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# 1

## Gendered Social Entitlements: Building Blocks of Women's Citizenship

*Ruth Lister*

Women's social rights and entitlements are critical to gender politics. Which rights and entitlements figure prominently in political debate varies among countries. The exact configuration depends on factors such as the type of welfare regime, the quality of the social infrastructure and the level and nature of women's labour market participation. They vary also between different groups of women so that, for example, the priorities of disabled women may differ from those of non-disabled, and women from different ethnic groups may have different priorities. Whatever the specific perspectives, however, it is important to emphasise the importance of social rights and entitlements to the other dimensions of rights that are often given higher priority in understandings of citizenship.

It is necessary to consider what is meant by 'women's social entitlements'. The notion of 'entitlements' is broader than that of rights. It is commonly attributed to Amartya Sen, who defines it as 'the commodities over which a person can establish her ownership and command' (1999: 162). This is not just a question of legal rights but also of social rules and norms. Arguably, it could be broadened to include collective commodities – that is, the social wage or social infrastructure. In practice, the distinction between rights and entitlements is not always that clear.

It is probably true to say that the only social entitlements or rights that accrue to women *qua* women are those around reproduction, embracing contraception, abortion and reproductive health. Their importance to women's autonomy and citizenship has been a key tenet of modern feminism and has now been given official recognition by bodies such as the United Nations. However, these rights are not always absolute and unconditional. Thus, for example, in some countries effective entitlement to an abortion rests not only on a legal right but depends also

on the adequacy of social rights to the services necessary to exercise the right (Shaver, 1993/94). This illustrates a wider point: because of the distinction that has to be made between *de jure* and *de facto* women's rights, the ease with which women can exercise their rights as well as the rights themselves are crucial to any assessment of whether they constitute an effective entitlement (Norris, 1987).

Other than reproductive rights, it is possible to talk about *gendered* social entitlements/rights in two senses: first, as deriving from women's position in the gendered division of labour, which in turn raises the question of *men's* social entitlements and as well as their responsibilities; and second, as affecting both women and men but in different ways because of the division of labour in both the private and public spheres and because of their differential economic position. Examples might include access to transport and rights to user-involvement in and the democratic accountability of welfare services.

This chapter focuses on three issues, drawing out their implications for gendered social entitlements: the relationship between care and paid work as citizenship responsibilities; the gendered division of labour and time; and income maintenance, economic dependence and poverty. It concludes by setting out some possible goals.

### Care and paid work as citizenship responsibilities

The first set of issues derives from women's continued main responsibility for the unpaid work of care – of both children and adults – within families. It raises general questions about the relationship between unpaid care and paid work as citizenship responsibilities and the more specific and politically charged implication of this relationship for lone mothers' social rights and entitlements (Lister, 2003).

Policy in many European countries is moving in the direction of what Nancy Fraser (1997) has dubbed the 'universal breadwinner' and Jane Lewis (2000) the 'adult worker' model. All adults capable of paid work are expected to be full-time members of the labour market, although in practice where there are high levels of part-time female employment it is more of a  $1\frac{1}{2}$  adult worker model. Yet, as Lewis (2000: 61) observes, care work still has to be done; the question is by whom and 'on what terms'.

One expression of this question is the current preoccupation, at both EU level and within individual member states, with the so-called work-life balance (more accurately termed the work-rest-of-life balance). For those with care responsibilities it is primarily about how to balance paid

and unpaid work (see Chapter 4). More fundamentally, the terms on which care work is done raises a question with which feminists have grappled in various guises for years: how to provide due recognition and valorisation of care work without locking women further into a private caring role, which serves to exclude them from the power and influence that can derive from participation in the public sphere of the economy and polis (Lister, 2003). Part of the answer lies in addressing the question of who does care work, which is central to the chapter's second theme.

Nevertheless, whoever does the care work, there is an issue of what social entitlements should be available to support that work. This in turn raises questions about the level of social investment and about whether social entitlements are geared towards enabling parents and other carers to take paid work or towards providing financial support for them to provide care themselves at home. Three types of resources are involved: financial support, services and time (Daly, 2002).

The issue of adult care is all too often ignored in debates around the work–rest-of-life balance. Yet it is of growing significance in the ageing populations of Europe. There are various models of payment for adult care which differ in two main ways. The first is whether they represent a social security wage replacement or wages for care undertaken (McLaughlin and Glendinning, 1994). Second is whether such wages are paid direct or are 'routed' via payments to care users (Ungerson, 1997). The nature of the entitlement is different in each case. Whatever the scheme of financial support, it needs to balance the needs of those providing and those receiving care, many of whom are also women. It also needs to be sufficiently flexible to enable carers of working age to combine their caring work with paid work, if they so wish. This requires flexible working hours, care leave provisions and appropriate community support services.

The care of children is the more common focus of work–rest-of-life policies. The main social entitlements to support the care of children are: publicly funded child care; payments to care for children at home; and various forms of leave, the last of which will be discussed in the next section.

The availability of affordable, accessible, good quality child care is an essential social entitlement, which in some countries, notably the Nordic states, is expressed as the right of the child. For instance in Sweden:

Enrolling children from age 1 in full-day pre-schools has become generally acceptable. What was once viewed as either a privilege of

the wealthy for a few hours a day or an institution for needy children has become, after 70 years of political vision and policy making, *an unquestionable right* of children and families. Parents now expect a holistic pedagogy that includes health care, nurturing and education for their pre-schoolers. (Lenz Taguchi and Munkhammer, 2003: 27, cited in Moss, 2005; emphasis in original)

It is an entitlement that is not simply about enabling parents to combine paid work and family responsibilities, but also about the right of the child to a holistic child-centred service. It is important not only for pre-school children but also for younger schoolchildren during school holidays and out of school hours.

In the United Kingdom (UK), it is only recently that child care has been acknowledged as a public as well as a private responsibility for the generality of children. Although it does not go nearly as far as the Swedish model, the UK government's ten-year strategy for child care, published at the end of 2004, does talk of parents' 'entitlement' to early education for three and four year olds, which will gradually be extended in terms of hours and 'integrated with high quality, affordable, child care from 8 am to 6 pm all year round' (HM Treasury, 2004: 33). It also promises that local authorities will be given a 'new duty to secure sufficient provision to meet local child care needs' (*ibid.*).

The other approach to supporting care of children is to pay parents to stay at home. There has been something of a trend towards this in recent years in some continental European welfare states. The impact on gender equity appears to be mixed, depending to a large extent on the motivation behind the policies and on their precise nature. Nevertheless, even if ostensibly gender-neutral, such allowances tend to be seen as for mothers.

The extent to which mothers actually make use of them can depend on the adequacy of child care provisions, unemployment levels and cultural factors. Overall, though, such policies 'have produced a substantial decline in the numbers of mothers with children under three who are in paid employment' (Morgan and Zippel, 2003: 76). The fear thus remains that they will cement rather than loosen the traditional gendered division of labour. They may also widen class divisions, as analysis shows that working-class, less educated and lower paid women are more likely to take advantage of them (Morgan and Zippel, 2003). The conclusion reached by a study of such policies is that:

It is difficult to superimpose a right to extensive child care leave on highly gendered labor markets and traditional cultural norms without

reinforcing the current division of labor in both the workplace and the home. Until there are wider social, economic, and attitudinal changes, women will continue to make up the vast majority of recipients and child care leaves and benefits will simply reproduce the norms and structures that feminists have been fighting. (Morgan and Zippel, 2003: 77)

A universal payment to all those raising children after the end of any parental leave period, regardless of whether a parent takes paid work or not, would reduce the risks but is unlikely in the context of welfare state containment and increased targeting. Many, therefore, take the view that a payment to look after children at home is a social entitlement that feminists should be very wary of demanding.

With regard to the specific position of lone mothers, policy has tended to swing between treating them as primarily mothers or primarily paid workers (Lewis, 1997). Increasingly, European welfare states are treating them as primarily the latter, although policies vary according to the level of compulsion and the age of the youngest child at which paid work is expected to take over from full-time motherhood.

The UK is unusual in that lone parents still have the right to claim social assistance until their youngest child is aged 16. Nevertheless, increasingly, policy is framed in terms of the expectation that lone parents should be in paid work and the right to social assistance is now conditional on attendance at work-focused interviews. Two defensible positions have been articulated in debates on the issue.

One is that adopted by the Commission on Social Justice (1994).<sup>1</sup> The Commission argued that it is not in the interests of lone mothers or their children for them to be out of the labour market for a long period. Thus, after a decent breathing space, lone mothers should be expected to look for at least part-time work when their youngest child reaches a certain age, subject to various provisos and safeguards. Cross-national evidence shows that paid work is the best route out of poverty for lone mothers, even if it is not an automatic route. It also suggests that, where a clear line is drawn requiring lone parents to be economically active when their children reach a certain age, an implicit contract sometimes (though not always) emerges under which more generous benefits are provided for lone parents with younger children and better services and financial support for those in paid work (Millar and Rowlingson, 2001).

The alternative position is grounded in the belief that the current heavy emphasis in European social policy on the obligations of paid work is devaluing care work and denying its status as an expression

of citizenship responsibility (Sevenhuijsen, 1998; Williams, 2004). It is also influenced by research, which shows that some lone mothers do not feel that it is right to take paid work (Duncan and Edwards, 1999; van Drenth et al., 1999). Moreover, in the UK lone mothers face what are sometimes conflicting expectations. Not only is the expectation increasingly that they will take paid work, but also policy is stressing the parental role in regulating children's behaviour and in supporting their education (Standing, 1999). For lone mothers with the sole day-to-day responsibility for their children, the resultant time pressures can impose severe strains. The UK does not yet have the infrastructure of child care and family-friendly employment rights needed to minimise the stress of juggling paid work and the sole care of children.

I have moved uneasily between these two positions. While I still believe that it is not in lone mothers' longer-term interests to spend a long period outside the labour market, I would now pay more attention to the second set of arguments than I did previously. Certainly, at present there is not a sufficiently strong social infrastructure in place to take conditionality any further than work-focused interviews, which evaluation suggests are proving helpful (Thomas and Griffiths, 2004).

### **The gendered division of labour and time**

An alternative to the increasingly dominant universal breadwinner/adult carer model, which assumes all adults will be in the workforce (at least part-time in the case of women in many countries) is Nancy Fraser's (1997) 'universal caregiver' model. In this model men become more like women, combining the obligations and responsibilities of paid work and care. In this way, both women and men are constructed as 'citizen-earner/carers' and 'carer-earners'.

Critical to this model are policies that will encourage a more equitable gendered distribution of different kinds of labour and of time. This means considering men's as well as women's right to time to care for young children. Cross-national experience suggests that, from the perspective of gender equity, this right – and responsibility – is best achieved through decent parental leave schemes and working time policies. Critical components are:

- *Adequate parental leave.* The optimum length of parental leave is open to discussion. What is crucial is that it is adequately paid. Important too is that leave is structured so as to emphasise the parent's links with the labour market (Bruning and Plantenga, 1999).

- *Some form of quota for fathers*, with strong governmental encouragement to them to take it and a culture change in the workplace that supports paternal use of the leave. Unless parental leave schemes encourage male use, they can represent a 'poisoned chalice', which reinforces the gendered division of labour (Fagnani, 1999).
- *Generous leave for family reasons* – again there should be emphasis on encouraging fathers as well as mothers to use it.
- *An entitlement to work shorter hours*; more effective regulation of paid working hours and possibly the goal of a shorter working day as the norm. A culture of long working hours constrains male participation in caring and domestic work, while creating barriers to mothers' and carers' full integration and advancement in the workplace. The converse of an entitlement to shorter paid working hours is the entitlement to 'time for care' (Knijn and Kremer, 1997).

### **Income rights**

One consequence of the still dominant gendered division of labour in both the private and public sphere is that women tend to be economically disadvantaged over their lifetime relative to men. They are vulnerable to economic dependence and poverty so that the very experience of poverty is gendered (Lister, 2004; and see Chapter 6). In addition to the kind of rights and entitlements discussed so far, it is therefore also necessary to consider including women's rights and entitlements in the workplace and to social security.

### **Workplace**

In relation to the workplace, in many countries it is a question of the effectiveness of existing rights and entitlements as enshrined in equal opportunity, sex discrimination, equal pay and minimum wage policies. Women are more likely than men to be low paid, largely because of the poor rewards attached to part-time work and of the under-valuing of the jobs women typically do (Howarth and Kenway, 2004). Throughout the EU women suffer a pay gap, to a greater or lesser degree. Fagan and Rubery warn that 'there are no grounds for optimism that the gender pay gap will close progressively over time' (1999: 26). The gender pay gap is to a large extent a reflection of the vertical and horizontal segregation that characterises women's employment despite equal opportunities and anti-discrimination legislation. It is important to remember, however, that women's position in the

labour market also reflects other social divisions such as class, 'race' and disability.

## **Social security**

Women are more likely to claim social security – particularly social assistance – than men, therefore the level of benefits provided is of critical importance. The present UK government has made significant improvements to benefit levels for children, especially younger children, but not for their parents. Inadequate adult rates of benefit make it harder for mothers to protect their children from hardship (Women's Budget Group, 2005). Particular concern has been raised in the UK about the position of first-time mothers-to-be and young mothers living on benefit.

A long-standing feminist demand has been for an individual right to benefits for women in heterosexual couples on the grounds that rights mediated by dependence on male partners cease to be genuine rights. Black feminists, however, have been critical of white feminists' preoccupation with the general issue of economic independence. There has also been a more general lack of agreement as to how to achieve that independent right – through a reformed social insurance scheme, through disaggregation of means-tested benefits, or through the more radical idea of citizens/basic income or the half-way house of a participation income?

My preference has been to argue for a reformed social insurance scheme, which better reflects the needs of women. However, policy in the UK is moving in the opposite direction. With a few exceptions, social insurance benefits are becoming more marginal in the face of increased reliance on means-testing. Moreover, the introduction and extension of means-tested tax credits, in which the couple, and not the individual, is the basic unit, can be 'seen as a threat' to independent taxation, defined broadly to mean that 'the amount of income tax that one partner pays should not be affected by the decisions of their partner about earnings and income' (Bennett, 2002: 573).

The total individualisation of means-tested benefits is neither feasible nor, many would argue, desirable. Research suggests it might not be what women themselves want (Goode et al., 1998). However, Australia has shown that it is possible to achieve partial individualisation. This suggests, Jane Millar observes, that:

means testing need not mean that the aspirations for a more individualised system are completely lost. Some combination of individual- and family-based system may be the best way to recognise both

independence and interdependence in people's lives. (2003: 73; see also McLaughlin et al., 2002)

For some, a more inspiring longer-term vision of individualisation is provided by the idea of a citizen's or basic income (McKay and VanEvery, 2000). This would provide all adults with an independent, unconditional and non-means-tested income in their own right. There are arguments for and against from a feminist perspective (see Lister, 2003). A rather less controversial variant is the idea of a 'participation income', advocated by the economist A. B. Atkinson (1993) and endorsed by the Commission on Social Justice. Like citizen's income, this would provide a non-means-tested benefit on an individual basis, but it would have attached to it a condition of 'active citizenship' (caring or voluntary work as well as paid work or education/training) for those of working age capable of work of some kind (Oppenheim, 2001; White, 2003).

Finally, when considering social security rights from a European perspective, it is imperative that these rights should attach to all women in Europe and not just European women. Of particular concern are the social rights and entitlements of women asylum-seekers (McLeish et al., 2002; Women's Budget Group, 2005).

## Conclusion

This chapter has discussed some of the key debates raised by the notion of gendered social entitlements. It has focused, in particular, on the tensions between care and paid work; the gendered division of labour and time; and income rights. In addition to specific policies, it is helpful to formulate more general goals to underpin demands for improved gendered social entitlements. These goals might include: first, a more equitable gendered division of different forms of labour and of time, which is also an essential platform for women's effective political citizenship; second, adequate support for the care of children and older people and a high quality social infrastructure; and third, greater economic equality between women and men and the economic independence and well-being of *all* women.

## Note

1. The Commission on Social Justice was established by the former leader of the Labour Party, the late John Smith, to advise the party on a strategy for social and economic reform.

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