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Ambiguities and Interchangeable Use of "Gender Equality" and "Gender Equity"

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Abstract: Introduction: Gender cross-cutting issue which attracted an attention of international community and became an issue of many international human rights treaties like the Convention on the Elimination of All Forms of discrimination against Women (CEDAW). So, this paper deals mainly with its definition, determinants factors and its relevance and difference with the concept of gender equity. Objective: The study generally aims to come up with clear definitions and components of gender equality and gender equity and to remove existing ambiguities of the two concepts. Methodology: This study is predominately a doctrinal research. Hence review of scholarly works, laws and books on the concepts of gender equality and gender equity is made. The meanings or definitions given by scholars are used to remove the ambiguities between the two concepts. Finding: Gender equality is found to be the most controversial issue without standard uniformly applied definition. But the definitions provided by different scholars have got common factors like; equal conditions for men and women to realize their full human rights and for contributing to, and benefiting from, economic, social, cultural and political development. Accesses to resources and opportunities, and agency or the ability to influence and contribute to outcomes are identified as the primary determinants of gender inequality. Gender equality found to be a concept that includes gender equity where as gender equity does not add any input to the concept of gender equality. Despite, these concepts are frequently used interchangeably. Conclusion: definitions of gender equality recognized that the concept of gender equality seems to be beyond providing equal opportunity or rights to men and women. Because, Capabilities, access to resources and opportunities, and agency or the ability to influence and contribute to outcomes are identified as three primary domains or components of gender equality: so that, gender inequality comes to the picture when any of these domains does not exist. The concept of as gender equality is more inclusive concept that should not be misconceived as the terms that can be interchangeably used with gender equity. Moreover, equity is said to be unnecessary concept that does not add any missing aspect of gender equality.

Keywords: Gender, Gender equality, Gender equity gender inequality

1. Introduction

Gender equality is global agenda which is supported by many international laws. Now days, the notion of gender equality is not opposed by scholars. So, it is safe to say that it is a concept which is accepted by international community. But it still, remains controversial. Because some consider gender equality as something that can be achieved in a condition where women are provided with equal rights and opportunities with men. On the other hand, some others argue that the situation where gender equality can be achieved is when women are treated in consideration of their differences with men.

There is also difference in perception of gender equality among social science scholars. Some scholars strongly argue that gender equality is not researchable in a country like Ethiopia where women have got equal rights by the constitution and other laws. Because, provided the country has incorporated gender equality in the constitution, laws and policies this is all to be done to insure gender equality.

In this regard, the position of the author is that; gender equality requires a condition where the differences, responsibilities of women and men as well as existing attitude towards women are considered. In other words, gender equality is not all about only providing women with equal rights and opportunities but creating the situation where women can fully enjoy their rights and represented in public spheres.

Objective

The study aims to come up with

- 1) Providing scholarly definitions of gender equality and gender equity that can remove the ambiguities between the two concepts;
- 2) To show the legal basis and difference between the two concepts;
- 3) To identify the determinants of gender equality.

2. Research methodology

This study is predominately a doctrinal legal research. Hence review of scholarly works, laws and books on the concepts of gender equality and gender equity is made. The meanings or definitions given by scholars are used to remove the ambiguities between the two concepts.

3. The meaning of gender Equality

Before proceeding to the entire issues on gender equality and gender equity, it deems essential to deal the definition of equality and gender. Because of the fact that the concept includes these two concepts, the definition of these concepts may shade light over the details of gender equality. Here, it should be clear whether gender equality has the meaning that can be obtained by aggregating gender and equality or not.

Gender refers to the roles and responsibilities of men and women that are created in our Families, our societies and our cultures. other study defined gender as socially constructed roles, behaviors, activities and attributes that a given society

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¹ UNESCO's Gender Mainstreaming Implementation Framework: April 2003

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considers appropriate for men and women.² the term "Gender" as a word is also used to describe a set of social qualities and behaviors expected from men and women by their societies.³

All above given definitions imply that gender does not refer to male and female sexes. So, when we talk about gender, we talk about what males and females are expected to do or not to do and how they are required to behave in a certain society.

'Equality' (or 'equal') indicates correspondence between groups of different objects, persons, processes or circumstances that have the same qualities in at least one respect, but not all respects, i.e., regarding one specific feature, with differences in other features.⁴

Before coming to the aggregated meaning of gender and equality, there is very important point that may come in to our mind. The fact of being 'human' cannot be considered as same quality that exists in the two variables because gender does not mean male or female. Rather, We have to put emphasis on existence of the same qualities in at least one respect between the roles and responsibilities of men and women in the society. Here, the question is, whether there is same quality among the roles and responsibilities of men and women in the society or not. As the value that may be given by the society to the roles and responsibilities of men and women may be different; it seems difficult to conclude that the roles and responsibilities of male and female are considered to have the same quality. But it may not be completely impossible to find same quality between the roles and responsibilities of men and women at least in one respect.

In this regard, the issue is whether gender equality is defined as an aggregate of the above mentioned two concepts i.e. gender and equality? Here one can easily perceive that the meaning of gender equality is different from an aggregate of the meanings of gender and equality.

It might not be easy to come up with a standard definition for gender equality because scholars pointed out that there is little consensus among actors from politics, from civil society, and from academia on what gender equality actually means and should mean. In other words, the concept of gender equality is debatable concept. Despite, even if they have not agreed with a single definition or meaning of the concept rather scholars have defined gender equality in different ways.

Studies frequently define Gender Equality as women and men have equal conditions for realizing their full human rights and for contributing to, and benefiting from, economic, social, cultural and political development.⁶ It is

also defined as the equal valuing by the society of the similarities and differences between women and men, and the varying roles that they play.⁷

Essential points like principles of equality (sameness), differences, and transformation are raised in line with basic questions on gender equality such as, what are the problems of gender inequality? And "how could the problem of gender inequality be solved?⁸ The authors further demonstrated that considering equality as sameness, has the problem because women have been excluded from the political and they proposed to include them in the world as it is, without challenging the underlying male norm as solution. Here the idea is that each individual, irrespective of gender, should have access to the rights and opportunities. Men and women should be treated according to the same principles, norms, and standards. The point of argument is associated to this idea because the basic question which has to be answered is whether gender equality is only all about providing equal access to the rights and opportunities or it goes beyond? Limiting the issue of gender equality to access to equal rights and opportunities is not recommended in this book. Rather it pointed out that this view is criticized for not directly challenging dominant patriarchal values. This implies that gender equality is something that requires more than providing equal access to rights and opportunities to women with men. In other words, gender equality needs positive action because women and men are not naturally the same. Moreover, the roles and responsibilities imposed by our society and culture are neither the same nor equally valued. so, as they are different by nature and history in many aspects it seems difficult to put them in equal footing using the same standards. In this regard, even equal access to rights and opportunities to women with men may not secure gender equality.

Gender equality is also considered to mean that women and men, and girls and boys, enjoy the same rights, resources, opportunities and protections. 10 it also means that girls and women have "... agency to use those rights, capabilities, resources and opportunities to make strategic choices and decisions" about the course of their lives "without the fear of coercion and violence."11 In addition, this study indicates that gender equality does not require that girls and boys, or women and men, be the same, or that they be treated exactly alike, rather it implies absence of bias or discrimination. In other words, according to this study for the most part, equality between girls and boys cannot be achieved by providing them the same set of services, opportunities and protections, delivered in the same ways. The authors farther supported their idea justifying that equality of opportunity often will not create equality of outcomes given the significant disadvantages and status differentials that girls face. As a result, targeted interventions that promote the empowerment of girls and women are recommended as a

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² Gender Equity Working Group (GEWG), Gender Equity Strategy, November 2014.

³ Teklu Tafase Olkaba*. Disparity in Academic Achievement in Selected Colleges of Teachers Education in Oromia Region. Ethiop. J. Educ. & Sc. Vol. 9 No 1 September 2013

⁴ http://plato.stanford.edu/entries/equality/ [12/25/2013 4:15:18 PM

⁵ Mieke Verloo and Emanuela Lombardo, <u>Multiple Meanings of Gender Equality A Critical Frame</u>

⁶ Ibid

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⁸ <u>Analysis of Gender Policies in Europe</u>. central European university press: Budapest . new York 2007 p23

⁹ Ibid

¹⁰ United Nations Children's Fund (UNICEF)June 2011 UNICEF, United Nations Plaza New York, NY 10017, USA .available at; www.unicef.org accessed on sep8 2017
¹¹ Ibid

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precondition for true equality. ¹² In this regard, the study raised quotas which served as effective affirmative action for promoting the participation of girls and women in public forums as an example of positive actions that should be taken. In short, this study underlined that equality frequently requires providing disproportionate or unequal resources and services to the group facing discrimination.

Gender equality is also defined as the condition where women have the same opportunities in life as men, including the ability to participate in the public sphere. ¹³ This definition has incorporated another important issue that adds something to the meaning of gender equality. Here, the meaning includes 'the ability to participate in the public sphere'. This definition implies that the meaning of gender equality is not limited to laws and policies providing equal opportunity to men and women. In other words, the issue requires something that can bring about equal ability of both sexes to participate in the public sphere.

4. Legal Frame Work of Gender Equality

Gender equality is the concept used in all key international agreements like the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) the 1979 Convention on the elimination of all forms of discrimination against women (CEDAW) makes member states responsible to take all appropriate measures to modify the social and cultural patterns of conduct of men and women. 14 This convention is of the most powerful instruments for women's equality. The Convention, which has been termed "the bill of rights for women", now legally binds 165 States, which have become States parties.¹ authors further acknowledged that the recognition of the need to shift the focus from women to the concept of gender as fundamental transformation that took place in Beijing. Recognizing that the entire structure of society, and all relations between men and women within it, had to be reevaluated only by such a fundamental restructuring of society and its institutions could women be fully empowered to take their rightful place as equal partners with men in all aspects of life. 16 This change represented a strong reaffirmation that women's rights were human rights and that gender equality was an issue of universal concern, benefiting all.

As Ethiopia is signatory to the convention of elimination against women The Constitution of the federal democratic republic of Ethiopia clearly stipulates equality rights of women. Moreover, as the very purpose of this paper is to remove the ambiguity on gender equality, focusing on the extent of equality right is important. In other words, it should be clear whether the constitution provides only equal opportunity/ rights for men and women and boys and girls or

it provides women and girls with some special or differential right. In this regard, the constitution has not limited women and girls rights to equal treatment /opportunity with men and boys in all aspects but it proclaimed that women, have a right to be treated in a favorable manner than men in consideration of the historical legacy of inequality and discrimination they suffered in Ethiopia. 18 It explicitly states that women are entitled to temporary affirmative measures by taking into account the historical legacy of inequality and discrimination suffered by women in Ethiopia. 19 As constitution is the superm law of the country those rights proclaimed in the constitution cannot be revoked by other laws of the country. On the other hand, rights which are provided by the constitution may need other specific laws that can be directly enforced. For this end, it seems essential to look for some specific laws in favor of gender equality. Under civil servant proclamation women and girls are provided with equal opportunity of employment and salary with men and boys. 20 More over female candidates having equal or close scores to male candidates are prioritized. The labor proclamation proclaims that it shall be unlawful for an employer to discriminate against female workers, in matters of remuneration, on the ground of their sex.²² Female students are also entitled to Special treatment under higher education Proclamation which requires entry assessment or admission procedure designed for any female student to be different from others.²³

Legal provisions designed in favor of females are considered as indicators of explicit commitment of the government of Ethiopia to achieve gender equality rather than the end result of gender equality.²⁴ The gist of all references used in this paper can be considered as academic and legal grounds to take a position on the side of those who argue that gender equality is a condition where both sexes are practically placed in equal footing in terms of political, social and economic outcomes.

Stewart Chair of the Committee for Development Policy stated that; "The Gender Equality Task Force of the MDGs identified three domains: the capability domain, notably girls' and women's education, training and health; access to resources, notably to assets, including land and finance; and employment; and the security domain: protection from violence of all sorts (political, criminal and domestic)". In addition to these three domains she recommended the fourth domain. i.e. The domain of decision-making and power with justifying the fact that there has been advance in each domain but still large unwarranted gender gaps remain. ²⁵ On the other hand, gender inequality considered to universal

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¹² Ibid

¹³ Hazel Reeves and Sally Baden; Gender and Development: Concepts and Definitions; February 2000

¹⁴ Convention on the elimination of all forms of discrimination against women. 1979.article2

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¹⁶Ibid

¹⁷ FDRE constitution of Ethiopia,1995, proc.No.1, Negarit Gazeta of federal democratic republic of Ethiopia, year1,No1, article 25

¹⁸ I bid 35/3

¹⁹ Ibid

²⁰ "Federal Civil Servants Proclamation 2007. Proc No. 515. Negarit Gazeta of federal democratic republic of Ethiopia. Year 8, No 29, art13
²¹ Ibid

²². Labour Proclamation 2003. Proc No,377/ NegaritGazeta of federal democratic republic of Ethiopia, year10,No.12, art 87

²³ Higher Education Proclamation 2003 proc No.651, Negarit Gazeta of federal democratic republic of Ethiopia Year,9 No.72 Art 33

²⁴ Case studies from the millennium development goals achievement fund. 2011, leave no Women behind

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feature of developing countries.²⁶ The study farther elaborated that women in developing countries are generally silent and their voice has been stifled by economic and cultural factors. Economic and cultural factors, coupled with institutional factors dictate the gender-based division of lab our, rights, responsibilities, opportunities, and access to and control over resources. Education, literacy, access to media, employment, decision making, among other things, are identified as some of the areas of gender disparity.

Another question that may come to our mind is whether gaps that persist between males and females can be inferred as gender in equality or not. The educational gaps or gender differences in education measured in terms of enrollment and academic achievement are considered as gender inequalities in education.²⁷

Gender gaps in education is also measured by comparing men's and women's levels of education, attended trainings or conferences, Division of domestic work and house hold decision making and ownership or co-ownership of the most valuable property of the family and some traditional practices like residing near by the husband's family are used as indicators of gender inequality.²⁸

5. Determinants of gender equality

Studies propose three primary domains or components of equality between women and men: capabilities, access to resources and opportunities, and agency or the ability to influence and contribute to outcomes.²⁹

The study farther elaborated the three domains of gender equality as follows. Capabilities domain is determined as basic human abilities which can be measured through education, health, and nutrition. it is also identified as the most fundamental of all the three domains and is necessary for achieving equality in the other two domains. The second domain is Access to resources and opportunities which primarily refer to equality in the opportunity to use or apply basic capabilities through access to economic assets (such as land and property) and resources (such as income and employment). The third domain, is agency, it is the defining element of the concept of empowerment and refers to the ability to make choices and decisions that can alter outcomes. Gender equality in this domain can only result from an equalizing in the balance of power between women and men in the household and societal institutions. These three domains of equality are inter-related. Progress in any one domain to the exclusion of the others is insufficient to meet the goal of gender equality. While they are interrelated, the three domains are not necessarily dependent on each other. So, for instance, illiterate women may organize,

thereby building their agency to influence outcomes for themselves and their Gender equity.

Here it seems important to raise one question? Is the definition that can be given to gender equality based on these three domains different from the above given definition? The above given definition states that gender equality means women and men have equal conditions for realizing their full human rights and for contributing to, and benefiting from, economic, social, cultural and political development. On the other hand, the definition incorporating the three dimensions of gender equality denotes a situation where women and men have equal capabilities, access to resources and opportunities, and agency or the ability to influence and contribute to outcomes. Comparing the two definitions may help us to have better understanding about meaning of gender equality. the former definition seems to be subjective because the condition where men and women can fully realize their human rights and contribute and benefit from economic social, cultural and political development is not clearly elaborated. here the specific factors that enable men and women to have equal conditions for realizing their full human rights and for contributing to, and benefiting from, economic, social, cultural and political development are not provided precisely. The requirement of the three domains of gender equality makes the definition of gender equality more specific. Both definitions recognize that the concept of gender equality seems beyond providing equal opportunity to men and women. Taking some points that are included in sustainable development goals in the world also may shade light over the condition where gender equality can be achieved. In other words, it is important to elaborate the mechanism through which gender equality can be achieved. To this end targets of European Union under the sustainable development goals are provided here under.

Sustainable development goal 5; titled as; Achieve gender equality and empower all women and girls has included

"Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate;

Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life." ³⁰ as main sustainable development targets.

Ensuring gender equality is provided as one of the sustainable development targets of European Union. As far as the conditions for gender equality is concerned we can consider the target to Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.³¹ beyond the MDGs that emphasized only equality of opportunity, the 2030 Agenda acknowledges that equality must be based on both opportunity and outcome which can be considered as a significant step.³²

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²⁶ UNFP A, 2008. Gender Inequality and Women's Empowerment. Ethiopian Society of Population Studies In-depth Analysis of the Ethiopian Demographic and Health Survey 2005 Addis Ababa.

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²⁸ Institute for Social Development Studies between 2012 and 2015. social determinants of gender inequality in Vietnam. Ha Noi September 2015

²⁹ Caren Grown Geeta Rao Gupta, Zahia Khan. (January 2003) Promises to Keep: Achieving Gender Equality and the Empowerment of Women. A Background Paper for the Task Force on Education and Gender Equality Of the The Millennium Project; International Center for Research on Women Washington, D.C.p3

 $^{^{\}rm 30}$ European Union, 2016. Women's rights & gender equality.p16

³¹ European Union, 2016. Women's empowerment and its links to sustainable development(accessible at, http://www.europarl.europa.eu/studies)
³² Ibid

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This implies that to achieve gender equality we need to make sure that there is full and effective participation of women at all levels of decision-making in political, economic and public life beyond equal opportunities. In other words, it is safe to conclude that providing equal opportunities for leadership at all levels of decision-making in political, economic and public life is not enough to achieve gender equality. In this regard, one can easily understand that providing equal opportunity may not result in equal and effective participation of women at all levels of decision-making in political, economic and public life.

Gender equality indicators can also capture qualitative changes like increases in women's levels of empowerment in attitude changes about gender equality.³³ Measurements of gender equality might address changes in the relations between men and women, the outcomes of a particular policy, programme or activity for women and men, or changes in the status or situation of men and women, example levels of poverty or participation.³ Specifically Education, Participation in the economy and Empowerment are used as major indicators of gender equality. How to measure this indicator is very important point that has to be raised. Education measured by the literacy gap between men and women and by male and female enrolment rates in primary, secondary and tertiary education. Participation in the economy is also measured by the percentage of women and men in paid jobs, excluding agriculture, and by the income ratio of men to women and Empowerment is measured by the percentage of women in professional, technical, managerial and administrative jobs, and by the number of seats women have in parliament and in decision-making ministerial posts.³⁵

Studies used ratio of the male and female college enrollment rates, male and female labor force participation rates, gender-based violence, and decision-making power within the household, Freedom of choice and life satisfaction, economic development as indicators of equality.36Moreover, the study identified Cultural factors, like patrilocality where by a married couple lives near or with the husband's parents and when a woman gets married, she essentially ceases to be a member of her birth family and joins her husband's family as indicator of gender inequality. Under this system, parents potentially reap more of the returns to investments in a son's health and education because he will remain a part of their family, where as a daughter will physically and manically leave the household upon marriage. Because in a matrilineal system, names and property land inheritance pass to the next generation through male descendants.

Gender inequality is the negative inversion of Gender equality which results when the determinants of gender equality fail to exist. Disparities in terms of life expectancy

http://webapps01.un.org/vawdatabase/home.action. accessed on

35 Ibid

at birth, expected years of schooling, mean years of schooling, population with at least some secondary education. human resource development (HDI), estimated GNI per capital, share of seats in parliament and labor force participation rate, access to reproductive resources and social status are used as indicators of gender inequality.³⁷

Another study also identified four types of dimensions of gender inequality.

- 1) "access and achievement in education (especially secondary).
- 2) Improvement in health (as measured by genderdisaggregated life expectancy);
- 3) Indexes of legal and economic equality of women in society and marriage; and
- 4) Measures of women's empowerment (percentage of women in parliament, year when Women earned the right to vote)",38

6. Interchangeable use of Gender equality and gender equity

Here it is important to distinguish gender equality and gender equity. There is no clear demarcation between the concepts. The concept of gender equity is not far away from the notion of gender equality. Scholars frequently use it interchangeably with 'gender equality.³

Distinction should be drawn between these two concepts, reflecting divergent understandings of gender differences and of the appropriate strategies to address these.

Gender equity denotes women having the same opportunities in life as men, including the ability to participate in the public sphere. 40 It denotes the equivalence in life outcomes for women and men, recognizing their different needs and interests, and requiring a redistribution of power and resources. 41 This definition is exactly the same with the definition provided for gender equality. So, this cannot distinguish the concept of gender equity from gender equality.

The goal of gender equity, sometimes called substantive equality, which moves beyond equality of opportunity by requiring transformative change. And it recognizes that women and men have different needs, preferences, and interests and that equality of outcomes may necessitate

41 Ibid

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³⁶ Jayachan-dran, S. 2015. The Roots of Gender Inequality in Developing Countries. Annual Review of Economics, volume 7: Submitted. DOI: 10.1146/annurev-economics-080614-115404.

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different treatment of men and women. 42 Gender Equity Is the process of being fair to men and women which acknowledges that men and women have different access to resources, power responsibilities and life experiences and different strategies are often necessary to address disadvantages and achieve equal outcomes for women and men, boys and girls. 43 Gender equity focus on fairness and justice regarding benefits and needs for women and men, girls and boys. 44 Equity is used for example within the education, health and humanitarian sectors referring to the equal distribution of resources based on the needs of different groups of people. 45 The study farther indicated that Gender equity is sometimes used in a "neutral" form to mark that the different interests and needs of women and men, girls and boys must be taken into consideration.⁴⁶ But the concept gender equality always includes fairness and justice with regards to interests and needs. Based on this reasoning, the study concluded that, gender equity is an unnecessary concept as it does not add any missing aspect of gender equality.

7. Conclusion

The concept of gender equality is found to be very controversial issue which is beyond the aggregated meaning of two terms i.e gender and equality. Gender equality is defined in different ways by different scholars. Studies indicated that gender equality is not limited only to equal opportunities or rights. Rather, it requires considering gender differences and application of preferential measures. In other words, definitions of gender equality recognized that the concept of gender equality seems beyond providing equal opportunity to men and women. Capabilities, access to resources and opportunities, and agency or the ability to influence and contribute to outcomes are identified as three primary domains or components of equality between women and men: where as gender inequality comes to the picture when any of these domains does not exist. This clearly implies that. To achieve gender equality we; need to make sure that there is full and effective participation of women at all levels of decision-making in political, economic and public life. The concept of gender equality also remains ambiguous and in interchangeable use with gender equity. based on the reviewed studies; gender equality is more inclusive concept where as gender equity focus on fairness and justice regarding benefits and needs for women and men, girls and boys. Moreover, studies indicated that gender equity is said to be unnecessary concept that does not add any missing aspect of gender equality.

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