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Globalization, Women's Work, and Care Needs: The Urgency of Reconciliation Policies

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GLOBALIZATION, WOMEN'S WORK, AND CARE NEEDS: THE URGENCY OF RECONCILIATION POLICIES*

LOURDES BENERÍA**

This Address argues that the increase in women's participation in paid work in many countries has made more manifest the tensions around balancing family and labor market work, hence making more obvious the need to solve the problems of care facing many families. First, the Address focuses on the significance of demographic changes affecting these tensions, namely rising women's labor force participation rates, declining fertility rates, smaller family size, and increasing life expectancy. These changes provide the background for an understanding of the "crisis of care," or the tensions created by the difficulties that families encounter in caring for children, the sick, and aging family members, particularly in high-income countries, such as in western Europe, the United States, and Japan. Second, the Address emphasizes the importance of policies dealing with this crisis, and it argues that, in the high-income countries where public policies have been lagging, female immigration has played an important role in finding some private solutions to the crisis. Third, the Address argues that care-provisioning policies in different countries have resulted in a variety of models, depending on the degree of public intervention and market-oriented strategies. Finally, the Address examines the notion that the current global economic crisis is not gender neutral and is likely to reinforce the tendencies intensifying the crisis of care. This reinforces the conclusion that the need to take up policies to balance family and labor market work seriously is an issue whose time has come.

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** Professor at Cornell University. Prepared for the North Carolina Law Review's 2009 Symposium, *Globalization, Families, and the State*, held at the University of North Carolina at Chapel Hill on October 9, 2009. The European expression "reconciliation policies" used throughout the Address refers to policies designed to balance family and labor market work such as the provision of childcare, leaves from work for parents with sick children or close family members, care for the elderly, etc. See *For Gender Equality: Work-Family Life Reconciliation Policies*, PURPLE NEWSLETTER (Human Rights Educ. Program for Women, Turkey), June 2009, at 10, 12, <http://www.wwhr.org/files/PNweb.pdf>.

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INTRODUCTION

The age of neoliberal globalization has witnessed a continuous increase in women's labor force participation rates across countries, with only a few exceptions, and hence the feminization of the international labor force. Despite many regional and cultural differences, this tendency has been observed globally, fed by a variety of factors. To begin with, the gradual erosion of the "male breadwinner" household model since the last decades of the twentieth century has resulted from the need for households to have more than one income-earner in order to maintain or improve their living standards; in this sense, the multiple-earner household has become commonplace in many countries. This has been reinforced by other processes, such as the rising weight of the service sector where women's jobs tend to concentrate, and the feminization of jobs in manufacturing, particularly in the newly industrialized countries where women's low wages have contributed to competitiveness in global markets. Additionally, the continuous and very significant increase in women's education at all levels and across regions and countries during the past decades has contributed to women's participation in the labor force and changing gender roles. Likewise, the remarkable decrease in fertility rates and the "demographic transitions" in most regions, especially since the 1980s and 1990s, have tended to lower the amount of time that women dedicate to the care of children, thus releasing time for labor market work. Last but not least, women's movements, nationally and internationally, have transformed consciousness regarding women's rights, gender roles, and women's autonomy. To be sure, these trends have taken place under the umbrella of the market-friendly regime that has gradually been imposed in a large majority of countries since the 1970s. The consequences in terms of economic performance and social indicators

have been uneven, often resulting in economic growth that has generated inequalities within and across countries and between different social groups.

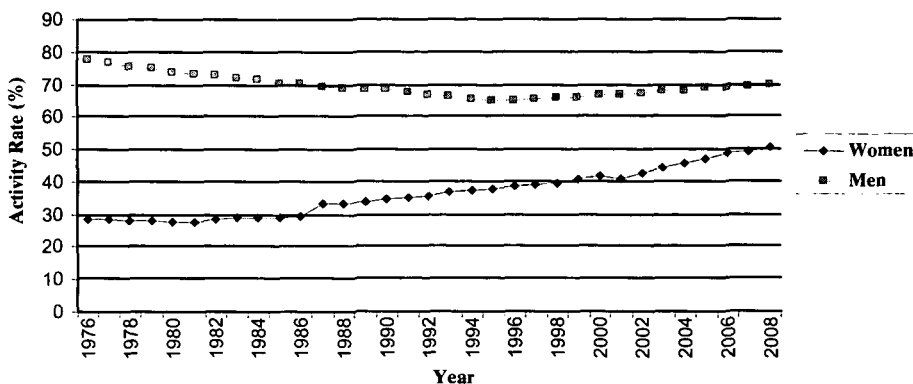
This Address argues that the increase in women's participation in paid work in many countries has intensified familial and social tensions around balancing family and labor market work. First, this Address focuses on the effects of rising women's labor force participation rates, declining fertility rates, smaller family size, and increasing life expectancy in many countries. These changes provide the background for understanding the "crisis of care," or the tensions created by the difficulties that families encounter in caring for children, the sick, and aging family members, particularly in high-income countries, such as in western Europe, the United States, and Japan. Second, this Address emphasizes the importance of reconciliation policies to deal with this crisis and argues that, in countries where these policies have been lagging, female immigration has played an important role in dealing with the crisis. This, however, has had many implications for changing gender roles, the formation of transnational families, and the care needs of families in emigrating countries. Third, this Address argues that reconciliation policies in different countries have resulted in a variety of models of care provisioning, depending on the degree of public intervention and market-oriented solutions. All of them, however, respond to similar trends, such as the convergence of men's and women's participation in the labor market and gender transformation leading toward a new gender order. Finally, the Address argues that the current global economic crisis is not gender neutral and is likely to reinforce these tendencies. For these reasons, the conclusion emphasizes that it is time to take reconciliation policies seriously and as an issue whose time has come.

I. WOMEN'S LABOR FORCE PARTICIPATION RATES, DEMOGRAPHIC CHANGE, THE CRISIS OF CARE, AND INTERNATIONAL MIGRATION

The general trends mentioned above need further scrutiny to account for socioeconomic and cultural differences. In high-income countries, the convergence of male and female activity rates has been most notorious, particularly in countries where women's labor force participation had traditionally been relatively low. To illustrate with the case of Spain, which in many ways has typified southern European trends, the increase in women's insertion in the labor market has been very significant since the 1990s; although not reaching the sixty percent target set by the European Union ("EU"),

the average activity rate for Spanish women has surpassed fifty percent since 2008, as Figure 1 shows, and is currently above that level.

Figure 1. Activity Rate by Sex, Spain, 1976–2008¹

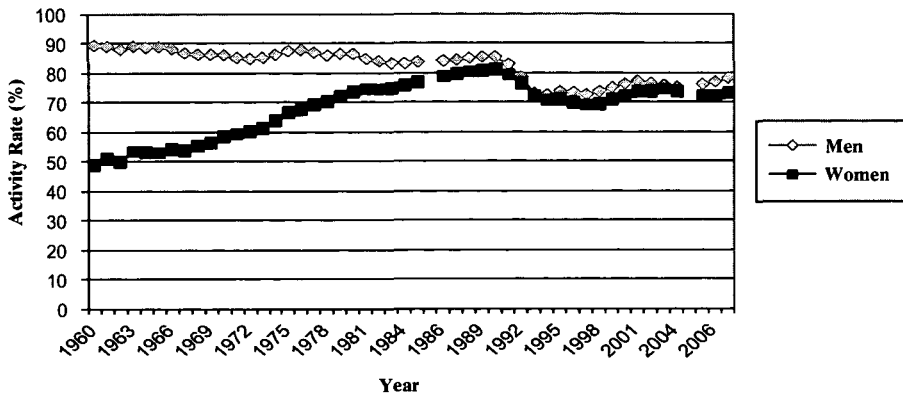


This mere statistical information reflects profound changes in Spanish society, which has moved from the patriarchal model promoted during almost forty years of Franco's dictatorship to a modern society in which gender equality has become an important objective. Other European countries are very close to EU directives or well above it. Sweden's rate, for example, has reached levels close to eighty percent.² Figure 2 shows how the gap between male and female rates has narrowed gradually in Sweden and become almost insignificant, particularly since the 1990s. However, an important proportion of women's work is part time.³

1. Instituto Nacional de Estadística, http://www.ine.es/jaxi/tabla.do?path=/t22/e308/meto_02/pae/px/10/&file=03004.px&type=pcaxis (last visited Apr. 27, 2010) (Select: total nacional, varones, mujeres, total, tasas de actividad, 1976TIII to 1995TIV and click "Consultar selección").

2. Anita Nyberg, *Have the Policies of Publicly Financed Child Care and Parental Leave Been Effective in Sweden?*, in *WORK-FAMILY LIFE RECONCILIATION POLICIES: TOWARDS GENDER EQUALITY IN LABOR MARKETS* (Ípek Ílkkaracan ed., forthcoming 2010) [hereinafter *WORK-FAMILY*].

3. See *infra* pp. 1518–19.

Figure 2. Activity Rate by Sex, Ages 16–64, Sweden, 1963–2007⁴

Similarly, in many developing countries, women's incorporation in labor markets has been increasing. Globalization and production for exports in newly industrialized countries has transformed gender norms with respect to women's paid work, often within a short period of time. This has been the case even in countries where traditional gender norms have restricted women to the private sphere of the household and away from the public sphere. The transformation has often taken place at a rapid pace, as in the case of Bangladesh in the 1980s, with the state facilitating women's incorporation in production for global markets.⁵ In other regions, such as Latin America and Africa, the economic crises of the 1980s and 1990s and the corresponding structural adjustment policies adopted under the dictates of the Washington Consensus⁶ represented an important push toward globalization. This is because these policies called for a change in the economic model from inward-looking import substitution to export promotion policies that also opened doors to

4. Nyberg, *supra* note 2.

5. See NAILA KABEER, THE POWER TO CHOOSE: BANGLADESH WOMEN AND LABOUR MARKET DECISIONS IN LONDON AND DHAKA 320–23 (2000).

6. The Washington Consensus refers to the set of policies that, beginning in the early 1980s, reflected the response of large international development actors to the debt crisis confronting low income countries since the 1970s. See John Williamson, *Democracy and the "Washington Consensus,"* 21 WORLD DEV. 1329, 1331–33 (1993) (describing the policies that make up the Washington Consensus). In particular, the International Monetary Fund ("IMF"), the World Bank, and the U.S. and U.K. governments played important roles in setting the tone for the pro-market policies that were initiated by Ronald Reagan and Margaret Thatcher as heads of government. See *id.* at 1329. I also refer to them as "neoliberal policies."

international trade, foreign investment, and finance. This resulted in deep economic restructuring that involved privatization, an increase in competition leading to changes in the organization of production and labor markets, higher levels of feminization, informalization, and more precarious working conditions worldwide.⁷ In Latin America, for example, women's participation in the paid labor force became one of the survival strategies followed by households to deal with the crises.

There are, however, countries where this general trend has not been observed to the same extent. This is the case of the Middle East region where, despite very significant increases in women's educational levels and lower fertility rates in the area since the 1980s, women have not moved into the paid labor force in large numbers, if at all, as might have been expected. In Turkey, for example, women's activity rates have actually fallen during the past decade as the population moved from rural to urban areas; in 2007, only 24.8% of adult women participated in the labor force and only 20.2% in urban areas.⁸ This is despite the fact that Turkey has industrialized, with a significant export sector producing for global markets, hence not following the typical path of feminization of the labor force as in other countries.⁹ As İpek İlkkaracan argues, the country's cultural, religious, and traditional norms may provide an explanation.¹⁰ Similar explanations seem to apply to the whole Middle Eastern region.

Despite these exceptions, the consequences of women's rising labor force participation are far reaching. The "crisis of care" in high-income countries is one of them; given the time spent in market work, women are no longer able to carry out the domestic tasks and care work that many societies traditionally assigned to them. Families have less available time to carry out these tasks, and public or private care services have developed, in some countries more than in others, to meet the growing demand for care-provisioning services. For example, during the past decade, the care crisis has been felt intensely in southern EU countries where public care provisioning in terms of

7. See Guy Standing, *Global Feminization Through Flexible Labor*, 17 *WORLD DEV.* 1077, 1077-82 (1989).

8. İpek İlkkaracan, *Why Are There So Few Women in the Labor Market in Turkey?: A Supply-side Account*, in *WORK-FAMILY*, *supra* note 2.

9. See, e.g., Sule Özler, *Export-Led Industrialization and Gender Differences in Job Creation and Destruction: Micro Evidence from the Turkish Manufacturing Sector*, in *THE FEMINIST ECONOMICS OF TRADE* 164, 164 (Irene van Staveren et al. eds., 2007).

10. İlkkaracan, *supra* note 8.

child care and the care of the aging has not developed to the same degree as in central and northern EU countries.

To be sure, the increase in women's labor force participation rates is not the only reason behind the care crisis; there are also other contributing factors having to do with a variety of rapid demographic transformations, some of which are also linked to the increase in women's activity rates. First, the reduction of family size generated by a rapid fall in fertility rates in many countries has resulted in the reduction of extended family networks. Fertility rates have generally declined worldwide, but these trends have been most pronounced in areas such as eastern and southern Europe and among higher-income Asian countries like Japan and South Korea.¹¹ As Table 1 shows, these rates have reached levels beyond replacement rates¹² internationally from Europe to Asia, hence representing a threat to social reproduction in terms of maintaining their population level.

*Table 1. World's Lowest Fertility Rates, 2008*¹³

Country	Total Fertility Rates (Lifetime Births Per Woman)
Belarus	1.2
Bosnia and Herzegovina	1.2
Czech Republic	1.2
Korea, Republic of	1.2
Poland	1.2
Slovakia	1.2
Ukraine	1.2
Bulgaria	1.3
Croatia	1.3

11. It is interesting to note that in northern European countries, such as Sweden, where fertility rates were the lowest in the 1970s, the trend in fertility rates has been reversed and has been attributed to the more generous provision of public services helping families to deal with the tensions of combining domestic and paid work.

12. Replacement rate refers to the fertility rate that women must meet to keep a population stable. See Thomas J. Espenshade, Juan Carlos Guzman & Charles F. Westoff, *The Surprising Global Variation in Replacement Fertility*, 22 *POPULATION RES. & POL'Y REV.* 575, 577 (2003). The replacement rate is generally believed to be 2.1 lifetime births per woman, but replacement fertility rates can vary across countries based on differences in mortality. See *id.* at 575–77.

13. UNICEF, *THE STATE OF THE WORLD'S CHILDREN TBL.6, DEMOGRAPHIC INDICATORS* (2009), <http://www.unicef.org/rightsite/sowc/statistics.php> (click on PDF link for Table 6: Demographic Indicators).

Greece	1.3
Hungary	1.3
Japan	1.3
Latvia	1.3
Lithuania	1.3
Romania	1.3
Russian Federation	1.3
Singapore	1.3
Slovenia	1.3
Armenia	1.4
Austria	1.4
Georgia	1.4
Germany	1.4
Italy	1.4
Malta	1.4
Moldova	1.4
Spain	1.4
Switzerland	1.4
The former Yugoslav Republic of Macedonia	1.4

A second consequence has been the further “nuclearization” of the family in countries where the extended family had previously played an important role in providing care. Fertility rates below replacement levels have generated a crisis of social reproduction that has often been met with high levels of immigration and, in some cases, with the reliance on new social arrangements such as international marriages affecting rural and urban areas with shortages of women.¹⁴ In the case of South Korea, for example, the need to find brides for single men has led to government policies that include travel subsidies for single men who visit Vietnam to meet a future bride.¹⁵

14. See Nicole Constable, *Introduction to CROSS-BORDER MARRIAGES: GENDER AND MOBILITY IN TRANSNATIONAL ASIA* 1, 4–7 (Nicole Constable ed., 2005).

15. Hyunok Lee, *Pathologies of Hope: Social Reproduction, Citizenship, and Cross-border Marriages in Korea* (Mar. 1, 2010) (unpublished Ph.D. dissertation, Cornell University) (on file with Hyunok Lee).

Table 2. Selected Countries with High Life Expectancies, 2005¹⁶

Country	Life Expectancy at Birth (Years)
Japan	82.3
Hong Kong	81.9
Iceland	81.5
Switzerland	81.3
Australia	80.9
Spain	80.5
Sweden	80.5
Canada	80.3
Italy	80.3
Israel	80.3
France	80.2
Austria	79.4
Netherlands	79.2
Germany	79.1
United Kingdom	79.0
Greece	78.9
United States	77.9

The tensions around the care needs of families are also linked to the aging of the population resulting from the very significant increase in life expectancy experienced in many countries. Some of the countries with the lowest fertility rates also have the highest life expectancy. As can be seen from Table 2, this is the case for Japan and several Mediterranean countries—with the exception of France—such as Spain, Italy, and Greece. These are countries that have not developed the same degree of public services for the care of children and the elderly compared with other European countries that historically have had higher rates of female participation in the paid labor market. Given the rapid increase in women's labor force participation rates since the 1990s, many families find themselves struggling to provide care for children, the sick, and the elderly; the traditional reliance on women to perform these tasks can no longer be maintained to the same degree.

16. See U.N. Dev. Programme [UNDP], *Human Development Report 2007/2008*, at 229–32 (2007), available at http://hdr.undp.org/en/media/HDR_20072008_EN_Complete.pdf.

The “crisis of care” in the Mediterranean countries has meant that many middle- and upper-class families have relied on foreign labor to meet their needs, particularly women from developing countries and eastern Europe. This has contributed to the feminization of international immigration which has been on the increase since the 1990s. To illustrate, the proportion of women migrating from Latin America to some European countries has reached levels of more than fifty percent of total immigration from that region in many cases, and as high as seventy percent during the 2000s (Dominican migration to Spain or Brazilian migration to Portugal) and sixty percent (Bolivian, Colombian, and Peruvian migration to Spain).¹⁷ The difference with previous migration flows is the shift to southern European countries as their major destination, and to Spain in particular. Latin American immigrant female labor provides the help needed by middle- and upper-class women to participate in the paid labor force. The contribution of immigrant women involves the tasks of social reproduction, such as the care of children, the elderly, and the sick and domestic work, thus helping deal with the deficits in public services.¹⁸ It is a well-known fact that this has been an important factor behind the feminization of international migration; immigrant women find jobs more easily than men, at relatively low wages in the receiving country but high enough to provide an incentive for women from lower-income countries to migrate. With the current economic crisis, these trends might tend to change.¹⁹

The decision to migrate is not wholly economic and entails balancing several psychological costs. On the supply side of labor, acute and growing inequalities between low- and high-income countries have not only provided an economic incentive to migrate; they are part of the sense of insecurity, vulnerability, and instability resulting from economic crises, poverty, and unemployment prevailing in many developing countries. For women, there are also gender-related factors behind their decision to migrate, such as the wish to leave abusive relationships, family conflicts, and different

17. Gioconda Herrera, *Mujeres ecuatorianas en las cadenas globales del cuidado*, in LA MIGRACIÓN ECUATORIANA: TRANSNACIONALISMO, REDES E IDENTIDADES 281, 282 (Gioconda Herrera, María Cristina Carrillo & Alicia Torres eds., 2005).

18. Herrera has reported that, at the time of her research, nine out of ten Ecuadorian women immigrants in Spain were engaged in domestic work. *Id.* at 290. The proportion was higher in the case of those without legal papers. *Id.*

19. See *infra* Part III.

forms of gender discrimination.²⁰ A variety of studies have shown that many emigrant women have children and leave their families behind, either assuming that the family will follow them eventually or that they will engage in some form of “international mothering.” As in the case of the Philippines, the export of women’s labor generates a “depletion of care resources” affecting their ability to provide care for the family left behind;²¹ households have to negotiate who will be responsible for domestic chores, for the children, and for other family members once female migrants have left. This continuous negotiation includes men’s involvement in the process and the extent of transnational mothering. In any case, it is obvious that there are hidden costs of migration that are not easily captured by economic estimates; they include not only those involved with the dislocation of families and communities but also psychological costs which are very difficult to measure.

The corresponding formation of transnational families that we have witnessed in recent times has implied not only a significant shift in gender relations; it is part of the new “gender order” associated with globalization and the multiplicity of changes described above.²² With migration, women’s roles experience *contradictory changes*. On the one hand, there are *role reversals*, symbolized by their decision to migrate and to find employment abroad, regardless of what the men in their families do. Likewise, their new role in family maintenance takes place through their contributions to family income through remittances and other means. Both processes represent an increase in women’s individual and financial autonomy and a shift toward their economic empowerment. In many ways, we can argue that these processes contribute to “undoing gender,” that is, to an erosion of gender norms and stereotypes associated with traditional gender roles. They can also contribute to an increase in women’s bargaining power within their families and communities.²³

On the other hand, the prevalence and intensity of transnational mothering also implies a *continuity* in women’s traditional roles;

20. See Herrera, *supra* note 17, at 285.

21. RHACEL SALAZAR PARREÑAS, CHILDREN OF GLOBAL MIGRATION: TRANSNATIONAL FAMILIES AND GENDERED WOES 15 (2005).

22. “Gender order” is used here in the usual way of referring to gender arrangements that include the gender division of labor in and outside the household, transformation in male/female relations—including relations of autonomy/dependence—and their consequences for the organization of families.

23. For more detail, see Lourdes Benería & Maria Martinez-Iglesias, *The New Gender Order and Reconciliation Policies: The Case of Spain*, in WORK-FAMILY, *supra* note 2.

although subject to changes in time and space, there is evidence that emigrant women's care of their children does not stop when they physically leave them. Their daily and long calls to their children, for example, have been widely reported by researchers and the more popular press. Rhacel Salazar Parreñas, for example, has argued that the ideology of women's domesticity remains quite intact in the Philippines, and other authors have made similar arguments.²⁴ In any case, it is clear that there is not yet enough evidence indicating that mothers leaving their male partners behind contributes to a radical change toward more egalitarian gender relations. These examples speak of *tensions* between role reversals and continuities and between shifts toward greater financial autonomy for women and the more traditional family arrangements of female dependency.

The migration of mothers leaving their children behind led Arlie Hochschild to refer to the extraction of care labor from the South by the North as "emotional imperialism," comparing it with nineteenth century imperialism's extraction of material resources.²⁵ This extraction, she argues, is not done by force or through colonial structures; it is the result of choices that result from economic pressures constituting a different form of coercion.²⁶ To be sure, growing North-South inequalities and the problems of development in the South are at the root of these decisions.²⁷ However, the problem is more complex, and the comparison with nineteenth century imperialism is interesting but not totally warranted. The extraction of care labor is the result of global imbalances and of decisions taken by individual households expecting that their lives will benefit from migration. Thus, the solution is to be sought not only in the reversal of North-South inequalities and in the systematic improvement of economic conditions in the South but also in policy shifts in the North toward a more universal provision of social services that can meet the care needs of all households.²⁸ And this requires a new turn in policy toward more collective approaches and away from the dictates of neoliberal measures. In this sense, charges of emotional imperialism might tend to highlight North-South

24. PARREÑAS, *supra* note 21, at 98-101.

25. Arlie Russell Hochschild, *Love and Gold*, in *GLOBAL WOMAN: NANNIES, MAIDS, AND SEX WORKERS IN THE NEW ECONOMY* 15, 27 (Barbara Ehrenreich & Arlie Russell Hochschild eds., 2003).

26. *Id.*

27. *See id.*

28. In addition, part of the solution depends on achieving a higher degree of equality in the gender division of labor within households.

tensions rather than to illuminate the fact that both regions share the need to deal with the problems associated with neoliberal policies.

II. CARE NEEDS AND RECONCILIATION POLICIES: THEORY AND PRACTICE

A. *International Migration and Care Provision*

The process of female migration described so far raises questions about the relationship between female migration and the provision of care, both in the receiving and sending countries. In the receiving countries, the employment of immigrant women represents an individual household's solution to the needs of balancing family and labor market work. To the extent that many households resort to similar solutions, this reliance on immigration contributes to the privatization of social reproduction that has prevailed under neoliberalism. This solution is open to families that can afford the corresponding costs but leaves lower-income households without a solution to the problem of balancing their time tensions. In this way, it might tend to decrease social pressures to find collective solutions to the crisis of care, but it contributes to the vicious circle through which private solutions might delay collective efforts through public policies. Spain is an example that illustrates this phenomenon.²⁹

In emigrant countries, the need to balance family and labor market work shifts from the women who migrate to the individuals who replace them. In the case of mothers leaving their children behind, studies show that mostly women replace them, even in cases when fathers assume responsibility, and this includes especially close relatives or female extended kin.³⁰ Yet, in the absence of a clear pattern regarding who takes up the tasks of the absent mother or daughter, it is difficult to identify those who can benefit from any type of reconciliation policy. This complicates the design of policies to balance family and labor market work. In general, policies that save time for household members are likely to benefit caregivers; for example, the availability of day care centers and after-school

29. See Benería & Martínez-Iglesias, *supra* note 23.

30. See PARREÑAS, *supra* note 21, at 96–97 (discussing who provides child care to children of migrant mothers during their mothers absence); cf. Herrera, *supra* note 17, at 286 (discussing the effect of female migration on family dynamics).

programs are likely to help those who take up the tasks of replacing the women who migrate.³¹

Other demographic changes in emigrant countries are contributing to the pressures of reconciliation, such as the increase in the number of households headed by women. This is the case for many Latin American countries, and it is due to the rising number of the non-married population as well as to separation and divorce. To illustrate with the case of Chile, the proportion of two-parent households (married or living together) decreased for all social groups between 1990 and 2006. Table 3 shows that the proportion of households headed by women is higher for poor than for non-poor households, the highest being among the families in extreme poverty. As Herrera and Maffei argue, this implies a heavy burden for women in these households since they bear full responsibility for productive and reproductive paid and unpaid work.³² These pressures make poor women and their households particularly vulnerable given the lack of resources to deal with their care needs.³³ Hence there is a need for public policy to help them with the burden of care.

Table 3. Chile: Percent of Households Headed by Women³⁴

	1990	2003	2006
Extreme poverty	26.7	30.8	36.9
Poor	21.7	25.4	31.8
Non-poor	16.5	18.6	20.1

Thus, a multiplicity of factors is contributing to the rising needs resulting from tensions around care. This is so not only in high-income countries where the crisis of care has been most manifest. With demographic transitions and the separation of families due to internal and international migration in the South, the size of extended family networks has also been shrinking, and the survival strategies of the poor have been weakened. As argued by González de la Rocha

31. For an elaboration of these points, see Lourdes Benería, *The Crisis of Care, International Migration, and Public Policy*, FEMINIST ECON., July 2008, at 1, 2–8, 15.

32. See RODRIGO HERRERA & TERESA MAFFEI, DEPARTAMENTO DE SISTEMAS DE INFORMACIÓN SOCIAL, DIVISIÓN SOCIAL MIDEPLAN, DEMANDA DE CUIDADOS EN PERSONAS DEPENDIENTE POR HOGAR: UN ANÁLISIS DE GÉNERO 4 (2009), http://www.mideplan.cl/index.php?option=com_rubberdoc&view=doc&id=579&format=raw&Itemid=91.

33. *Id.* at 7.

34. *Id.*

for the case of Mexico, survival problems among poor families have intensified among poor households over time as a result of migration and the separation of families.³⁵ At the same time, to the extent that the supply of hired domestic labor is diminishing in these countries, middle- and upper-class households are facing growing pressure to reconcile family and labor-market work. It is therefore no surprise that, in Latin America at least, the debates around reconciliation and care provisioning have surfaced during this past decade.³⁶

B. Families and Care Provision: Evolving Models and Policies

As a result of the different factors examined so far, policy makers have become increasingly more aware of the centrality of care giving as a basic pillar to construct gender equality and as a crucial factor in the new gender order gradually emerging across countries. Women's awareness of their economic rights has increased worldwide, and the double burden of work, represented by their participation inside and outside the home, has intensified their quest for a more egalitarian gender division. As with labor in general, women have encountered the contradictions of the neoliberal regime; for the large numbers of workers located at the lower echelons of the national and global labor hierarchies, the opportunities offered by their participation in the labor force have been accompanied by poor working conditions, economic insecurity, and lack of social protection. In terms of the difficulties in reconciling family and labor-market work, we have witnessed different coping mechanisms, ranging from young women's unwillingness to marry—as in the case of Japan—to shrinking family size, and the many struggles to move care provisioning to the forefront of social policy in many countries.³⁷

35. See Mercedes González de la Rocha, *Recursos domésticos y vulnerabilidad*, in PROCESOS DOMÉSTICOS Y VULNERABILIDAD 45, 79 (Mercedes González de la Rocha ed., 2006); see also *supra* notes 20–21 and accompanying text (explaining how when women migrate the families that they leave behind struggle to perform the work created by their absence).

36. See, e.g., UNITED NATIONS COMM'N FOR LATIN AM. & THE CARIBBEAN, SOCIAL PANORAMA OF LATIN AMERICA: BRIEFING PAPER 41–64 (2009), <http://www.eclac.cl/publicaciones/xml/0/37840/PSI2009-Sintesis-Lanzamiento.pdf>; Benería, *supra* note 31, at 1–3.

37. Some authors have used the concept of “care regime” to characterize and differentiate these policies. See, e.g., WORK-FAMILY, *supra* note 2. This concept, linked to that of welfare regimes initially introduced by Esping-Andersen in his book, *Social Foundation of Postindustrial Economies*, is an interesting way to view the combination of specific country policies regarding care. GØSTA ESPING-ANDERSEN, SOCIAL FOUNDATIONS OF POSTINDUSTRIAL ECONOMIES 32–46 (1999). However, given the currently evolving care-provisioning systems, at the various national levels, the concept of

How then to classify the evolving systems of care provisioning? At the theoretical level, there are at least three main models whose characteristics can be used to evaluate differences between policies. A *first model* relies predominantly on the market while minimizing public policy interventions. Care needs are mostly met with initiatives at the private level, such as with privately organized day care centers, old age homes being run by nonprofit institutions, after-school programs, and maternity leaves negotiated at the level of the firm or any employing institution. This does not exclude some intervention on the part of the state, but the emphasis is on the market as the main mechanism to meet family needs. Ultimately, households need to negotiate these market solutions, otherwise care responsibilities remain with the family. To a great extent, this model applies to the United States and to other countries whose policies regarding care have been developed only to a relatively small degree. It responds to a non-universal view of access to care provisioning, leaving it in the private sphere where households take the main responsibility. Without public subsidies to provide ways to meet the needs of lower-income families, this model tends to lead to deficiencies and inequalities in access to care provisions. To illustrate with the case of the United States, estimates show that nearly half of all workers do not have paid sick days, including more than twenty-two million women. Even fewer have access to paid sick day policies allowing them to visit the doctor or stay home to care for sick children; only one in four low-wage workers is provided with this health benefit. For those without paid sick days, short-term health needs can mean missing work and pay or even being fired.³⁸ Hence, the U.S. model in

“care regime” seems too rigid to describe the changing policies and multiple initiatives taking place in different countries as a result of the rapidly evolving care needs of families. Most countries have historically developed their own ad hoc responses to the tensions of balancing family and labor market work. Important differences can be found even in areas where there have been efforts to harmonize national policies, such as within the European Union. A report published by the European Commission comparing reconciliation policies across thirty countries found that they differ considerably, “with every country having its own unique constellation of childcare services, leave facilities, flexible working-time arrangements, and financial allowances.” EUROPEAN UNION EXPERT GROUP ON GENDER, SOC. INCLUSION & EMPLOYMENT, RECONCILIATION OF WORK AND PRIVATE LIFE: A COMPARATIVE REVIEW OF THIRTY EUROPEAN COUNTRIES 9 (2005), <http://www.mbs.ac.uk/Research/europeanemployment/projects/gendersocial/documents/ReconciliationofWorkandPrivateLife.pdf>.

38. See ERICA WILLIAMS & ANNE W. MITCHELL, INST. FOR WOMEN'S POLICY RESEARCH, THE STATUS OF EARLY CARE AND EDUCATION IN THE UNITED STATES 12–13, 16 (2004), <http://www.iwpr.org/pdf/R264.pdf> (noting that there has been a decrease in the availability of child care assistance which would allow women to be more productive in the workforce).

many ways represents the logical outcome of a neoliberal regime, namely, the difficulties that lower-income families face under such regimes.

In the opposite direction, a *second model* relies on a more interventionist state, taking the responsibility of providing various degrees of care provisioning for all socioeconomic levels. Increasingly, this is based on the notion of care as a citizen's right, corresponding to what Nancy Fraser has called the "Universal Caregiver welfare state."³⁹ Although the degree of "universality" may vary, the model is predicated on the view that reconciliation policies fall within the public domain, responding to concerns about social reproduction, and to the needs of the larger population, so that greater equality in the access to care is provided. In comparison with the United States, European countries have taken more definite steps toward the adoption of this model. Interestingly, since the 1990s the Organisation for Economic Co-operation and Development ("OECD") has been promoting a social policy discourse that has clearly shifted from a neoliberal pro-market agenda to a more interventionist approach in matters having to do with reconciliation. This has also responded to the shift from the male breadwinner to the adult-earner household. The new approach has been described as "inclusive liberalism," which emphasizes the "centrality of employment" in the neoliberal state, "the removal of barriers to work," and the need to support "the development and use of human and social capital."⁴⁰ In this sense, public support for child care and other policies of reconciliation are viewed as a way to promote employment—particularly that of mothers—and to increase productivity.

Despite the different discourses feeding arguments for a universal caregiver state, most countries' policies fall within a *third* "mixed model" of care provisioning, combining public policies with private and market-oriented initiatives. They have developed multiple combinations of policies and practices that differ in the degree to which they lean toward the first or second model. The result is a wide range of policies and a complex web of public/private

39. NANCY FRASER, JUSTICE INTERRUPTUS: CRITICAL REFLECTIONS ON THE "POSTSOCIALIST" CONDITION 61–62 (1997). This refers to a model in which the state takes primary responsibility for caregiving thus providing access for a wide range of families. *Id.*

40. Rianne Mahon, *Babies and Bosses: Gendering the OECD's Social Policy Discourse*, in THE OECD AND TRANSNATIONAL GOVERNANCE 260, 262–63 (Rianne Mahon & Stephen McBride eds., 2008).

care provisioning systems. A good example is that of France, where women's overall activity rate reached 65.6% in 2007 and most women continue working when they have children.⁴¹ In many ways, the country has taken the issues of reconciliation very seriously.⁴² Despite differences related to income, education, and training, the country has implemented a series of "pro-family" arrangements, such as subsidies and tax breaks, to meet the needs of a majority of households. Currently, France has the highest fertility rate in Europe (2.0) even though it had been below replacement levels in earlier decades.⁴³ However, as Silvera argues, the presence of children still continues to have a negative impact on women's professional development compared to men.⁴⁴ Additionally, despite a variety of government subsidies and public services, families often have to find private solutions for their care needs, thus perpetuating inequalities between families that can afford the cost and those that cannot.⁴⁵

Within an area such as the European Union, countries have developed a complex web of policies and practices that differ significantly, in terms of the importance of part-time work for women, parental and sick leaves, care of the elderly, and other policies. To illustrate with part-time employment, Figure 3 shows the large differences in its incidence among women in the European Union, ranging from less than five percent in Hungary to almost sixty percent in the Netherlands. Part-time employment is part of any model of care provisions, since it implies that the proportion of time not dedicated to the labor market can be used for family needs. However, women normally take up this type of employment, and this tends to lower their possibility for advancement in the labor market. For this reason—and for the fact that it tends to offer less favorable working conditions than full-time work and with fewer possibilities for advancement—part-time work is mostly viewed as discriminatory for women. What it implies for workers also varies by country. For example, the prevalence of part-time work in the Netherlands has generated policies that do not penalize it in terms of wages, promotions, and fringe benefits in general.⁴⁶ Thus, at least in

41. See Rachel Silvera, *Reconciliation of Work and Family Life in France: A New Perspective for Gender Equality and "Paternalism"?*, in WORK-FAMILY, *supra* note 2.

42. See *id.*

43. See UNICEF, *supra* note 13, at 2.

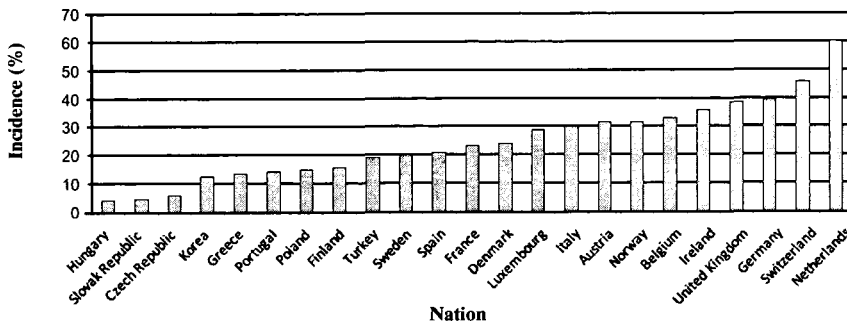
44. Silvera, *supra* note 41.

45. I engage in a similar discussion of the material covered in the preceding three paragraphs in another work. See Benería & Martínez-Iglesias, *supra* note 23.

46. Janeke Plantenga, *Reconciliation of Work and Family Life in the Netherlands: The Costs and Benefits of the Part-time Strategy*, in WORK-FAMILY, *supra* note 2.

principle, part-time workers in the Netherlands are not subject to wage differentials or to other forms of discrimination as in other countries. This is not to say that, to the extent that mostly women participate in part-time employment in order to facilitate family care, it represents a de facto form of gender inequality.

Figure 3. Incidence of Women's Part-time Employment, 2007–2008⁴⁷



The intense debates and recent policy transformations around reconciliation in Europe are not unique. In South Korea, for example, since 2000 the government has introduced important welfare reforms to expand support for public policies regarding the care of children and the elderly.⁴⁸ This was largely motivated by economic and demographic concerns about fertility decline, care provision, and the need to activate the labor market.⁴⁹ As in other countries, Peng argues that South Korea has experienced a decline in male wages, an important increase in women's labor-force participation, and an erosion of the male-breadwinner household model.⁵⁰ The combination of these factors, together with very low fertility rates⁵¹ and a rapid aging of the population, resulted in a growing care crisis in the 1990s. In particular, women were no longer able to engage in care work to the same degree as they had traditionally; as Peng argues, Korea's tensions around these issues resulted in a shift of its care provisioning from a model of "extensive familiarism" to one of

47. SOC. POLICY DIV., ORG. FOR ECON. CO-OPERATION & DEV., GENDER DIFFERENCES IN EMPLOYMENT OUTCOMES 1 (2009), <http://www.oecd.org/dataoecd/30/39/38752777.pdf>.

48. Ito Peng, *Reconciliation of Family and Work Life for Gender Equality: The Case of Korea*, in WORK-FAMILY, *supra* note 2.

49. *Id.*

50. *Id.*

51. See *supra* note 13 and accompanying text.

“modified familiarism” that includes public policies to help families with the responsibilities of care work.⁵² Likewise, the decline in marriage rates with corresponding issues of social reproduction has led the government to introduce incentives encouraging “international marriages” between Korean men and foreign women, mostly from Vietnam, including the subsidies to travel mentioned above.⁵³

In sum, the complex webs of care provisioning policies developed in many countries provide evolving models that can be evaluated for their efficacy and results. These examples can be especially useful for countries that are beginning to respond to the need of care policies resulting from growing labor force participation of women and the types of demographic change described above. Additionally, the introduction of reconciliation policies might result from institutional changes and from the growing response of political forces to family demands regarding care and gender equality.⁵⁴

Beyond the pragmatic responses to immediate needs and political pressures, it is useful to distinguish between the two main views behind these policies. One, the *feminist view* implies that one of the primary objectives of reconciliation is the reduction of women’s burden of care and the construction of gender equality. By contrast, the OECD type of approach mentioned above represents a *functionalist view*—in the sense that reconciliation policies are conceptualized as a way to facilitate the functioning of the economy rather than from the perspective of pursuing gender equality. The latter of course cannot be dismissed; as Mahon points out, it can help women stay in the labor force and protect them against the vicissitudes of relationships and work.⁵⁵ Both arguments—functionalist and feminist—tend to coexist in current debates but it is important that the differences between them remain clear.

III. THE ECONOMIC CRISIS AND CARE NEEDS

The global financial and economic crisis has raised many questions with regard to its gender-related effects. In this context, it is important to question the extent to which the economic crisis can

52. Peng, *supra* note 48.

53. See *supra* note 15 and accompanying text.

54. To illustrate with the case of Spain, its membership in the European Union has been a very significant force in the design and implementation of reconciliation policies. For more detail, see Benería & Martínez-Iglesias, *supra* note 23.

55. Mahon, *supra* note 40, at 260–62.

have an impact on the care needs of families and on the ability of the state to meet them. It should be pointed out that the multiple economic crises experienced in many developing countries since the 1980s, and the corresponding structural adjustment policies that followed under the dictates of the Washington Consensus that inspired these policies, provide an illuminating precedent to understand the effects of the social costs of adjustment. We learned a great deal about their gender-related effects from the studies that were carried out in these countries,⁵⁶ and the current crisis is likely to generate similar effects, this time including high-income countries as well. In the developing world, one of the consequences was a significant increase in women's participation in paid work, not necessarily accompanied by a corresponding decrease in women's household responsibilities.⁵⁷ Hence, a very obvious effect of adjustment was the intensification of women's work as the combination of both paid employment and unpaid domestic work.

Regarding these types of *employment effects* of the current crisis, in high-income countries the crisis has tended to eliminate a higher proportion of male than of female jobs, precisely because the sectors most hurt by the crisis have been predominantly male; this is the case with the construction sector, automobile industry, and with the upper echelons of the financial sector.⁵⁸ A recent Bureau of Labor Statistics Current Establishment Survey documents that "men lost 76.7% of all nonfarm jobs and 73.5% of all private-sector jobs" from "December 2007 to February 2009."⁵⁹ Women have lost fewer jobs because they concentrate in the service sector which, at least up to now, has been less affected by the crisis. On the other hand, the recession has driven

56. For illustrations of the effects and social costs of structural adjustment policies from a gender perspective, see Diane Elson, *From Survival Strategies to Transformation Strategies: Women's Needs & Structural Adjustment*, in UNEQUAL BURDEN: ECONOMIC CRISES, PERSISTENT POVERTY, AND WOMEN'S WORK 26, 40–41 (Lourdes Benería & Shelley Feldman eds., 1992). For a summary of the studies, see Benería & Martínez-Iglesias, *supra* note 23.

57. CLAUDIA PIRAS, WOMEN AT WORK: CHALLENGES FOR LATIN AMERICA 8, 19–20 (2004).

58. This is, of course, not the case across countries. For example, in heavily exporting areas, such as the labor-intensive manufacturing regions in China and Taiwan, unemployment has decreased substantially as a result of the crisis, eliminating many female jobs. In the long run, the crisis may also threaten female jobs in the service sector as it appears to have happened in the tourist sector in Mediterranean countries.

59. Heather Boushey, *Infographic: The Importance of Women Breadwinners*, CENTER FOR AM. PROGRESS, Apr. 30, 2009, http://www.americanprogress.org/issues/2009/04/women_breadwinners.html (citing Bureau of Labor & Statistics, U.S. Dep't of Labor, Current Establishment Survey).

high-income women who had left the labor force to return to the labor market, either because their male partners have lost their jobs or for fears of layoffs, salary cuts, or financial insecurity generated by the crisis, such as with the decrease in the value of assets. The return includes women who had once been part of a privileged minority that could afford not to work and have been “forced back” into the labor force.⁶⁰ Likewise, reports about lower-income women’s need to increase the time dedicated to paid work under precarious working conditions have been mounting. Due to the loss of male jobs, the crisis has contributed to the decline in the number of families with two paychecks and to increase that of families with female breadwinners due to the loss of male jobs.⁶¹ This means not only that more women are supporting their families, but also that household income is reduced, often by more than fifty percent.⁶² These trends are likely to reinforce changes in the evolving gender order toward the multiple-earner household and toward greater financial responsibilities for women; they are also likely to have repercussions on the performance and sharing of care work. It remains to be seen whether this will result in a more egalitarian gender division of labor at the domestic level, although it is likely to increase social pressure against gender inequalities in pay and working conditions.

A second type of impact of the crisis has to do with household *budget effects*. As household income shrinks with the loss of jobs, families have to adjust their expenditures as well as their present and/or future plans. Unemployment and lower budgets cause a reduction in the ability to purchase market goods for consumption and a shift to homemade goods, for example less use of paid laundry services and of restaurants, more meals cooked at home, and fewer visits to children’s games or entertainment centers. These shifts result in an increase in domestic work and time spent on child care—and thus most likely the intensification of women’s work—unless there are simultaneous changes in the gender division of labor so that men take up an equal share of these responsibilities.

Budget effects of the crisis are exacerbated by the shrinkage in public services that reduces the capacity to satisfy care needs. Public

60. Steven Greenhouse, *Recessions Drives Women Who Left the Work Force to Return*, N.Y. TIMES, Sept. 19, 2009, at B1.

61. Boushey, *supra* note 59.

62. In the United States, the average dual-earner family gets just over a third (35.6%) of its income from women. *Id.* With the loss of the male-earner’s job, the family must make do with a large loss in income and possibly with the loss of benefits such as health insurance. *Id.*

budgets cuts, such as those currently affecting many states in the United States, represent the loss of teachers and educational services, and unemployment results in the loss of health insurance. Some reports on job losses indicate that an increasing number of women are turning to clinics and family planning agencies for help with contraceptives and abortions.⁶³ Other reports point to the increasing need for the unemployed to find jobs that lead to a geographical separation of family members.⁶⁴ All of this can generate additional pressures on families and, depending again on the gender division of labor, on women in particular.

Internationally, the crisis has highlighted a variety of problems in different regions. For example, in some countries in the South, it has contributed to raise the specter of increasing hunger. The 2008 Global Hunger Index indicates that thirty-three countries, mostly in Africa, face "extremely alarming" threats of hunger, with 923 million people chronically hungry or 75 million more than in 2007.⁶⁵ This could generate a crisis of major proportions, especially in Africa. Needless to say, women and children need particular attention, especially given the importance of African women in the production of food.⁶⁶

A different type of effect has to do with the impact of the crisis on international migration, not only on the number of migrants, but also on their remittances. Migration flows from developing countries have slowed down as a result of the crisis and so has the growth of remittances in the opposite direction. The World Bank has estimated that "remittances are expected to fall by seven to ten percent in 2009."⁶⁷ At the same time, capital flows to lower-income countries collapsed; according to one estimate, they decreased from \$1.16

63. See, e.g., Kimi Yoshino, *Women's Clinics See Rise in Calls*, L.A. TIMES, May 20, 2009, at A3.

64. In March 2009, Worldwide ERC, the association for work force mobility, reported that commuter marriages in the United States had increased by fifty-three percent since 2003. WORLDWIDE ERC, GLOBAL BENCHMARKING SURVEY—EFFECTS OF THE ECONOMY ON MOBILITY AND DEVELOPMENTAL PROGRAMS (2009), <http://www.worldwideerc.org/Resources/Research/Pages/emea09-global-benchmark-survey.aspx> (available online only through paid subscription service).

65. KLAUS VON GREBMER ET AL., GLOBAL HUNGER INDEX: THE CHALLENGE OF HUNGER 2008, at 4, 6 (2008), <http://www.welthungerhilfe.de/global-hunger-index-2008.html>; Press Release, Welt Hunger Hilfe, Hunger Situation in 33 Countries Is "Very Serious" to "Grave" (Oct. 14, 2008), <http://www.welthungerhilfe.de/global-hunger-index-2008.html> (noting the increase in people suffering from famine).

66. See Jeanne E. Koopman, *Globalization, Gender, and Poverty in the Senegal River Valley*, FEMINIST ECON., July 2009, at 253, 256, 265–67.

67. Posting of Dilip Ratha to People Move: A Blog About Migration, Remittances, and Development, <http://blogs.worldbank.org/peoplemove/outlook-for-remittance-flows-2009-2011> (July 13, 2009, 11:04 EST).

trillion in 2007 to \$707 billion in 2008.⁶⁸ Needless to say, remittances have been a very important source of income for many families. But they have also been an important source of income for entire countries, and the effects of this collapse could be devastating.⁶⁹ Similarly, the drastic reduction in capital investments will have employment and growth effects in many developing countries, particularly in Latin America and eastern Europe.

Hence, the current economic crisis is likely to have a variety of effects that will make it more difficult for families to meet their care needs. Understanding the effects of the current economic crisis will be crucial for states to fashion reconciliation policies and respond to the changing care needs of their citizens.

CONCLUSION

The different demographic and economic changes examined in this Address point toward an intensification of family/labor market work pressures, particularly for women. The global economic crisis is likely to represent the end of the neoliberal era as unfolded during the past three decades. What is less clear is the extent to which it will result in substantial changes toward market regulation and more progressive social protection regimes across countries. In the short run, it is likely to aggravate the crisis of care and of social reproduction, especially but not exclusively, in countries with very low fertility rates, and it is likely to stimulate new debates around the need to design appropriate reconciliation policies for the new gender order. Even though many countries are not likely to take large steps toward a universal caregiver state, they will be confronted with pressures to respond to the needs of families. At the same time, the economic crisis will make it more difficult to include the costs of new public policies in public budgets. In high-income countries, the flow of immigrant women has been a solution that only middle- and upper-class families can afford, and it is out of reach for a large proportion of lower-income families. In fact, reliance on immigrant labor may

68. *Remittances: Remittances to Poorer Countries Are Likely to Suffer in 2009*, ECONOMIST, Aug. 17, 2009, http://www.economist.com/world/international/PrinterFriendly.cfm?story_id=14205199.

69. According to *The Economist*, in 2007 remittances amounted to forty-six percent of the GDP in Tajikistan, thirty-eight percent in Moldova, and twenty-four percent in Lebanon. *Global Migration and the Downturn: The People Crunch*, ECONOMIST, Jan. 17, 2009, at 58, 59. They were "more than a fifth of the GDP . . . for Jamaica, Jordan, [and] Lebanon . . . in 2007." *Remittances: Trickle-down Economics*, ECONOMIST, Feb. 21, 2009, at 76, 76.

lead to a vicious circle by which more permanent solutions benefiting all families seem less urgent, hence delaying the design of appropriate policies for the whole population. As argued above, care tensions are likely to increase in lower-income countries as well.

This Address argues that in recent decades, rising consciousness around this issue has been accompanied with intense debates and new policy initiatives in many countries, such as those in the EU,⁷⁰ South Korea,⁷¹ and Australia,⁷² among others. Reconciliation policies have made it possible to smooth the contradictions between the promises of neoliberalism and the harsh realities encountered by a large proportion of the population regarding social protection. For the case of Spain, two main factors have been crucial for the important changes in social consciousness regarding the introduction of new legislation, and in the extent to which the state and political parties have incorporated reconciliation issues into their agendas.⁷³ One is the significant turning point represented by the gradual acceptance of the notion that the functions associated with care and social reproduction have to do with society as a whole and not only with women's responsibilities; they are issues that affect social reproduction and the country's economic performance. The other factor has been the major influence of directives adopted at the EU level, pressing member countries on the need to facilitate the incorporation of a growing proportion of women in the paid labor force.⁷⁴ Given the tendencies examined in this Address, both in the North and the South, it seems appropriate to conclude that family/work reconciliation is an issue whose time has come. To the extent that the global economic crisis might reveal some new paths toward a post-neoliberal world, this is a very appropriate time to rethink social protection in general and reconciliation policies in particular.

70. See *supra* notes 39–42 and accompanying text.

71. See *supra* notes 48–52 and accompanying text.

72. See Ray Broomhill & Rhonda Sharp, *The Problem of Social Reproduction Under Neoliberalism: Reconfiguring the Male-breadwinner Model in Australia*, in REMAPPING GENDER IN THE NEW GLOBAL ORDER 85, 85–86, 101–03 (Marjorie Griffin Cohen & Janine Brodie eds., 2007).

73. See generally Benería & Martínez-Iglesias, *supra* note 23 (discussing policies implemented in Spain).

74. *Id.*

