

Gary Teeple

Globalization and the Retrenchment of Women's Rights as Human Rights¹

The most obvious² contradiction in "human rights" is the inequality between men and women in law and in everyday life. It can be said categorically that nowhere in the world today in any domain do women share with men equal rights in practice - even though in some jurisdictions they may be more or less equal in law. In all contemporary nation-states, regardless of the mode of production, it can be said without exaggeration that the lack of equal rights for women in theory and practice is ubiquitous and the violations of "human rights" for women is everywhere commonplace.

There is no shortage of lists of women's unequal rights or violations of equality in modern societies. Numerous national and international government and non-government institutions and agencies have presented catalogues of unequal laws and practices that continue to exist almost half a century after the Universal Declaration of Human Rights of 1948 (UDHR). By all accounts, transgressions of women's rights are found in all countries without exception. To have a sense of the pervasiveness of the inequality a few examples are worth citing. The legal systems around the world, for instance, remain highly prejudicial to women; in no country is the behaviour of the police, the judges, or lawyers, or the content of legislation, free of negative bias towards women. Equal political rights for women in liberal democracies are relatively recent - in most of Europe, North America, and the former USSR, these rights were in place shortly after World War I, but in most of the rest of the world, they arrive only after World War II, and in parts of the world they are still absent. Everywhere, however, the practice of politics remains strikingly male dominated³. Marriage and family laws in much of the world still mean more or less a "civil death" for women. There are widespread cultural practices prejudicial to women that are tolerated in numerous countries: the abortion of female fetuses, the prohibition of or restraints on birth control, genital mutilation, child betrothal, the selling of girl children, denial or restriction of education, forms of purdah, and the normalization of pornography. Certain forms of violence are explicitly aimed at women, and are often considered culturally acceptable, for instance, the practice of sati, "honour" killings, dowry assaults, the traffic in women, sex tourism, domestic violence and, more generally, sexual harassment. All the major religions of the world characterize women as inferior or subordinate beings and deny them equal

¹ E-mail: teeple@sfu.ca. Paper presented at The Third International Conference on Latin American Women "Women's Human Rights" Middlesex University, London, UK, 10 April 2001.

² Not so obvious, however, for the overwhelming majority of writers on "human rights", unless they are women. Even the most critical and aware of male writers on rights rarely make any mention of women's rights as "human rights". See, for instance, writers as R. S. Falk, *Human Rights Horizons*, London: Routledge, 2000, who makes almost no mention of "human rights" as women's rights in the entire book.

rights in religious practices. The objectification of women by the mass media is universal, and their demeaning presentation is widespread. The contribution of women to history, politics, science, and the arts, has been by and large unrecognized; in the recorded history of human development, women hardly appear to have existed.⁴

These examples of discrimination against women reveal that despite the UDHR and other documents espousing women's rights there is an enormous gulf between the declared abstract universal equality of men and women and the reality of the legal status and condition of women around the world. Although that reality is one of a continuing persistent, pervasive and systemic discrimination, these documents serve at least as a relative measure of the degree of women's equality and progress towards it and as mileposts in consciousness about human equality.

The persistent violations of equal rights and remaining widespread formal inequalities in many nation-states, however, do call for some sort of explanation. And for that we can begin with two United Nations' reports. In 1980, the UN Conference on Women presented statistics showing that "women do between two-thirds and three-quarters of the work in the world" and that they also "produce 45% of the world's food. But they are still granted only 10% of the world's income and 1% of the world's property"⁵. In 1995, the UN Human Development Report declared itself to be "a major indictment of the continuing discrimination against women in most societies", it stated that "[i]n no society do women fare as well as men". And it claimed that "men receive the lion's share of income and recognition for their economic contribution, while most of women's work remains unpaid, unrecognized, and undervalued"⁶. In these statements, we suggest, is found the continuing rationale for discrimination against women; it rests in the significance of the large percentage of women's work that is unpaid or underpaid in relation to the production of the total social product. Only when and because women were declared to be in theory equal to men did it become possible to grasp the nature of this inequality.

Even under different industrial modes of production, the importance of female unpaid or underpaid labour was understood, at least implicitly. Decades before equal rights were formally declared universal in the UDHR after World War II, women had achieved equality in law in the Soviet Union. As a product of the first socialist revolution in 1917, women's rights were advanced in Russia more than anywhere ever before. The revolution was, after all, made in the name of the op-

⁴ These data come from a variety of sources. See: A. Fraser, "Becoming Human: The Origins and Development of Women's Human Rights", *Human Rights Quarterly*, 21, 1999; R. Cook, "Women's International Human rights Law: The Way Forward", *Human Rights Quarterly*, 15, 1993; H. Charlesworth, "What are Women's International Human Rights?" in: R. Cook (ed.), *Human Rights of Women*, Philadelphia: University of Pennsylvania Press, 1994; D. Russell and N. Van de Ven (eds.) *Crimes Against Women*, Millbrae: Les Femmes, 1976; UN *Human Development Report*, New York: Oxford University Press, 1998 and 1999.

⁵ World Conference of the United Nations for Women, Copenhagen, 1980.

⁶ United Nations, *Human Development Report*, New York: Oxford University Press, 1995, pp. iii, 2, 6. The authors of this report stated: *A major index of neglect is that many of women's economic contributions are grossly undervalued or not valued at all - on the order of \$11 trillion a year.* (p.6)

pressed; and government control of the means of production and provision of necessities allowed, at least initially, for public policies that began to socialize domestic or private life and to open political life to the participation of women. Despite this formal legal equality for women (unique in the world at the time) and considerable progress in their condition and status, the advancement of women was stalled by the late 1920s in the face of the drive for accumulation in the industrial sector.

With the ascendancy of Stalin and the coming of bureaucratic control over the socialized property, the promising though limited accomplishments of women and progress in confronting the dominance of male right found their limits⁷. The emphasis on industrial accumulation meant sacrifices in public spending had to be made in other sectors which included the experiments to socialize domestic life and efforts to bring women into the political arena; these shifts in priorities were confirmed in constitutional protection for the nuclear family and state idealization of motherhood, marriage and family. (Still, unlike elsewhere, in the USSR spouses continued to be equal in law, divorce was easier and legally less prejudicial to women than before, and childcare remained highly socialized.) The curb on further socialization of domestic functions - or the re-institutionalization of the family - however, checked the declining extra-exploitation of women as the rate of increase of their paid work in relation to their unpaid domestic and volunteer labour slowed, stopped or began to reverse.

All the socialist revolutions that followed brought rapid and significant advances for women's rights and status, above all putting an end to the widespread treatment of women as the property of men⁸. In every case, however, the early achievements met their limits before critical elements of male dominance could be surmounted. Socialized property did allow for public policy restricting gender discrimination and for the socialization of many domestic functions, but in no case was there enough democratic access to public policy to advance women's equality, the so-called "women question"⁹, beyond a certain degree, and the dominance of male right or the discrimination against women was never fully confronted. For the most part, these regimes were state capitalist systems, not experiments in workers' control, and so the under-valuing of women's paid labour and the ratio of paid to unpaid labour was always a factor in calculations - by politically dominant men - concerning the direction of economic development.

⁷ H. Scott, *Does Socialism Liberate Women?* Boston: Beacon Press, 1974.

⁸ In China, for example, see: J.M. Maloney, "Women in the Chinese Communist Revolution: The Question of Political Equality", in: C.R. Berkin and C.M. Lovett (eds.), *Women, War and Revolution*, New York: Holmes and Meier, 1980; D. and I. Crook, *Revolution In a Chinese Village, Ten Mile Inn*, London: Routledge and Paul, 1959. See also: B.B. Farnsworth, "Communism and Feminism: Its Synthesis and Demise", in Berlin and Lovett, op. cit.; and L. Casal, "Revolution and Conciencia: Women in Cuba", in: Berkin and Lovett, op. cit.; and M.A. Tetreault (ed.), *Women and Revolution in Africa, Asia and the New World*, University of South Carolina Press, 1994.

⁹ The early rubric, "the woman question", made the victim of male/female inequality, rather than the cause, into the object of analysis. "*The woman question*" should really have been phrased as "*the question of patriarchy*" or "*the question of gender inequality*".

After World War II, the United Nations in its 1945 Charter and 1948 UDHR sought to contain demands for national self-determination (the anti-colonial movements) and for equal rights for all humans by defining them within the confines of capitalist liberal democracy. These demands were carefully framed within the principles of capitalism by the victorious capitalist nations because they could no longer be resisted or ignored given the historical context. In short, new conditions for capital accumulation on the global level had to be established, the social reforms of the Soviet Union were well known, workers' disaffection with the capitalism of the 1930s was no distant memory, and the extreme intolerance and inhumanity shown by the leaders of Germany and Japan acted as a mirror to the conscience of the capitalist world.

With these UN documents, women's rights in the liberal democratic nations began to improve, along with, ipso facto, a concomitant albeit slow decline in male privilege in law.¹⁰ But the idea of gender equality even in principle, let alone in practice, met with resistance and assumptions of dominant male right at every step.¹¹ The very language of the Charter had to be challenged in order to include the phrase, "equal rights for men and women", so that human rights would be seen to encompass women's rights. Similarly, there was debate over the language of the UDHR, and ultimately the words, "all men" and "brothers", were dropped in favour of "everyone" and "human beings"¹², although there remains several masculine pronouns and possessive adjectives, not to mention a reference in Article 1 to "a spirit of brotherhood". The Article entreats humans to look upon and behave towards each other as equals. Women, however, cannot be brothers. If the phrase read, "in a spirit of sisterhood", the predominantly male framers¹³ of the UDHR may have understood the issue more clearly.

The problem of language merely reflected the fact that women's rights were still being ignored or subordinated to "human rights" as male rights. And so there ensued the long struggle that continues to this day to reassert over and over again within the United Nations that "human rights" also include women's rights. Since 1945 there have been promulgated over 20 different UN instruments that specifically concern women. They represent the continuing fact of women's inequality and

¹⁰ Equal rights for one part of a population to the exclusion of another creates "equal rights": for the former as a privilege. The achievement of universal manhood suffrage without female suffrage, as an obvious example, constituted enfranchisement as a privilege for men.

¹¹ Even the earliest of the national declarations of liberal democratic rights (in the USA and France) referred implicitly only to men; women were not granted equal rights despite the language of universality in those declarations. None of the other bourgeois revolutions of the eighteenth and nineteenth centuries conferred equal rights to men and women. Not until the 20th century (with minor exceptions) and, for the most part, the second half of the 20th century did the women in the capitalist liberal democratic nations find even the formalities of equality of right, accompanied by certain concessions in practice.

¹² A. Fraser, "Becoming Human..." op. cit., pp. 857, 888; for another discussion of this point see, H. Charlesworth, "What are 'Women's International Human Rights?'" in R. Cook, (ed.), *Human Rights of Women*, op. cit., p. 68.

¹³ J. P. Humphrey, *Human Rights and the United Nations*, New York: Transnational, 1984.

the difficulty of realizing women's rights as "human rights". Each one points to key areas of discrimination against women and stands as measures of, for the most part, unrealized national implementation¹⁴.

In 1946 within a year of the Charter, for instance, reflecting the obvious shortage of women in official posts, the UN adopted a declaration to promote the participation of women in the work of the UN. In the same year, women argued for and succeeded in having created a sub-commission of the Commission on Human Rights that dealt with women's rights as "human rights" - the Commission on the Status of Women (CSW). In 1947, the CSW was obliged to intervene to have the UDHR drafted in gender neutral language, and by and large succeeded; and in 1951 it pushed the International Labour Organization (ILO) to adopt the Convention... Concerning Equal Remuneration for Men and Women for Work of Equal Value. In 1952, the CSW spurred the UN to adopt the Convention on Political Rights of Women and, in 1957, of the Convention on the Nationality of Married Women. During the 1960s, the CSW continued to promote and sponsor more resolutions on women's rights and, more broadly, social rights. The 1970s saw the beginning of the world conferences of women under the auspices of the United Nations, and the decade ended with adoption of the Convention on the Elimination of All Forms of Discrimination Against Women in 1979. By the early 1980s, this Convention gave rise to a committee (CEDAW) established to monitor compliance by national governments; and by the late 1980s, an NGO was formed to press further the demands of the Convention and oversee its implementation - the International Women's Rights Action Watch (IWRAP). It would be difficult to imagine more convincing testimony to the inequality of women than these persistent and apparently necessary efforts by women to affirm their abstract equality and to attempt to realize it¹⁵.

But even the promises made at the 1995 Beijing Conference on Women to have universal ratification of the Convention by 2000 have not come to fruition. The USA, among several other countries, has not ratified it, and many of those governments that have did so only with numerous written reservations. Even the abstract equality of the Convention remains an unrealized goal for women. In what is an obvious understatement, Amnesty International on the 20th anniversary of the Convention wrote: "Millions of women still have no right to live in safety, to think and express themselves freely and without fear, and to participate in the public life in their own countries"¹⁶.

¹⁴ N. Hevener, *International Law and the Status of Women*, Boulder: Westview, 1983.

¹⁵ Similar but more recent struggles have been fought in Europe within the European Commission of Human Rights and European Court of Human Rights, and in Latin America within the Inter-American Commission on Human rights, and in Africa within the African Charter of Human and Peoples Rights (1981). On Latin America see: C. Medina, "Toward a More Effective Guarantee of the Enjoyment of Human Rights by Women in the Inter-American System" and on Africa see: C. Beyani, "Toward a More Effective Guarantee of Women's Rights in the African Human Rights System" both in R. Cook, (ed.), *Human Rights of Women*, op. cit.

¹⁶ Amnesty International, 20th anniversary of Women's Convention: "Time to take women's human rights seriously", 17 December 1999. [www.Amnesty.org].

These examples - of the need for special UN conventions and committees, not to mention NGOs, for the advocacy and protection of women's rights - point to certain contradictions between the "human rights" of the UN Charter and UDHR and other realities with respect to the rights of men and women. One is between "human rights" as abstract rights and a component of international law and particular national laws, customs and religious canons; in other words, the majority of national legal systems, numerous customary practices, and all the major religions violate equal rights for women as defined in the UDHR. Another contradiction arises between formal "human rights" and everyday empirical reality, even where national laws and policies declare universality of equal rights. In short, unofficial discrimination, even where official equality exists, means that the daily lives of women bear little resemblance to the lives of men anywhere in the world. If women's struggle in all industrial modes of production first takes the form of the struggle for equal rights, even after they are declared to be formally equal, women still have to confront these contradictions.

Whatever progress there has been since 1948 in achieving equal rights in law, in practice, and in consciousness, there remain enormous inequalities. Developments in women's equal rights, moreover, have not been all in one direction; since the 1980s there have been many changes that have brought greater inequality. With the coming of neo-liberal policies around the world and the consequent dismantling of social reforms, the growing equality in the condition and status of women has suffered many reversals. This is especially so in the Third World and the formally "socialist" countries¹⁷ where economic, cultural and social reforms had previously benefited women more than elsewhere.

Whether women's rights are being advanced or retrenched, the struggles to make "human rights" also women's rights are in effect struggles for equal rights within the liberal democratic framework. In other words, to argue that "human rights" are women's rights is merely to say that men and women should be equal as individuals possessing individual private rights - in particular the civil and political rights of the UDHR. Defined in this way, the struggle for women's equal rights can be fought for, abstractly considered, without challenging capitalism or its system of liberal democracy - just as Afro-Americans in the 1960s fought for their civil and political rights without presenting a threat to the nature of the system itself.¹⁸ Al-

¹⁷ N. Aslanbeigui, S. Pressman, and G. Summerfield (eds.), *Women in the Age of Economic Transformation, gender impact of reforms in post-socialist and developing countries*, London: Routledge, 1994; A. Kuenyehia, "The Impact of Structural Adjustment Programs on Women's International Human Rights: The Example of Ghana" in R. Cook (ed.), *Human Rights of Women*, op. cit.

Typically, structural adjustment policies have called for a retrenching of the public sector (which has meant the cutback of health, education and social service programs and employment in this sector), the expansion of agricultural exports (which has meant the dispossession of farmers from the land and the decline of production for domestic use), and the devaluation of the national currency (which has made the price of goods and services out of reach for the lower strata of the working classes).

¹⁸ When women struggle for more social rights the principles of the system are challenged, but then these rights are not necessarily specific to women.

though this goal of equality frames much of the current women's struggle and will remain the goal within liberal democracy, it is not to be confused with emancipation from exploitation. The struggle for equal rights does not encompass the structural and institutional reasons for the continuing subordination of women. In other words, the practice and possibility of equal civil and political rights for women in capitalist societies is constantly thwarted, circumvented or circumscribed by certain socio-economic realities and social structures that the demand for equal rights does not address.

The resistance to "human rights" for women in the liberal democracies arises from substantially the same reason that equality was limited in the "socialist" states. That is, women's unpaid labour in domestic life and undervalued labour in employment represent net gains to those who dominate, whether as fathers, brothers, sons, husbands, or as corporate capital in the form of business enterprises and governments. As cited above, the UN reports show that women produce a significant portion of the total social product of all nations and yet receive a fraction of the value of their labour as remuneration because it is underpaid or unpaid labour. This fact is of enormous significance to the structure of ruling relations and their foundation in economic structures.

The chief defining characteristic of capitalism and its driving motive is the production of surplus-value - the difference between the value of what is produced and the value of the labour-power employed - and the investment of that surplus-value to produce capital. To put it another way, the system is defined by the drive to accumulate capital in private individual and corporate hands. It follows that, to make the point simply, the lower the value of labour-power in a given economic sector, the more surplus extracted and the greater the increase in accumulation. Given the significance of undervalued labour¹⁹ in the production of surplus value, the prospect of pay equity would reduce the amount of surplus that can be extracted from women's labour; it would produce a rough equation between the surplus value drawn from male and female labour. The obvious potential effect of such equality goes a long way to explain corporate and government resistance to paying women as equals of men²⁰. Undervalued women's labour, moreover, creates a persistent disposition

¹⁹ Undervalued labour refers to labour that receives wages and salaries that do not allow for the social reproduction of workers (and dependents) in a socially acceptable manner.

²⁰ From the late 1960s to its defeat in 1982, the Equal Rights Amendment (ERA) dominated the women's rights movement in the United States. This seemingly innocuous amendment to the US Constitution ["Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."] had been introduced as an amendment "in every session of Congress since 1923", but the concerted effort in the 1970s failed to achieve its adoption after it met with massive well-financed resistance. Underlying the debates about the many laws discriminatory against women was the issue of pay equity. See B. Deckard, *The Women's Movement*, New York: Harper and Row, 1983.

About the same time in Europe the issue of equal pay met with similar resistance. In 1976, the EEC Court of Justice ruled that "only workers with cases actually pending" could appeal for enforcement of the Treaty of Rome provisions on retroactive equal pay. Two governments made the reason clear: the British government warned that predating equal pay might "overturn the economic and social situation in the UK;" and the Irish stated that

for women to see themselves as inferior, and to submit to a dependent relationship, not to mention that it causes a general downwards pressure on wages and in this way increases the extraction of surplus-value in general.

Given that there is nothing inherent in women that can account for this inequality in the value of labour-power, it is necessary to locate its source in the structure of society. As a system of accumulation of wealth in the form of commodities possessed by individuals (and corporations as individuals), capitalism must socially reproduce itself in a manner that allows for the continuation of individual property rights. In other words, social reproduction must take place in an institutional form that produces the members of society as individual owners. It is for this reason that the nuclear family, rather than some socialized form of social reproduction, is the form of family that comes to prevail in a capitalist mode of production²¹. Under capitalism, the nuclear family is defined as the site of social reproduction, as a sphere outside the economy strictly speaking, and therefore without paid labour or an independent source of revenue. With the divide between the economic and the domestic (or the "public" and the "private"), the nuclear family becomes a dependent institution and the preserve of women because their biological role makes them central in social reproduction, a process here that begins in the family. So structured, the family creates a dependence on a male earner, and gives rise to prominence of the commensurate institutions of legalized marriage, motherhood, the private household, the assumption of the preeminence of male right, and children as possessions of parents.

The importance of the nuclear family to the system lies in its fundamental functions. First, it constitutes the venue for social reproduction within the framework of private property relations. As such, it is the institutional means for reproducing members of society as private individuals, as the embodiment of private property rights (if only over their labour-power). Here humans are reproduced as capital in the form labour-power, as producers of surplus value in the form of workers, and as consumers of commodities. The household, or the physical site of social reproduction, moreover, is defined as a private domain (and until recently, more or less outside the purview of the law), yet dependent on an external source of revenue, and children are defined as the private property of parents - previously, of the male, as were (and in many countries still are) dependent women.

Second, the nuclear family is the site of the extra-economic exploitation of women whether they remain in the household, dependent on the income of the male, or they work in paid employment. The unpaid domestic labour - child-care, food preparation, cleaning, and so on - is necessary to economic reproduction but is performed in the nuclear family outside the marketplace and therefore is not directly

the costs "would constitute a burden on the Irish economy which it would not be in a position to bear". See: *Financial Times*, 9 April 1976 and *The Sunday Times*, 11 April 1976.

These statements suggest the enormous importance of women's undervalued (and unpaid) labour to corporate viability - or to the "economy". Just why women should bear this burden through unequal pay is not addressed.

²¹ Among the first acts after socializing the means of production is to put an end to the laws of inheritance and to begin to socialize the domestic realm.

productive of surplus-value. If the woman is not employed, the value of domestic labour is included in the wage or salary of the "breadwinner", or in state subsidies in the case of unmarried women with children or in part in various forms of state provided children's allowance. If she is employed, the value of domestic labour is included in her wage or in the case of joint family incomes in both²².

Domestic labour is de-valued to lowest possible level by the structure of the family itself because women who are not employed are subordinated to the main revenue earner, usually the male (father, husband, son), who supplies the household expenses. This inequality provides the possibility for the domination of the male and undermines the possibility of love and mutual respect. It is an inequality, moreover, that runs through the domestic realm; until relatively recently in most of the world, household goods (even the home itself) and the wife and children were considered the property of the male. Only in the last few decades in the industrial countries has the state legislated protection for dependents in the home, and equal rights for married couples over household goods and children. But in much of the world there still is no equal right to household property and no legal recourse for wife or children if neglected or abused by the male earner. Here is the institution within capitalism that serves as the first site of exploitation of the labour of women. The "remuneration" for labour in the household comes only indirectly in the form of the wage or salary of the employed partner, usually the male, and is "paid" in the form of household expenses and on the sufferance of the waged member of the family.

Third, the existence of the institution of the nuclear family also provides the abiding ideological rationale for women's exploitation in the workforce. The family is the site of women's socially defined role as wife and mother and therefore as economically dependent and as unpaid producer. Occupational streaming and pay discrimination of women in employment rest on the implicit assumptions that women are ultimately dependents, their earnings are "supplementary", and that they are best suited for domestic duties - child-care, food preparation, cleaning, and other services. These assumptions are grounded in the structure of the nuclear family, and so as long as this form of family persists so will the attendant ideological views of the "natural" roles of women.

Fourth, the family has functioned as a mechanism to obscure the role of women as a significant part of the "reserve army of labour". It has allowed for the movement of women in and out of the labour force as supply and demand for workers waxes and wanes without directly presenting many of the problems associated with unemployment. In other words, it allows women to enter the labour force at different points in life when economically necessary and "retire" from paid work for varying periods in order to "raise a family", or when no employment is possible. As an institution, the family does not function this way for men; it enables women to be unseen and uncounted as unemployed, to have a role and status outside the economy

²² In other words, the true hourly rate of wages and salaries should be calculated by amortizing them over the period that includes domestic labour. This view of the value of domestic labour being accounted for in wages and salaries helps explain the necessity for women to enter the labour force when wages and salaries fall below the ability to maintain women as unemployed dependent domestic "homemakers".

proper, but it does not do this for men. In short, it makes women into "non-subjects" in civil society as long as they are dependent, a state of being that contributes to their inferior status.

From the perspective of these functions of the nuclear family, the inequality of women and the institution of the nuclear family can be seen to go hand-in-hand. By dint of its nature, its social functions in relation to the system as a whole, the nuclear family operates in a way to keep women subordinate, with all the economic benefits for the production of capital that flow from this subordination.

If this argument holds, then, the UDHR contains another contradiction with respect to women's equality. On the one hand, the declaration of "human rights" includes and implies women's rights, but on the other hand, the family is declared essential to the existence of society. Article 16 (3) reads: "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State". There have been many types of family throughout history, but there is only one that is appropriate to the capitalist mode of production; it is the nuclear family that reproduces society in the form of private owners of one's labour-power and material goods. The reference to family in the UDHR can only be to this type of family which it takes as essential and defines as "natural", basic to society, and deserving of defense by the authority of the state. The institution that is the most significant site and source of women's inequality is defined as vital to the system. And because of its functions - to reproduce members of society as commodities and as producers and consumers of commodities²³ - it is to be defended by the state. In other words, a social unit outside of economic relations but dependent on them - the site of exploitation of unpaid labour and of women's dependence on men and the source of the rationale for unequal pay and treatment in the workforce - is deemed natural and to be protected as the institution that embodies and advances the prevailing property relations through which the benefits of women's subordination is channeled into male, corporate and government hands. The proclamation of the equality of women in the UDHR is not consistent with defining the nuclear family as natural and entitling it to defense by the state²⁴.

Women's equality with men varies inversely with the vitality of the nuclear family as a dependent social unit. At certain times in the history of capitalism when the viability of the family was undermined - due to, for instance, mass mobilization of men for the armed forces - women experienced degrees of increased freedom. But since World War II the demand for women's equality has taken on a more permanent significance because of unfolding contradictions between the "economy" and the nuclear family.

²³ The Preamble to the Convention on the Rights of the Child (1989) states, following assertions about the primacy of the institution of the family that "the child should be fully prepared to live an *individual* life in society..." (my emphasis).

²⁴ The same inconsistency is found in other "human rights" conventions. If the nuclear family were "natural" and "fundamental" it is not clear why it would need to be "protected" by the state - unless it were to ensure its role in reproducing the system as a system of private property and to protect it against the socialization of its functions.

Because the family is economically dependent on paid labour it is only as viable as the "economy" is able to provide support for it. Periods of economic recession or depression that bring high rates of unemployment or underemployment and lower wages or no wages undermine the workability of the family as a dependent social institution. The long secular decline in male wages/salaries from the 1970s on in the industrial countries has meant the decline of the feasibility of a social unit structured as dependent on a wage/salary that must provide for household costs which include the unpaid labour of a wife and mother. The consequent growing necessity for the employment of women is inconsistent with the persistence of the traditional nuclear family. As economic dependence on the male wage-earner is undermined, the principal site of male dominance or women's inequality begins to break down with a corresponding growth in demands by women for equality in the workplace and in the home, and for preeminent rights over birth control and abortion. There also arise general challenges to the assumption of male dominance and the structure and view of the world based on this assumption.

As more women of the working classes move into the labour market, there is a concomitant rise in the demand for equality with men because once in receipt of a wage or salary women are less economically dependent and therefore less materially and socially subordinate to men. In turn, the demand for more equal rights at work is accompanied by the demand for more state policies that socialize domestic functions. The pressure for public policies on childcare, school meals, broader public education, family planning, medical programs for women, maternity/parental leave, and so on, are all products of the economically necessary shift of women into the labour force. And for the most part, these demands constitute the socialization of domestic life, the transfer of the functions of the nuclear family into the public domain.

While the vagaries of the business cycle and the long-term secular trends of capital accumulation incapacitate the nuclear family for certain strata and classes, so does the accumulation of capital itself impair the viability of the family for all. Capital strives to commodify all aspects of life and the functions of the family are no exception. Child-care, food preparation, clothes-making, education, socialization, cleaning, laundry and so on, are all subjected to the process of commodification or transformed with labour-saving devices. In the present era, many of the traditional functions of the family have long been capitalized. And this growing commodification of domestic life undermines the integrity of the family. The domestic sphere of social reproduction is in this way "socialized", albeit in the process of its capitalization. Just as the labour of the independent commodity producer was "socialized" by the penetration of capital into production, so too the family is "socialized" through the capitalization of its functions, i.e., the encroachment of capital into the household. It is possible to argue that all aspects of social reproduction could be commodified, but it is not easy to make commodified social reproduction cheaper than domestic social reproduction carried out by unpaid women's (and men's) labour. Complete commodification of domestic functions constantly rubs against this limit.

Forced by economic necessity into the labour market, women have made demands for equal rights in practice and for new social rights, that is, for state socialization of many key domestic functions. These demands, however, had two implica-

tions subversive of the structure of subordination of women. First, the pressure to realize equal rights contains a threat to undermine the economic benefits that accrue from keeping women subordinate; and second, growing state socialization of domestic functions endangers the persistence of the family as the institution for social reproduction of human beings as embodiments of the relations of private property.

As a reaction to these implications, there have been two significant broad policy shifts contained in the neo-liberalism that is now the heart of government policy the world over. One is to privatize or dismantle the government programs that have socialized domestic functions; in short, to promote the capitalization of these functions or force them back into the nuclear family. Care for the very young, the elderly, the ill and the handicapped are all being shifted as much as possible back into the home. The other is to encourage and reinforce the nuclear family despite its declining economic viability. This is attempted by means of publicly sanctioning the nuclear family as a good in itself, promoting "motherhood" and publicizing the alleged unhappy consequences of "maternal neglect", further restricting or abolishing rights to abortion or birth control²⁵, limiting access to welfare for single mothers, prosecuting delinquent fathers, and so on. Given that they retrench public entitlement to socialized domestic or reproductive functions, all of these current policies exacerbate and expand the unpaid labour of women, increase the possibilities for the continued assertion of male dominance, and countenance the ideological subordination of women.

All forms of inequality, however, meet with opposition of some sort, and the various historical forms of subordination of women are no different. For as long as recorded history it is known that women have actively and passively resisted their inequality, and they have chronicled their bitterness, anger and frustration and regis-

²⁵ One of the "first defining moments" of the new President Bush in 2001 was *a ban on [US] funds for any international family planning organizations that even dare to give women information about abortion*. *Guardian Weekly*, February 1-7, 2001. Another of his first official acts was *to propose that religiously sponsored organizations should get public money to provide social services*. *New York Times Book Review*, 25 March, 2001.

tered their defiance over male usurpation of their freedom.²⁶ Even today, the efforts to realize the rights of women as "human rights have powerful detractors that include the organized major religions, corporations, and national states"²⁷. The resistance, however, will abate only when equality has been realized.

²⁶ E. Reed, *Woman's Evolution*, New York: Pathfinder Press, 1975, p. 428ff.

²⁷ And this includes the United Nations if in no other way other than through its neglect of the issue. In Afghanistan, for instance, where today "Taliban" forces have conquered most of the country and stripped women of their public roles in society and subjected them to a strict and brutal subordination to men, allegedly in adherence to Islamic law, the United Nations finds itself able to mount relief efforts for Afghan refugees and to impose a US-sponsored Security Council resolution in 2000 with diplomatic and political sanctions for the regime's alleged support of Washington's most wanted international "terrorist", Osama bin Laden, but the UN does not take action with respect to the harsh suppression of women that has been the subject of world-wide condemnation.