constructivist approach emphasizes the role of non-state actors – specifically policy experts and civil society groups – epistemic communities, for instance, are networks of experts who share common beliefs and values and can use their shared knowledge to influence policy. They can provide technical expertise and normative guidance, which helps overcome political and economic coordination issues and increases the chance that countries will create and comply with treaties (Hass 1992; Ruggie

1972). Also, because of the international character of these groups, they can help address communication gaps between states. Therefore, epistemic communities play an essential role in developing and implementing international treaties, particularly by helping to shape the discourse around international treaties, framing the scope of the issues, and providing technical expertise during the negotiation.

Risses (1999) notes that domestic and transnational actors' networks play an important role in norm diffusion and the practice of human rights at the domestic level. More specifically, civil society groups can help link international regimes with domestic audiences and governments. These advocacy networks serve three purposes, which constitute necessary conditions for sustainable domestic change:

1. They put norm-violating states on the international agenda regarding moral consciousness-raising.
2. They empower and legitimate the claims of domestic opposition groups against norm-violating governments, and they partially protect the physical integrity of such groups from government repression. Thus, they are crucial in mobilizing domestic opposition, social movements, and non-governmental organizations (NGOs) in target countries.
3. They challenge norm-violating governments by creating a transnational structure pressuring such regimes simultaneously "from above" and "from below" (Brysk 1993). The more these pressures can be sustained, the fewer options remain available to political rulers to continue repression.

This process of internalizing and implementing international norms domestically can be understood as a socialization process. Socialization can be defined as the induction

of new members into socially-acceptable behavior. The goal of socialization is for actors to internalize norms to an extent where external pressure is no longer needed to ensure compliance. They describe three types of causal mechanisms that are necessary for the enduring internalization of norms: instrumental adaptation and strategic bargaining; processes of moral consciousness-raising, argumentation, dialogue, and persuasion; processes of institutionalization and habitualization. The significance of each process varies with different stages of the socialization process. Generally, it is argued that instrumental adaptation usually prevails in the early stages of norm socialization. Later on, argumentation, persuasion, and dialogue become more significant, while institutionalization and habitualization mark the final steps in the socialization process (Risse et al. 1999)

In the human rights environment, three kinds of socialization are necessary to endure change: instrumental adaptation, argumentative discourse, and institutionalization. Domestic political groups, especially, play strong roles in shaping argumentative discourse (Gränzer 1999; Sperling et al. 2001). Furthermore, they can also make use of domestic or international institutions to pressure their domestic governments to change their practices. These predictions are operationalized in the spiral model (Risse 1999), which incorporates simultaneous activities at four levels into one framework: the international, transnational interactions among organizations, human rights regimes, and states, the domestic society in norm-violating countries, and the links between the society and the transnational networks. A boomerang pattern of influence exists when domestic groups in repressive states bypass their state and search for international allies to bring external pressure on their states (Keck and Sikkink 1998).

Pressuring a government to internalize a norm fully— which occurs when a country complies with human rights treaty expectations because it is seen as “right” or legitimate—constitutes the biggest challenge for the transnational rights networks. Success in this area depends on the strength and mobilization of the transnational network in conjunction with the vulnerability of the norm-violating government to international pressures. The most important effect of the second phase of transnational mobilization is not so much to change the government’s behavior as facilitating social mobilization in the target country. Sometimes this can result in a backlash. Sustained changes to human rights conditions will only be achieved at this stage of the process if national governments are continuously pushed to live up to their claims, meaning that the pressure from below (from domestic actors) or from above (international actors) are continuous (Risse 1999). Under these conditions, norms are more likely to be fully institutionalized domestically, and norms compliance becomes an unconscious practice of actors (Finnemore and Sikkink 1998).

In sum, this literature review has shown two main points. Realist theories lack the necessary tools to explain Human Rights treaty compliance because these kinds of treaties are usually designed with weak external enforcement tools. Also, these are less likely to engage the attention of other states, as the treatment of foreign citizens is not central to their interests and does not engage reciprocity in any significant way. Neither the managerial approach and the capacity arguments totally explain variance in compliance.

Constructivist theories offer a better approach to explaining human rights treaty compliance. Theories of normative acceptance seem to be a better fit to explain compliance. Among these theories, we can mention Finnemore and Sikkink’s Norm cascade, where the emergence and diffusion of norms is facilitated by transnational

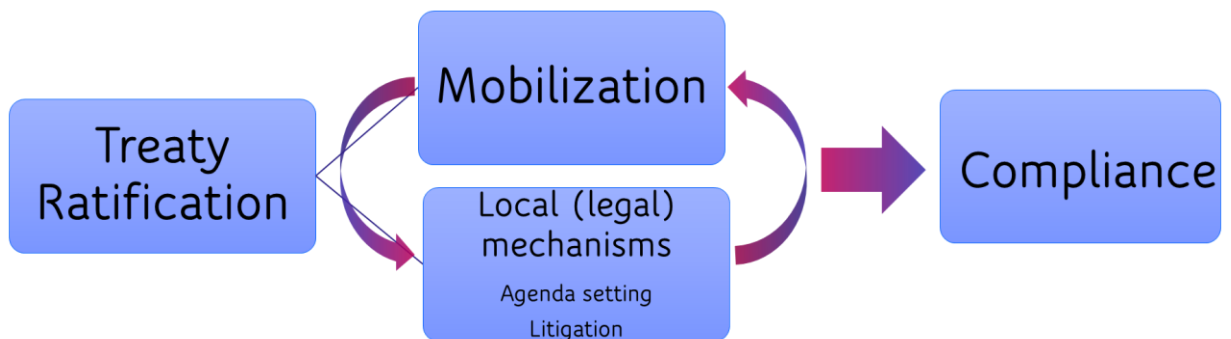
advocacy networks. Risse-Kappen argues that the adoption and enforcement of international human rights norms are influenced by a socialization process among states and international actors. But these approaches do not shed enough light on the domestic arena and on the role of domestic actors, which are crucial for the understanding of these kind of treaties. In this regard, the work of Simmons (2009), with her domestic theory of compliance offers a ground-breaking perspective to analyze human rights treaty compliance.

CHAPTER III

THEORY: SOCIAL MOVEMENTS AS MOTIVATORS OF TREATY COMPLIANCE

Considering the current trends in the literature on human rights compliance, in this work, I have decided to focus on the mechanisms through which compliance occurs. One groundbreaking study conducted by Beth Simmons (2009) argues that to develop a robust theory of human rights treaty compliance, we need to focus on the effects of international treaties on the local arena. Simmons (2009) proposes a domestic theory of compliance where international treaties can influence domestic politics in at least three ways: they can change national agendas, be used as litigation tools, and encourage local groups to mobilize for rights compliance.

Figure 1: Simmons' Domestic Theory of Compliance



According to Simmons (2009), international human rights treaties can alter the priorities of the legislative agenda by impressing the priorities of the treaties on the legislators or by enabling the ability of an executive to push the priorities of a treaty on the legislatures. A treaty also creates

a focal point that helps minimize legislative cycling, as the treaty provides clarity for the legislative proposals and allows less room for disagreements. These agenda effects are expected to be greater in countries that ratified treaties sincerely, usually Western democracies. This also happens where legislatures have greater control over the national agenda or where the treaty equalizes the agenda setting power of the executive and the legislative branches.

Secondly, Simmons (2009) argues that treaties allow domestic actors to leverage litigation and pressure the government to uphold the international agreement. Once ratified, treaties have the character of law in most countries and can be used to litigate in national courts. In this way, these influence the further development of rights jurisprudence, alter the political cost of non-compliance and stimulate the politics of rights mobilization afterward. Litigations are expected to be an important mechanism of compliance when treaties are enforceable in domestic courts, and litigation itself is meaningful and impacts changes in rights protection. Therefore, litigation effects on compliance are expected to be more significant in countries with high respect for judicial descriptions, especially in independent judicial systems where courts are free from political interference.

Lastly, Simmons (2009) argues that ratified treaties can interact with the mobilization process and enhance the likelihood of individuals and groups mobilizing to claim the rights contained in the treaty. Classic approaches to social movement mobilization, drawing from Mancur Olson's seminal study (1971), views group's ability to mobilize arising a function of two factors: the value placed on the potential benefits (in terms of policy change) of the mobilization activities, the probability of succeeding in their demands, and the potential costs incurred by mobilizing. In developed democracies, even if the cost of mobilizing is low, the motivation to acquire more rights is marginal because women in these regimes already enjoy the most rights.

Meanwhile, in autocracies, the motivation to mobilize is high, but the costs of mobilizing are very high due to repression (Tarrow 1998). Therefore, the highest potential pay-offs and the lowest cost of mobilizing tends to occur in transitional democracies. These countries are less likely to be practicing good women's rights (creating high marginal gains) compared to full democracies and are unlikely to use repression against civil society groups.

The probability of success is also influenced by shifts in power that benefit the movement. The movement can be benefited from intangible and tangible resources such as legitimacy, expanded support, experience, human capital, etc. in short, the success of mobilization is usually linked to political, legal, organizational, or social changes that reduce the cost of mobilization and improve the likelihood of success. Simmons (2009) makes special emphasis on the mobilization mechanism, and specifically when it comes to women's rights. First of all because all the mechanisms overlap and feed up each other, in this way, for example agenda setting influences legislation and legislation can both serve for litigation and mobilization, at the same time that mobilization can reinforce litigation and legislation. Secondly because she claims the prominence of local actors in claiming their own rights. If well this is determined also by the type of rights and constituency, women's rights both are the type of rights and have the kind of constituency that is most likely to activate mobilization.

In this logic, a ratified treaty can raise the expected value of mobilizing to demand government compliance for potential rights holders. The effects of mobilization are expected to be stronger in partially democratic transitional regimes. This is because in developed democracies, with rights-reach environments, the effects of acquiring the rights provided by the treaty are most likely marginal, as the citizens already enjoy an expanded set of rights. On the other hand, in repressive regimes, the probability of successfully demanding civil or political rights is likely to

be low, and therefore the cost of mobilizing is very high. Treaties can also influence the expected value of mobilization by increasing the chances of success in demanding rights. Rights mobilization is low in autocracies as people are afraid of the consequences. Meanwhile, rights mobilization is relatively low in democracies, as people do not feel motivated to mobilize given the low marginal utility of achieving more rights. More actively mobilized movements can become more effective at changing national agendas and using litigation tools.

Based on this last assertion, Simmons' (2009) qualitative and quantitative work has found that treaties have more significant impacts when local stakeholders have the reasons and mean to exert pressure on the government to achieve better rights. While her work limited her analysis of mobilization as a mechanism of compliance to Japan and Brazil cases, it is a useful start to build a theory of compliance via mobilization that can be applied cross nationally.

Treaty Ratification and "Mobilizing Constituencies"

The term mobilization usually refers to any activity that seeks to raise awareness and motivate and direct others to act collectively to achieve particular goals (Burca, 2022). According to Simmons (2009), we can understand "to mobilize" as formulating demands and organizing to press for them. Human rights are usually interpreted as pre-legal or moral claims, but mobilizations for human rights often imply some kind of engagement with legal norms and institutions (Burca, 2022). The importance of examining mobilization is in that human rights remain an intangible ideal until they are claimed, pursued, and realized. These remain a text until they are used to advance the rights and interests of those whose protection is at stake. Human rights are, at best, selectively invoked and enforced by domestic and international elites when convenient for them, and they are usually constrained by political interests and considerations. Therefore, the strongest sources of claim making, activation, and enforcement of human rights comes from below by those

who have been neglected, marginalized and oppressed. They make use of domestic and international law and institutions and reach for the support of international and domestic actors and agencies to succeed (Burca 2022).

Classic explanations for mobilization often emerge at the individual level. The probability of mobilization can be seen as a function of two factors: the value people place on the rights in question and the probability of succeeding in their demands (Olson 1965). Drawing from economic concepts of expected utility, these approaches argue that individuals mobilize when the benefits of this action outweigh the costs. Social movement theories have expanded on these individual logics and applied this to group dynamics. Groups and individuals are believed to weigh the costs and benefits of collective action. Movements have a better ability to scale up their actions when they have resources that help them overcome the costs of mobilization (Klandermans 1984; McCarthy and Zald 1977) or because the state is politically open enough to allow movements to enact change, raising the potential benefits of collective action and decreasing the costs (Tilly and Tarrow 2015).³

In terms of mobilization impacts, treaties provide political, legal, and social resources to individuals and groups who aim to keep governments accountable for their promises. HRT, as explicit commitment, raises the expected value of social mobilization by influencing the value individuals give to achieving the rights in question and by raising the probability of succeeding.

One way treaties promote mobilization is by shifting national and international dialogues around specific issue areas. They help increase awareness of shared issues and concerns. As argued by Gurr (1970), individuals are more likely to mobilize when there is a perceived rights gap and when they are put into a position of disadvantage along with other members of their identity community. For example, NGOs play the role of educational facilitators and often use

³ Or, at least, unwilling to overtly repress these movements, thereby lowering the costs of action.

treaties to raise rights awareness through campaigns and community outreach. In the case of CEDAW, for example, the reporting and monitoring mechanisms allow NGOs to submit reports on the treaty implementation. These reports can be contrasted with the official state reports to address flaws in compliance. In this way, NGOs and even individuals enter the conversation and can use these reports in two ways, to exert pressure on their governments and to spread the word among their constituencies, right claimants, and the general public to enhance support (Goetz 1996). In this way, human rights treaties help translate from text to action, allowing the groups who are supposed to be protected by them to use the treaty language to claim new rights (Búrca, 2022).

There is some plausibility of CEDAW ratification stimulating the formation of women's organizations in some cases. Simmons (2009) presents some evidence of membership in women's organizations after ratification in transitional democracies, specifically as membership in women's international NGOs grew in the first two years after CEDAW ratification. There is also some plausibility of CEDAW ratification stimulating local constituency mobilization, as we mentioned, and, according to Simmons (2009), people mobilize strategically. Therefore, the ratification of CEDAW would both send a signal to local movements and provide tools to foster mobilization. Since the primary beneficiary of CEDAW are women and women's movements, these are the groups most likely to be impacted if a country ratifies a women's rights treaty. Therefore, I predict:

H1: Women's mobilization will become more active in countries that have ratified CEDAW than those that have not.

Finding a good measure for women's political mobilization is very challenging. There is no consensus in the literature on the best measure. Simmons (2009), who focused on a more in-depth case analysis of Japan and Brazil, examines a wide range of activities on feminist mobilization, including high-level lobbying and NGO activism. While Simmons' movement-

focused analysis was useful in a qualitative study, a lack of cross-national data of this caliber prevents me from running a true replication of her approach. Other scholars have turned to proxy measures of women's movements in their attempts to examine how domestic actors influence compliance with human rights treaties. Murdie and Peksen (2015), for instance, use data on women's non-violent protests as a proxy for women's overall political engagement. This data set, despite its prime quality and novelty, only provides information in the period frame of 1991 to 2009. This makes it insufficient for the purpose of my analysis.

How Highly Mobilized Groups Increase Compliance

In translating group mobilization into treaty compliance, the legal system can play an important role. Legal mobilization can be understood as invoking legal norms and institutions to regulate behavior (Simmons 2009). The law is mobilized whenever a want is translated into a demand for one right. This claim-making is especially effective in making political and social demands. It is grounded on the law, which is the base of most governments' legitimacy. In this way, the law can be a very effective political resource.

International treaties play a useful role in the mobilization process at least in two ways: introducing rights to potential claimants and helping them recognize the value of the rights protected by the treaty and increasing the likelihood of succeeding in obtaining their demands given the legitimacy associated to claims in the ground of treaty associated rights. Treaties help people to recognize values and their worth and bring resources to fight for them, raising the probability of success. Legal rules are themselves a type of political opportunity structure that can enable or constrain social movements. Simmons argues that treaties can do four things to improve the chances of success. It precommits the government to be receptive to the demand, may increase

the size of the coalition, enhances the intangible resources available for the coalition, and expands the range of strategies available for the coalition (p.144-148).

Ratification is more than a mere subscription, it is a process of domestic legitimation that raises the domestic salience of an international rule. This is perceived as a conscious commitment that makes it harder for a government to deny the importance of the rights addressed by a treaty. It establishes a shared understanding about what is acceptable, and more importantly, it creates law provisions for further litigation and mobilization.

When a social movement organization initiates a case, it might inspire a broader range of allies to join the claimants (Simmons 2009). For example, the government's opposition can help encourage more people to join the existing organizations or promote the creation of new organizations. Court cases can also engage the interest of internationalists and legal professionals within a country's domestic legal system (Simmons 2009), who may play a prominent role in helping the movement achieve its objectives by providing a group additional legal support and resources. Taken together, this expanded coalition results in more resource support for an organization's court case, increasing the chance that the group will win and compel the government to uphold its promises (Simmons 2009). Hillebrecht (2012) goes further by suggesting that the relative power of domestic actors determines who can leverage the power of international law. He analyzes the role of executives, legislators, and judiciary, in the case of the Inter-American Court of Human Rights, concluding that human rights compliance depended on the executives' political will and their ability to set pro-compliance coalition with judges and legislators.

In addition, ratified treaties help social movements engage in issue framing to reshape the policy agenda. Framing is an important tool in helping a movement shift public opinion, which in turn incentivizes politicians to adapt to a group's policy demands (Koopmans and Duyvendak

1995; Snow et al. 1986). Treaties help create a legitimacy of demands, a frame for clarity, and limits of these demands (Finnemore 1996). They provide a homogeneous and recognizable language on the issues and can help reframe local and sectorized issues in human rights terminology (Engle Merry 2006). In this way, it helps to coordinate and prioritize the demands of the coalition and can serve as a model for domestic legislation. Finally, a ratified treaty can create a political opening for rightful resistance, using officially sanctioned levelers to curve political or economic power relations, and it provides the means to critique governments based on their commitment.

While my primary focus is on women's rights treaties and women's movements, case studies on other human rights movements provide illustrative examples of this theory in practice. For instance, the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment in 1984 and the Interamerican Convention on the Forced Disappearance of Persons Tortured played a key role in allowing international and domestic actors to pressure governments to change repressive behavior (Tsutsui, Whitlinger and Lim, 2012), including forced disappearances.

Another example of this can be found in the case of indigenous people's rights. In this case, early activism by indigenous peoples started in New Zealand, Canada, the United States, some countries in Latin America, and the Scandinavian region in the early 1970s. The networks and collaborative work among them were the precursor of collective mobilization to establish indigenous people's rights as an international norm. These indigenous movements were the first to reach out to diverse intergovernmental organizations and the UN to campaign for international law on indigenous rights. In this way, they achieved the creation of the Working Group on Indigenous Populations by 1982, where indigenous leaders and activists from around the world

created a diversity of instruments to promote indigenous rights: “the International Year of the World’s Indigenous People (1993), the Working Group on the Draft Declaration on Indigenous Rights (1995), the International Decade of the World’s Indigenous People (1995–2004), the Second International Decade of the World’s Indigenous People (2005–2014), and the Permanent Forum on Indigenous Issues (2002)” (Tsutsui, Whitlinger and Lim, 2012).

One example of a local indigenous group that have used international treaties to push their governments to alter their domestic policies is the Mohawk Nation in Canada. This group used the United Nations Declaration on the Rights of Indigenous Peoples to defend themselves from policies on land rights and resource development when the Canadian government planned to build a golf course and resort on a space considered traditional land. They brought the case to the UN Committee on the elimination of racial discrimination, arguing that the government’s policy violated their rights to self-determination, traditional lands, and resources. In this case, the committee called the Canadian government to protect the Mohawk Nation and consult the project with them (Frichner 2003).

Case study research suggests that CEDAW may have inspired similar changes in women’s movements and in women’s rights in some signatory countries. In Colombia, CEDAW inspired women to demand gender equality be included in the constitutional changes of the 1990s, emphasizing women’s reproductive autonomy (Simmons 2009). In addition, CEDAW represented an opportunity for family planning organizations to expand their efforts and services as they publicized the convention to improve women’s condition, ensured access to family planning, educated people on their new rights, and offered legal orientation. Also, after CEDAW ratification, Colombia experienced an increase in the number of women NGOs. The most important role CEDAW played was providing tools and an international human rights language for the new

constitutional design by offering a series of proposals to advance women's social and legal standing while improving their access to legal participation (Simmons 2009). Consequently, despite being one of the most conservative Catholic countries in the region and its highly irresponsible governmental bureaucracy, Colombia became an early model in providing modern birth control among low-income countries (Simmons 2009).

Overall, ratified treaties can inspire domestic groups to push their governments to comply with international human rights expectations by creating political opportunities (via litigation), helping the pro-women's rights coalitions expand, and providing tools for negotiation. These tools are taken by local feminist activists, who magnify the local effects of treaties on gender equality. Feminist organizations influence policy by influencing agenda-setting and generating the political will to address specific issues (Weldon and Htun, 2013). Feminist organizations demand institutional reforms and engage in lobbying, bringing lawsuits, and creating briefs. They also participate in government hearings, symposiums, and international meetings. Feminist movements use mass mobilization to create public disruption and bring attention to the issues. At the same time, they organize networking and other activities that create the space for active conversations with government officials and other societal actors. These activists also use the Shadow Reports generated by bodies like the CEDAW Committee to put pressure on the national governments, creating what Keck and Sikkink (1988) called a treaty "boomerang effect." For this reason, I predict:

H2: Countries with strong women's activism are more likely to comply with CEDAW.

However, Weldon and Htun (2013) also note that international norms and feminist mobilization reinforced one another, as expected by Sikkink (2009). In their analysis of the absence of a strong autonomous feminist movement, CEDAW ratification had a slight and barely significant negative

effect on adopting policies on violence against women. CEDAW ratification and women's activism, therefore, depend on one another to promote women's rights change, leading me to predict:

H3: Countries with strong women's activism, which have also ratified, are more likely to comply with CEDAW.

CHAPTER IV

RESEARCH DESIGN I:

CEDAW RATIFICATION AND WOMEN'S MOBILIZATION

To test my hypotheses, I create a country-year analysis covering the period of 1975 to 2021 in 181 of the 189 countries recognized as states in the international system. Since 1979 was the year CEDAW was signed, I go back to 1975 which marks the start of my dataset. To identify the countries in my dataset, I utilize the Varieties of Democracy (V-Dem) database (Coppedge et al. 2021) as the foundation for my dataset. In this part of the analysis, I focus on testing the first hypothesis derived from Simmon's (2009) theory, specifically whether CEDAW ratification increased the mobilization of women in society. The second part of my analysis, examining CEDAW compliance, begins in Chapter 6.

Dependent variable: Women's Mobilization Improvement

Given data availability challenges, I use the *women's civil society participation index* as a proxy for feminist mobilization. This variable, drawn from the Varieties of Democracy (V-Dem) "Full+ Others" database (Coppedge et al. 2021), is an aggregate measure that includes the degree a country is open to discussion of political issues relevant to women, has women actively engaged in civil society organizations, and includes women in the ranks of journalists. The index is formed by taking the point estimates from a Bayesian factor analysis model of the indicators for freedom

of discussion for women (v2eldiscw), CSO women's participation (v2csgender), and female journalists (v2mefemjrn)⁴. This index helps us capture some of the factors addressed in Simmons' work as she highlights the influence of civil society in the case of Japan and highlights women's participation in the cabinet in the case of Brazil. At the same time, it offers a more holistic perspective than Murdie and Peksens' (2015) data; their study only captures mass protest as an expression of mobilization. Despite the qualities of this variable, some drawbacks can be that it does not specifically capture mobilization specifically at the elite or mass level but gives us an overall idea of women's civil society participation. Also, I lagged this variable as some authors have found interactive effects between international norms and autonomous feminist mobilization that were more evident in lagged analyses (Weldon and Htun 2013).

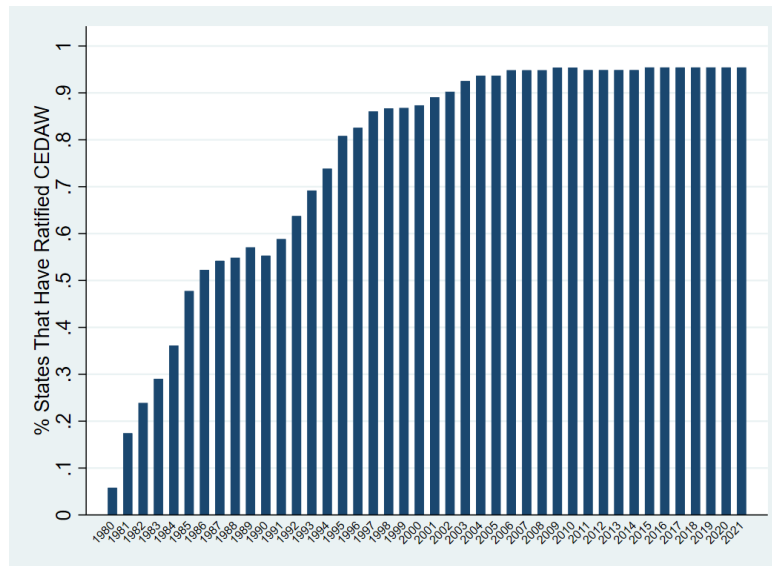
Given that the *women's civil society participation index* is calculated as a 0 to 1 interval scale (higher values representing greater levels of women's participation), I analyze my model using an OLS regression.

Independent Variable: CEDAW Ratification

I captured a dichotomous variable for CEDAW ratification from data available in the United Nations Human Rights Treaty Bodies Database. Every country in the data set was assigned a one for the year the country ratified the Convention and for every year after ratification, and a zero for every year not yet ratified. Since it may take time for countries to adjust to CEDAW adoption, I also include a second variable for the number of *years since ratification*.

⁴ While the V-dem "Core" dataset includes the 5 main democracy indexes, their 82 sub-indices, and the indicators constituting them, the V-dem "Full+" includes all those variables *and* an additional 59 other indicators from other data sources.

Figure 2: CEDAW Ratification Histogram



Control variables

In my models, I control for several domestic factors that are expected for Women’s Mobilization Improvement. The first variable in this category is democracy since more open systems make it easier for civil society organizations to organize and operate (Tilly and Tarrow 2015). To measure the democracy level, I use the Varieties of Democracy *liberal democracy index* (Coppedge et al. 2021), a 0 to 1 scale with higher values representing more democratic countries. The Varieties of Democracy database is a multidimensional and disaggregated dataset that reflects the complexity of democracy as a system of rule by measuring more than 450 indicators, on an annual base, from 1789 to 2021 for all countries.⁵

⁵ The Varieties of Democracy (V-Dem) database encompasses seven core principles of democracy: electoral, liberal, majoritarian, consensual, participatory, deliberative, and egalitarian. Each of these is broken down into its components and measured separately. These components include but are not limited to elections, civil liberties, judicial independence, executive constraints, gender equality, media freedom, and civil society, and each component is disaggregated into specific indicators.

Additionally, I control for the country's population size. A country with a larger population implies a larger pool of people to be mobilized, as it is assumed to have more chances for interactions among their individuals and, therefore, more chances for civil participation (World Bank 2021).

Economic development has been found to be a strong positive predictor of a population's mobilization potential. Drawing from the classic resource mobilization theory, individuals and groups with more resources have an easier time overcoming the collective action dilemma and successfully mobilizing (McCarthy and Zald 1977). If we infer this prediction to the country level, we might expect that more developed economies will be expected to have more resources available to NGOs and domestic human rights advocates. To control for this, I use the estimated GDP per capita variable from Fariss et al. (2021).

Finally, to control for possible cultural explanations for women's civil society engagement, I include the *freedom of religion* score from the Varieties of Democracy Project (Coppedge et al. 2021). Countries that apply religious law have been found to perform poorly on gender equality. The freedom of religion indicator captures the extent to which individuals and groups have the right to choose a religion, change their religion, and practice that religion in private or public, as well as to proselytize peacefully without being subject to restrictions by public authorities.

Furthermore, as Simmons (2009) argues that the most significant interactions between mobilization and CEDAW ratification will occur in what she termed "transitional democracies". I run separated models just on this set of countries. I consider *Transitional democracies* those countries with scores between 5 and 8 on the polity2 score in the PolityV dataset (Marshall and Jaggers 2020).⁶

⁶ The unified POLITY scale ranges from +10 (strongly democratic) to -10 (strongly autocratic).

Before moving on to my first analysis, in Table 1, I present descriptive statistics for all my variables described thus far.

Table 1: Descriptive Statistics

	Obs.	Mean	S.D.	Min.	Max.
Liberal democracy	7,829	0.356	0.278	0.00500	0.896
Freedom of discussion for women	7,884	0.563	1.549	-3.472	3.652
Freedom of religion	7,884	0.797	1.456	-3.879	3.067
CSO women's participation	7,884	1.002	1.052	-3.189	2.671
v2mefemjrn	7,881	31.54	13.15	0.500	76.25
Women's Civil Society Participation Index	7,884	0.598	0.244	0.0100	0.958
GDP per capita	7,488	12.50	15.30	0.286	153.4
Population	7,488	3,701	13,253	6.380	148,256
Years since ratification	7,884	12.27	12.00	0	42
Women's Civil Society Participation Index (5 years lag)	6,983	0.586	0.246	0.01000	0.950
Ratified CEDAW (5 years lag)	6,983	0.664	0.472	0	1
Transitional democracy	6,819	0.235	0.424	0	1

CHAPTER 5

RESULTS I:

CEDAW RATIFICATION AND WOMEN'S MOBILIZATION

Table 2 provides the results of the analysis of the influence of CEDAW ratification on women's mobilization improvement, in this case, measured by the index of women's civil society participation index. Model 1 and 2 control for the time since ratification, GDP per capita, population, freedom of religion. Additionally, Model 1 controls for liberal democracy, squared liberal democracy transitional democracies as we have variations on the level of democratization in these countries. This relationship is slightly more significant in Model 1, this can suggest as expected, that in transitional democracies the costs of mobilization are higher than in all countries. In general found a positive and significant correlation between ratification and mobilization improvement. This result supports my first hypothesis that CEDAW ratification increases the mobilization of women in society. As Simmons predicts, a country ratifying this treaty does seem to empower domestic women's groups.

Also, I find a positive and significant impact of the number of years since ratification. This may suggest a potential linear relationship (CEDAW's ratification impact may keep growing over time)

Table 2: Active Women's Mobilization at the country-level (OLS Regression)

VARIABLES	All Countries	Transitional Democracies
ratified	0.565*** (0.192)	0.458* (0.239)
Years since ratification	0.0242*** (0.00812)	0.0271* (0.0152)
Liberal Democracy	-1.521 (3.109)	
Squared Liberal Democracy	-0.845 (2.800)	
GDP per capita	0.0129 (0.0102)	-0.0411*** (0.0125)
Population	-4.08e-06 (4.57e-06)	-4.22e-06 (5.81e-06)
Freedom of religion	0.233** (0.0908)	0.232 (0.160)
Constant	0.633 (0.426)	0.348* (0.205)
Observations	7,433	1,600
R-squared	0.074	0.100
Adjusted R-squared	0.0732	0.0973
F-Stat	6.753	5.245
Prob > F	4.13e-07	0.000272

Note: Robust standard errors clustered on country in parentheses. GCP per capita and population are log transformed.
 *** p<0.01, ** p<0.05, * p<0.1

I also observe other elements of Simmons's theory, as the liberal democracy indicator has a negative impact on mobilization, even though this was not significant. This suggest that in more democratic regimes, women do not have enough incentives to mobilize after CEDAW ratification, given that they already enjoy a large set of rights. As a result, grievance-based motivations tend to be weaker. Religious freedom also has a positive and significant impact on women's civil society participation improvements in Model 1.

CHAPTER 6

RESEARCH DESIGN II:

WOMEN'S MOBILIZATION AND CEDAW COMPLIANCE

Moving on to my next two hypotheses, I focus on the factors that increase the chance that a country complies with CEDAW. Following previous work on human rights treaty compliance, I again use a country-year dataset format covering the time period of 1975 to 2021 and include countries that ratified CEDAW along with those that have not. Similar to other research on human rights treaty compliance (Simmons 2009), I conceptualize treaty compliance as occurring if a country follows the human rights goals laid out in the treaty. In the case of CEDAW, compliance would mean a country practice and promotes women's rights.

Dependent Variables: CEDAW Compliance

To better measure compliance with CEDAW, it is first important to identify the specific women's rights listed in the treaty. CEDAW requires that "State parties shall take action in all fields but particularly in the political, social, economic, and cultural fields, to ensure full development and advancement of women, to guarantee then the exercise and enjoyment of human rights and fundamental freedom based on equality with men" (Article 3, paragraph 1). Comprised of 30 Articles, CEDAW can be roughly broken into the following areas of women's rights

- Articles 1-3: Gender equality in terms of legal right
- Articles 1-3: Gender equality in terms of legal right
- Articles 4-6: Freedoms from exploitation, including a call for states to enact protection against maternity discrimination, sex stereotyping, and sex trafficking;
- Articles 7-9: Political rights, including women's rights to vote, participate in national and international government, and citizenship rights;
- Articles 10-16: Economic and social rights, including education rights, equal pay, maternity leave, healthcare access, protection from discrimination in marriage relations and family decisions, etc.

The remainder of the articles are dedicated to the implementation of CEDAW, including the creation of the CEDAW Committee to monitor the agreement (Articles 17-22), CEDAW's relation to other UN-affiliated human rights treaties, and the expectation of member states (Articles 23-30).

Relating to the above classification, different analyses (Englehart and Miller 2014) have covered CEDAW's impacts on three major rights areas: political, social, and economic rights. I follow this broad categorization and make use of various indicators drawn from the V-Dem dataset (Coppedge et al. 2021) that I argue capture these three broad categories. More details on the specific indicators, along with the sub-indicators used to construct these aggregate scores, can be found in Table 3. These three indicators include the *women's political participation index*, *women's civil liberties index*, and the *inclusion by gender index*. Each of these indexes are a 0-1 scale, with higher values representing better practices regarding women's rights in this specific issue area.

Table 3: Women’s Rights in Practice as Drawn from the Varieties of Democracy Dataset

Women’s Rights Category	V-Dem Measure	Sub-indicators used to construct this measure
Political	Women political participation index (v2x_genpp)	percent lower chamber female legislators (v2lgefemleg, standardized) political power distributed by gender (v2pepwrgen) female suffrage (v2fsuffrage)
Social	Women civil liberties index (v2x_gencl)	freedom of domestic movement for women (v2cldmovew) freedom from forced labor for women (v2clslavef) property rights for women (v2clprptyw) access to justice for women (v2clacjstw)
Economic	Inclusion ⁷ by gender index (econ_inclgender)	economic power distributed by gender (v2pepwgen) equality in respect for civil liberties by gender (v2clgencl) access to public services by gender (v2peapsgen) access to state jobs by gender (v2peasjgen) access to state business opportunities by gender (v2peasbgen)

⁷ I created this score by reversing the original V-Dem Exclusion by Gender index (D) (v2xpe_exlgender). This was reversed so that it followed the pattern in the rest of the indexes that high values (closer to 1) represented better women’s rights.

To test the overall influence of mobilization on women’s rights, I use the three measures described above to create a single *overall women’s rights index* (genindex) that averages the score of the three above indexes. To test to make sure they loaded on the same scale, I ran a test using Cronbach’s Alpha, a measure of internal consistency commonly used as a proxy for scale reliability. In most social sciences, a Cronbach alpha scale of 0.8 or above is considered to be a very good indicator of internal scale consistency. The specific scale items can be found in Table 4 below; however, I will note that the overall scale reliability coefficient of .8562 indicates that this women’s rights index is internally consistent.

Table 4: Cronbach’s Alpha Test of the Composite Women’s Rights Index

Item	Obs.	Sign	Correlation	Alpha
Women political participation index	7749	+	0.8596	0.8443
Women civil liberties index	7884	+	0.8601	0.8442
Inclusion by gender index	7847	+	0.9297	0.7017
Test Scale				0.8562

Independent Variables

For this part of my analysis, I again use the dichotomous CEDAW *ratification* variable as one main independent variable. To test whether the mobilization of domestic women’s groups helps explain compliance with the treaty, I use the *women’s civil society participation index* (the dependent variable of my previous analysis) as a second independent variable. Furthermore, given that my third hypothesis predicts a multiplicative relationship between the two factors – that ratifying CEDAW empowers women’s movements, which in turn increases compliance – I create an interactive term by multiplying these two variables. Since multiplying two variables essentially models a non-linear relationship, it is difficult to interpret the findings solely based on the

coefficients listed in the regression table. For this reason, I present the regression table and include a marginal effects graph to visualize better whether *women's civil society participation* and *ratification* result in stronger women's rights practices than either of those variables on their own.

Control Variables

In my models, I control for several domestic factors that are expected to affect human rights compliance. The first variable in this category is democracy, as more democratic countries are more likely to demonstrate greater levels of women's rights. I also use a squared version of this variable. I only control for democracy in models 1 and 3 (all countries). As my overall democracy measure, I again use V-Dem's *liberal democracy index* (Coppedge et al. 2021).

According to Simmons, we should be more likely to observe the effects of international human rights treaties in countries classified as transitional democracies, where individuals have the motivation and means to mobilize for their rights. To capture this, Simmons operationalizes transitional countries as those that score between 5 and 8 on the Polity scale (Marshall and Jaggers 2020) and excludes those which have never scored above 5 or below 8.⁸ I follow her lead and include the same control for transitional democracies, creating a dichotomous variable to identify transitional regimes. I use this variable to run more limited analyses *only on these cases, excluding all other regime scores from these secondary analyses*.

We expect to observe the most interactions between mobilization and convention compliance in countries characterized as transitional democracies. Secondly, I control for the *population* since my dependent variables are based on citizen participation. A country with a larger population implies a larger pool of people to be mobilized, at the same time, is assumed to have

⁸ The Polity score is computed by subtracting the autocracy score from the democracy score. The unified POLITY scale ranges from +10 (strongly democratic) to -10 (strongly autocratic).

more chances for interactions among their individuals and, therefore, more chances for civil participation. The original data source for this variable is the World Bank (2021).

Economic development has been found to be a strong positive predictor of human rights outcomes (Howard-Hassmann 2005). More developed economies have a greater capacity to enact new legislation and are more likely to provide more resources to NGOs and domestic human rights advocates to help increase oversight and enable civil society action. To measure economic development, I use *GDP per capita*. This variable, reported in the V-Dem dataset until 2019, is derived from the article New Estimates of Over 500 Years of Historic GDP and Population Data (Fariss et al. 2021)

Conflict as civil or international war has been found to significantly predict human rights violations. This can reflect both cases of abuse committed by combatants or the consequences of losing social control over violence. To identify countries that are currently experiencing a civil war I used a dichotomous variable derived from Haber and Menaldo (2011).

Countries that apply religious law have been found to perform poorly on gender equality (Simmons 2009). I argue that this is because restrictive religious practices are proxies for more traditional societies, which we would expect to be more restrictive of women's rights. To control for societal gender norms, I use the *freedom of religion indicator* (v2clrelig) to capture the extent to which individuals and groups have the right to choose a religion, change their religion, and practice that religion in private or public as well as to proselytize peacefully without being subject to restrictions by public authorities. This variable is derived from Pemstein et al. (2022).

CHAPTER 7

RESULTS II:

WOMEN'S MOBILIZATION AND CEDAW COMPLIANCE

The results of my tests for hypotheses 1 and 2 are presented in Table 5. Models 1 and 2 include my analysis of all countries, while models 3 and 4 are limited solely to transitional democracies. Furthermore, models 1 and 3 present a more simplified analysis, with each of the variables analyzed independently of one another, while models 2 and 4 present the results of the interactive terms. The interactive tests the multiplicative impact of women's civil society engagement and ratification, which was theorized in hypothesis 3.

First, my initial analyses confirm that Women's Civil Society participation has a significant and positive impact on women's rights across the four models. These models overall support H2: Countries with strong women's activism are more likely to comply with CEDAW. On the other hand, I find evidence to support CEDAW's ratification influence on women's rights./

Table 5: Country Compliance With CEDAW (OLS Regression)

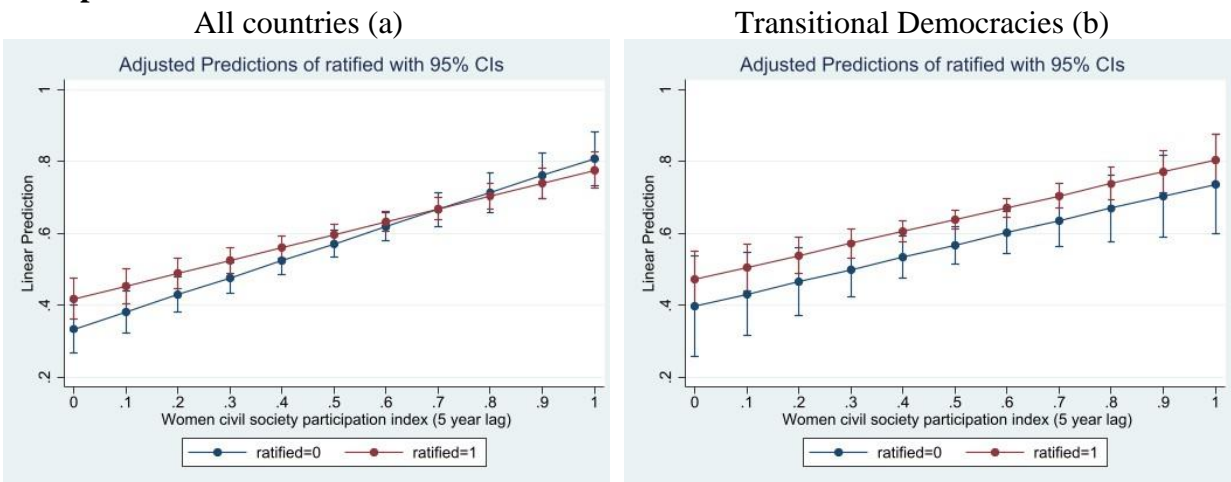
VARIABLES	All Countries		Transitional Democracies Only	
	Model 1	Model 2	Model 3	Model 4
Women's Civil Society Participation Index (5 years lag)	0.391*** (0.0462)	0.474*** (0.0614)	0.333*** (0.0664)	0.340** (0.129)
Ratified CEDAW (5 years lag)	0.0353*** (0.0122)	0.0841*** (0.0261)	0.0711*** (0.0253)	0.0749 (0.0681)
Women's Civil Society Participation * Ratified Years since ratification	0.000845 (0.000790)	-0.116** (0.0503) 0.00126 (0.000815)	-0.00123 (0.00144)	-0.00821 (0.134) -0.00122 (0.00148)
Liberal Democracy Index	0.262** (0.128)	0.259** (0.126)		
Squared Liberal Democracy Index	0.109 (0.137)	0.117 (0.135)		
GDP per capita	-0.000627 (0.000665)	-0.000563 (0.000635)	0.00923*** (0.00176)	0.00922*** (0.00178)
Civil War	-0.0739*** (0.0203)	-0.0720*** (0.0203)	-0.0873** (0.0361)	-0.0874** (0.0358)
Population	6.85e-07* (3.69e-07)	6.21e-07* (3.64e-07)	2.94e-06*** (4.61e-07)	2.95e-06*** (4.83e-07)
Freedom of religion	0.0101 (0.00916)	0.00854 (0.00900)	0.0286** (0.0121)	0.0285** (0.0120)
Constant	0.260*** (0.0249)	0.227*** (0.0307)	0.306*** (0.0423)	0.303*** (0.0690)
Observations	4,026	4,026	884	884
R-squared	0.782	0.784	0.563	0.563
Adjusted R-squared	0.781	0.784	0.559	0.559
F-Stat	176.2	164	22.81	20.03
Prob > F	0	0	0	0

Note: Robust standard errors clustered on country in parentheses. GCP per capita and population are log transformed. *** p<0.01, ** p<0.05, * p<0.1

However, since hypothesis 3 predicts a conditional relationship where more active women’s movements should be able to use a country’s ratification of CEDAW to pressure that country to better comply with the women’s rights expectations, we best test that proposed relationship in the interactive models (2 and 4). For interactive variables, their relationship is nonlinear, and so the best way to interpret these results is not with a regression table but by presenting a marginal effects graph, which I present in Figure 3. Figure 3a presents the marginsplot for Model 2, and Figure 3b is the marginsplot for Model 4.

Both graphs support the previous conclusion that more women’s civil society mobilization translates into better women’s rights practices. Hypothesis 3, however, predicted that women’s civil society activities *and* CEDAW ratification would have a multiplicative impact on women’s rights practices in a country – the proposed “boomerang effect” described by earlier scholars. This prediction is not supported by Figure 3. I find no difference between countries that have ratified CEDAW and those that have not.

Figure 3: Marginal Effect of a CEDAW Ratification on Women’s Civil Society Participation



Turning to the control variables, Table 5 also confirms the positive and significant impact of democracy on women's rights across the four models. The GDP per capita had positive and significant effects in transitional democracies. Overall, this means that women's rights practices are better in wealthier, democratic countries. Another control variable that was found to have significant but negative impacts was civil war. This relationship holds better when analyzing all countries than in transitional democracies, but the results remain significant. The population estimates also had a significant positive effect that was more significant in transitional democracies. Finally, I found no significant impacts of religious freedom across the models.

Analyzing the Sub-Components of Women's Rights: All Countries

To present a more robust analysis, I include models separated by rights areas, as these may behave differently given their nature. Table 6 displays three sets of results with a total of six models, where I analyze all countries. Models 1 and 2 examine political rights, 3 and 4 social rights, and 5 and 6 economic rights. Again, the odd-numbered models are non-interactive analyses, while the even ones include the interaction term.

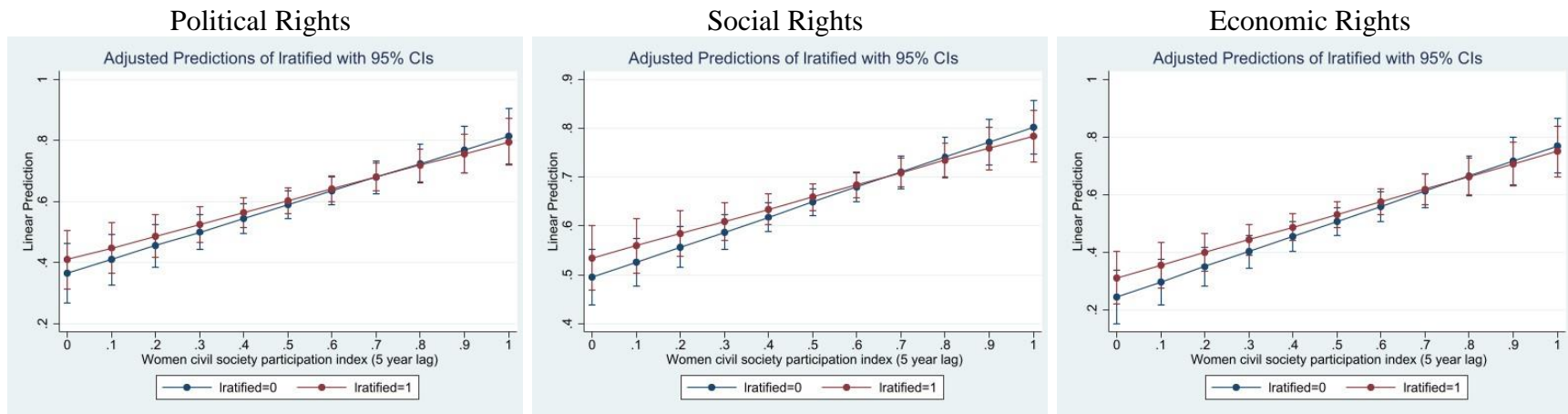
Across all my models in Table 6, I find that women's mobilization positively and significantly impacts. This relationship holds true regardless of the type of rights being analyzed, which reaffirms my strong support for Hypothesis 2. In this set of models ratification was not significant. Again, to test hypothesis 3 on whether there is a multiplicative impact of these two variables, I include interactive terms in Models 2, 4, and 6 and present those results in Figure 4. Similar to the overall women's models (Table 5), I find that while more active women's movements translate into better women's rights practices, there is no difference between ratified or non-ratified countries regardless of which type of right is analyzed.

Table 6: Country Compliance with CEDAW on Differentiated Rights, All Countries (OLS Regression)

VARIABLES	(1) Model 1	(2) Model 2	(3) Model 3	(4) Model 4	(5) Model 5	(6) Model 6
Women's civil society participation Index (5 years lag)	0.418*** (0.0720)	0.449*** (0.0835)	0.280*** (0.0473)	0.307*** (0.0496)	0.484*** (0.0747)	0.525*** (0.0820)
Ratified CEDAW (5 years lag)	0.0127 (0.0138)	0.0442 (0.0405)	0.0105 (0.00914)	0.0391 (0.0238)	0.0238* (0.0125)	0.0666* (0.0373)
Women's Civil Society Participation * Ratified		-0.0632 (0.0720)		-0.0573 (0.0421)		-0.0859 (0.0645)
Years since ratification	0.00593*** (0.00135)	0.00614*** (0.00140)	-0.00225** (0.00100)	-0.00206* (0.00107)	0.000233 (0.00127)	0.000519 (0.00132)
Liberal Democracy Index	-0.229 (0.192)	-0.233 (0.192)	1.060*** (0.144)	1.057*** (0.144)	-0.0166 (0.184)	-0.0218 (0.183)
Squared Liberal Democracy Index	0.544*** (0.207)	0.552*** (0.207)	-0.702*** (0.135)	-0.695*** (0.135)	0.464** (0.206)	0.474** (0.206)
GDP per capita	-0.00235** (0.000985)	-0.00231** (0.000978)	0.000226 (0.000696)	0.000273 (0.000677)	0.000242 (0.000878)	0.000312 (0.000874)
Civil War	-0.0474 (0.0315)	-0.0458 (0.0314)	-0.0976*** (0.0241)	-0.0962*** (0.0242)	-0.0833*** (0.0285)	-0.0812*** (0.0286)
Population estimate	1.98e- 06*** (5.46e-07)	1.96e-06*** (5.44e-07)	-1.93e-07 (2.66e-07)	-2.18e-07 (2.67e-07)	1.92e-07 (7.29e-07)	1.56e-07 (7.32e-07)
Freedom of religion	-0.00228 (0.0147)	-0.00284 (0.0147)	0.0419*** (0.0108)	0.0412*** (0.0108)	-0.0139 (0.0131)	-0.0148 (0.0131)
Constant	0.369*** (0.0356)	0.356*** (0.0409)	0.219*** (0.0289)	0.207*** (0.0293)	0.227*** (0.0338)	0.208*** (0.0382)
Observations	3,961	3,961	4,026	4,026	4,026	4,026
R-squared	0.515	0.516	0.802	0.803	0.636	0.637
Adjusted R-squared	0.514	0.515	0.802	0.802	0.635	0.636
F-Stat	47.30	44.58	216.1	198.2	102.1	91.28
Prob > F	0	0	0	0	0	0

Note: Robust standard errors clustered on country in parentheses. GCP per capita and population are log transformed. *** p<0.01, ** p<0.05, * p<0.1

Figure 4: Marginal Effect of a CEDAW Ratification on Women’s Civil Society Participation (All Countries)



Finally, for the control variables in Table 6, in all models, more democratic countries also translate into better women's rights. Across all models, the number of years since ratification had significant positive impacts on women's political rights. This means the longer the treaty has been ratified, the better women's political rights rank. I find no significant relationship, however, for social or economic rights.

Civil war had a negative and significant influence, but only for social and economic rights (models 3-6). This does fit findings from previous conflict scholars about the decline of women's social and economic rights during periods of conflict (Simmons 2009). I also found that GDP per capita was negative and significant, but only for the models examining social rights. In the social rights model, the religious freedom measure was positive and significant, but this variable failed to reach significance in any of the other models.

Analyzing the Sub-Components of Women's Rights in Transitional Democracies

I also present separate models for issue areas in Transitional Democracies as these countries are expected to show the wider impacts. Table 7 displays three sets of results with a total of six models, where I analyze transitional democracies. Models 1 and 2 examine political rights, 3 and 4 social rights, and 5 and 6 economic rights. Again, the odd-numbered models are non-interactive analyses, while the even ones include the interaction term.

Across five of my six models in Table 6, I find that women's mobilization positively and significantly impacts. Only in model 2 the results remain positive but not significant. This relationship holds true regardless of the type of rights being analyzed, which again reaffirms my strong support for Hypothesis 2.

Table 7: Country Compliance with CEDAW on Differentiated Rights, Transitional Democracies (OLS Regression)

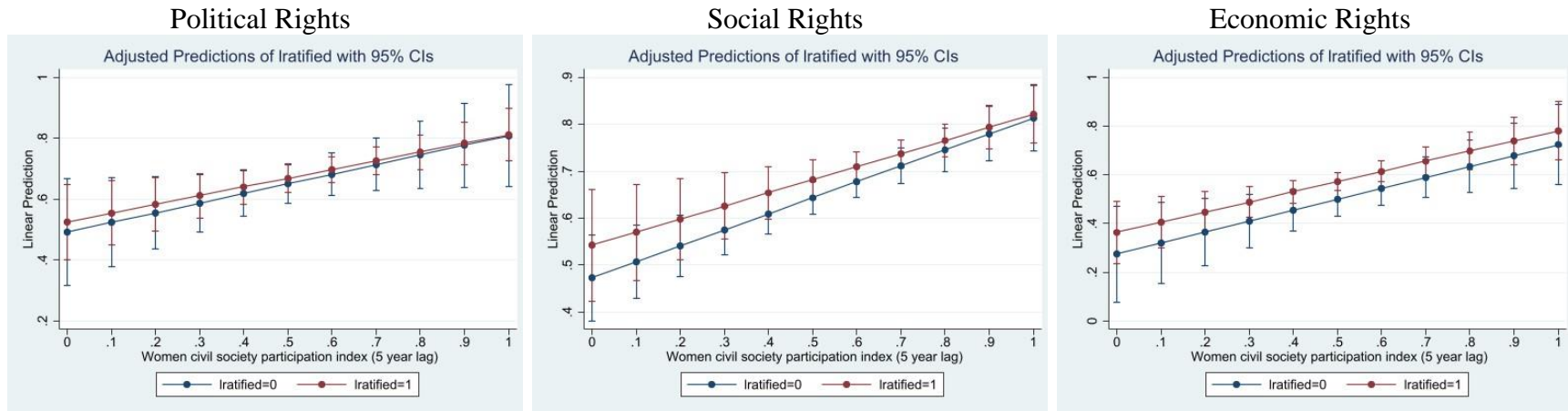
VARIABLES	(Political Rights)		(Social rights)		(Economic Rights)	
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Women's civil society participation	0.299***	0.317**	0.304***	0.341***	0.431***	0.450***
Index (5 years lag)	(0.0921)	(0.159)	(0.0657)	(0.0740)	(0.120)	(0.168)
Ratified CEDAW (5 years lag)	0.0169	0.0336	0.0352*	0.0696	0.0709**	0.0884
	(0.0381)	(0.100)	(0.0210)	(0.0638)	(0.0304)	(0.0965)
Women's Civil Society Participation * Ratified		-0.0302		-0.0621		-0.0317
Years since ratification		(0.172)		(0.0951)		(0.153)
	0.00621***	0.00623***	-0.00507***	-0.00502***	-0.00485**	-0.00482**
	(0.00218)	(0.00218)	(0.00165)	(0.00168)	(0.00226)	(0.00227)
GDP per capita	0.00375	0.00372	0.00930***	0.00926***	0.0139***	0.0139***
	(0.00257)	(0.00258)	(0.00237)	(0.00237)	(0.00286)	(0.00287)
Civil War	-0.0397	-0.0402	-0.116**	-0.117**	-0.0976	-0.0983*
	(0.0309)	(0.0303)	(0.0469)	(0.0458)	(0.0599)	(0.0590)
Population estimate	3.82e-06***	3.86e-06***	1.06e-06**	1.13e-06**	3.72e-06***	3.76e-06***
	(6.04e-07)	(6.44e-07)	(5.00e-07)	(4.98e-07)	(1.06e-06)	(1.09e-06)
Freedom of religion	0.0278	0.0278	0.0615***	0.0616***	-0.00578	-0.00577
	(0.0198)	(0.0199)	(0.0166)	(0.0164)	(0.0233)	(0.0234)
Constant	0.359***	0.350***	0.398***	0.380***	0.242***	0.233**
	(0.0600)	(0.0924)	(0.0424)	(0.0506)	(0.0672)	(0.0975)
Observations	880	880	884	884	884	884
R-squared	0.371	0.372	0.573	0.575	0.399	0.399
Adjusted R-squared	0.366	0.366	0.570	0.571	0.394	0.393
F-Stat	11.82	11.63	17.50	16.02	11.08	9.953
Prob > F	4.77e-10	1.35e-10	0	0	1.56e-09	2.49e-09

Note: Robust standard errors clustered on country in parentheses. GCP per capita and population are log transformed. *** p<0.01, ** p<0.05, * p<0.1

I do not find a relationship between CEDAW ratification and women's rights compliance in any of the non-interactive models (1, 3, or 5). Again, to test hypothesis 3 on whether these two variables have a multiplicative impact, I include interactive terms in Models 2, 4, and 6 and present those results on the marginplots in Figure 5 for a better interpretation. Similar to the overall women's models (Table 5) and to the all countries models (Table 6), I find that while more active women's movements translate into better women's rights practices, there is no significant difference between ratified or non-ratified countries across the different sets of rights. According to Simmons's theory, it is in this set of models where I expected to observe the most pronounced effects of women's mobilization and the interaction between mobilization and ratification, but the results did not provide supporting evidence.

Finally, for the control variables in Table 7, in general, more democratic countries also translate into better women's rights. But in terms of political rights, the results were only significant for social and economic rights. This is probably because transitional democracies already provide a basic set of political rights to women, while social and economic rights are still in a developing stage. Civil war had a negative and significant influence, but only for social and economic rights (models 3-6). This does fit findings from previous conflict scholars about the decline of women's social rights. This is probably because the types of conflict in transitional democracies do not interfere broadly with the other rights categories (Walter 1999). I also found that GDP per capita was positive and significant, but only for the models examining social and political rights. In the social rights model, the religious freedom measure was positive and significant, but this variable failed to reach significance in the other models.

Figure 5: Marginal Effect of a CEDAW Ratification on Women’s Civil Society Participation (Transitional Democracies)



CHAPTER 8

CONCLUSION

In recent years the literature on human rights treaty compliance has proliferated. It has come closer to explaining why countries comply with international human rights law despite its lack of enforcement mechanisms and incentives. Theoretic efforts have focused on compliance mechanisms at the local level, but the data availability has constrained the generalizability of those theories. This work addressed those gaps using a newly developed database V-Dem. Using the best proxies in the database, this study has tested the hypothesis on the relationship between human rights compliance and mobilization at the local level. Specifically, it has addressed the case of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). I followed the model proposed by Simmons (2009) and tested mobilization as a compliance mechanism.

My results support the importance of women's civil society participation as a mechanism to enhance women's rights outcomes in the political, social, and economic arenas. At the same time, we found that CEDAW ratification enhanced mobilization. I found evidence to support that, as established in H1, women's mobilization will become more active in countries that have ratified CEDAW than those that have not, and H2 Countries with strong women's activism are more likely to comply with CEDAW

Despite this, I did not find support for the feeding loop between ratification and mobilization; H3 Countries with strong women's activism, which have also ratified, are more likely to comply with CEDAW. But, my results confirm the effects of ratification on women's rights enhancement overall. Despite this, ratification had a harder time proving significance when analyzing the differentiated rights models. This does not mean that CEDAW has not improved the women's rights outcomes in the three issue areas I analyzed, but to say that with the current set of variables and when testing the effects of the treaty mediated by mobilization, interactive effects were not found.

Given this work's limitations of scope, time, and resources, I did not use two-stage regression models or more complex models as a Heckman model to include two separate equations, one for selection errors and a main equation linking the covariates to the outcome. Running the same analysis that I did but without a lagged variable for the ratification showed to have better results on the ratification coefficients, showing that, most likely, the effects of ratification on women's rights can be seen in the short-term, while the enhancing effects of mobilization perform better on the long term.

This suggests that further research will be needed to reinforce human rights treaty compliance. We still require comprehensive datasets on women's mobilization and perhaps more study cases to typify the kinds of mobilization that took place after CEDAW ratification and that continue to be a crucial factor in the improvement of women's rights worldwide.

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