
HUMAN RIGHTS OF WOMEN: UNPAID CARE WORK

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INTRODUCTION

Human rights are the fundamental, equitable, and unalienable privileges that every person has as the result of being a part of the global human family, irrespective of gender, race, language, ethnicity, creed, nationality, or any other criteria.

GENDER: Gender emphasizes the identities, traits, and socially established roles of women and men. Due to various cultural and social perceptions society gives to these innate distinctions, there are hierarchical connections between men and women as well as power and right distribution that benefits males and disadvantages women. The geopolitical, financial, cultural, sociological, religious, ideological, and environmental problems all have an impact on how men and women are oriented in society.¹ Gender conceptions are flexible and dynamic; they may vary among cultures and amend over time. Women have historically cared for the home and the children in most civilizations, while men have usually worked outside the home to support the family. This is an instance of socially ingrained disparities.

Unpaid care work is necessary for individuals, communities, families, and society. It is also a significant component of economic activity (Stiglitz et al., 2007). People wash, cook, and look after the aged, sick, and kids every day. Generally, women spend significantly more time than males providing unpaid care. Because of patriarchal norms that consider unpaid care work totally to be a women's responsibility, women across a wide variety of areas, socioeconomic groups, and cultures expend a sizable amount of their days carrying out the duties of their home and reproductive roles.² The unpaid care work's distribution becomes a barrier to economic development when it is uneven between men and women, which is against women's rights (UN, 2013).

¹ Johannes Morsink, "Women's rights in the Universal Declaration", *Human Rights Quarterly*, vol. 13, No. 2 (May 1991).

² Françoise Gaspard, "Unfinished battles: political and public life", in *The Circle of Empowerment: Twenty-five Years of the UN Committee on the Elimination of Discrimination against Women*, Hanna Beate Schöpp-Schilling and Cees Flinterman, eds. (New York, Feminist Press at the City University of New York, 2007), pp. 145–153.

Gender Gap in Unpaid Care: Cooking, cleaning, laundry, gathering water and fuels, shopping, home maintenance, looking after children and the elderly, and many other tasks are all considered unpaid care labor (Addati et al., 2018).

Currently, legislative and scholastic groups have given a lot of attention to the reality of care work that is unpaid, particularly in the purview of the COVID19 pandemic (Van Houtven et al., 2020; Craig and Churchill, 2020; Duragova, 2020). Subsequent reports and studies reveal that, even though both genders' allocation of unpaid domestic labor surged, women worldwide ended up bearing the lion's share of numerous household tasks and caregiving responsibilities throughout the epidemic (UN Women, 2020). Surprisingly, the entrenched gender labor division in the "home sector" and its effects on individuals' emotional and financial well-being are among the major problems associated with unpaid care work.³

UNPAID CARE WORK- A HUMAN RIGHTS ISSUE

Across both developing and developed nations, more than 2/3 of the unpaid household care labor was done by women. There are huge economic inefficiencies linked to the unequal allocation of household labor between men and women, as well as major social and economic repercussions for women.

Gender inequalities in unpaid care work

One significant aspect of women's everyday experience is universal: providing care or support is viewed as a feminine role. In all geographical areas across the globe, women spend an average of 3-6 hours a day on unpaid caregiving while men devote just a half-hour to two hours. Women participate more in and spend more time on unpaid caregiving than men do. For instance, women are more likely than males to gather firewood and water in Ethiopia, where the percentages are 71% and 54%, respectively.⁴

Another crucial explanation for why limited gender disparities in occupation in certain nations have not followed gender disparities in schooling is the uneven allocation of caring duties.

³ See Leilani Farha, "Committee on the Elimination of Discrimination against Women", in *Social Rights Jurisprudence: Emerging Trends in International and Comparative Law*, Malcolm Langford, ed. (Cambridge University Press, 2008), pp. 560–561.

⁴ Hirway, I. (2010). *Understanding Poverty: Insights Emerging from Time Use of the Poor*. In R. Antonopoulos & I. Hirway (Eds.), *Unpaid Work and the Economy: Gender, Time Use and Poverty in Developing Countries* (pp.22-51). London, UK: Palgrave Macmillan.

Women are more likely to experience lower levels of financial involvement in nations where unpaid caregiving is a significant obligation.⁵ The female economic activity rate is greater in nations with policies that encourage better work-life balance for both guardians.

Gender inequalities in caring responsibilities- How the social norms play a role in it

Gender inequalities in unpaid care work may be explained by various social and discriminatory cultural conventions. Berniell and Sánchez-Páramo (2011) claim that (50-70) % of the variation is still unreasonable and hence discriminatory. Regardless of their career status, income, or degree of education, women spend more than 60% of their time caring for others and cleaning the house. Social institutions, social norms, and practices influence or limit the opinions, inclinations, and actions of organizations, regions, and people (Jütting et al., 2008).

WOMEN'S HUMAN RIGHTS IN INDIA

Without any kind of discrimination, the Constitution guarantees equal rights for men and women and recognizes human rights in the form of diverse personal rights. Women continue to provide the majority of unpaid care; they are ostracized for using paid care services since they are seen as "natural" caretakers. India is a developing nation, and in contrast to developed regions, more people in developing nations work for free to survive. Making women's unpaid care labor prominent in India and highlighting its relevance and difficulties will help the nation prosper economically and socially.⁶

India's growth is impacted by the unpaid labor that women there undertake unacknowledged. In developing nations like India, where women spend the majority of their time on unpaid labor, there is little to no time left for them to build their human potential via pursuits like learning, skill development, etc., which slows down global economic progress.⁷

According to the dualized system of social procreation, women from underprivileged areas go to wealthy areas to sell their caregiving services, leaving their family and community obligations to certain other, even less privileged caretakers. The tendency that care services are

⁵ Arvonne Fraser, "Becoming human: the origins and development of women's human rights", in *Women's Rights: A Human Rights Quarterly Reader*, Bert B. Lockwood, ed. (Johns Hopkins University Press, 2006)

⁶ Antonopoulos, R. & Hirway, I. (2010). Unpaid Work and the Economy. In R. Antonopoulos & I. Hirway (Eds.), *Unpaid Work and the Economy: Gender, Time Use and Poverty in Developing Countries* (pp.1-14). London, UK: Palgrave Macmillan.

⁷ Neetha, N. (2010). Estimating unpaid care work: Methodological issues in time use surveys. *Economic and Political Weekly*, 45(44), 73-80.

impacted by more general changes that take place in national and international political economy is also described by Razavi and Staab (2012). This forces low-income women to quit their jobs to sell their caregiving services to affluent families in industrialized nations. It's crucial to remember that migration doesn't just occur between developing and developed nations; migration also happens within India and across undeveloped nations. Relatively affluent women frequently hire women from lower classes, lower castes, and women from minority groups to do their laundry, watch their kids, prepare meals, and do other household chores. Therefore, the wealthy can meet their care demands by employing disadvantaged women, while the impoverished women who emigrate are forced to assign their household and communal obligations to other less privileged family members. According to the aforementioned statistics, the poorest members of society in emerging economies bear the brunt of unpaid care labor.⁸ However, considering the continuing dominance of Indian patriarchy in national policy, all of these appear implausible. There remains a lack of demand from legislators despite the efforts made by Indian feminists to make unpaid care labor visible since they do not know how to use the alarming numbers for better decision-making.

In response to the "unpaid labor done by a homemaker," the Supreme Court of India directed an insurance firm to pay higher claim amounts in January 2021. The court's ruling made it quite obvious that it is crucial to get over the erroneous notion that housewives don't do anything financially to a family. Nevertheless, they have indeed prompted a discussion about the value of "housework" as a commodity. With the publication of the Time-Use Survey (TUS) the year before, which reveals that Indian women spend over 10 times as much time as men on unpaid domestic and caregiving duties, these discussions gained a foothold.

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⁸ Federici, S. (2012). *Revolution at point zero: Housework, reproduction, and feminist struggle*. PM Press

the year before, which reveals that Indian women spend over 10 times as much time as men on unpaid household and caregiving activities, these discussions gained some traction.

In a landmark decision, the Supreme Court said that setting the speculative income of housewives in cases involving compensation sends a message to society about how much the law and the courts regard their work, services, and sacrifices. According to a report cited by the supreme court, women spend more time providing "unpaid caring duties for members of the household" than men do.

AN INTERNATIONAL PERSPECTIVE ON HUMAN RIGHTS ISSUES FOR WOMEN IN UNPAID CARE WORK

Since 1975, the UN system has taken action to measure and value the unpaid labor done by women. The statistics division, however, is to blame for these projects' failure to achieve their intended goals. The UN System of National Accounts has gone through several revisions: the first in 1953, the second in 1968, and the third in 1993.

INTERNATIONAL HUMAN RIGHTS INSTRUMENTS: *Universal Declaration of Human Rights*, the *Commission on Human Rights* began drafting the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social, and Cultural Rights*. The *Universal Declaration of Human Rights* and these together make up the *International Bill of Human Rights*.⁹

REGIONAL INSTRUMENTS: Regional human rights treaties also contain crucial provisions meant to enhance and protect the human rights of women and international human rights standards. The *International Covenant on Economic, Social, and Cultural Rights* and the *Convention to Eliminate All Forms of Discrimination Against Women* were both approved in 1966 by the United States and India, respectively. All of these UN conventions support the idea of human rights and the idea that everyone should be treated equally and without bias.

NON-DISCRIMINATION BETWEEN WOMEN AND MEN: Human rights laws are based on the principles of gender equality and the prohibition of discrimination. Both the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social, and Cultural Rights* prohibit gender discrimination to guarantee equality in

⁹ Hegewisch, A. and J. Gornick (2011), "The Impact of Work-Family Policies on Women's Employment: A Review of Research from OECD Countries", *Community, Work and Family* 14(2), p. 126.

the fulfillment of the rights guaranteed by the Covenants. The Convention can go farther than earlier human rights agreements, detailing in considerable detail the State obligations and actions that must be implemented to achieve gender equality in practice.¹⁰

CASE STUDY- TOTAL WORKING HOURS OF WOMEN IN GHANA

What does a normal day in the life of a woman in Ghana entail?

Untainted by her job situation, marital status, age, or level of income, the average Ghanaian woman puts in 13 hours each day at the office. The preponderance of everyday unpaid chores performed by Ghanaian women is related to housekeeping and childcare. But compared to males, women take on between two-thirds and three-quarters of the homework and caregiving duties, devoting about twice as much time to babysitting as they do other tasks.¹¹

Unpaid care work done by women in Poland

A large number of Polish concur that childcare responsibilities and domestic chores should be split equally between a couple. However, the actual allocation of family work and care in Poland, as in many other nations, does not correspond to sentiments about it.¹² In this short, it is demonstrated that women in Poland spend significantly more time than males doing home duties and caring for children. This is based on data from the Time Budget Survey.

According to statistics from the European Values Study, 95.6% of Polish women agreed in 2008 that men should have equal responsibility for these duties. It's fascinating to observe that cultural disparities in views regarding household chores and caregiving are significantly less pronounced than differences in perceptions towards the other conventional gender norms.¹³

Unpaid care work done by women in Russia

The Soviet Union left the modern Russian Federation with a high percentage of female labor force participation and educational achievement. However, patriarchal societal norms and

¹⁰ Hegewisch, A. and J. Gornick (2011), "The Impact of Work-Family Policies on Women's Employment: A Review of Research From OECD Countries", *Community, Work and Family* 14(2) , p. 126

¹¹ Budlender, D. (2008), "The Statistical Evidence on Care and Non-Care Work across Six Countries." UNRISD: Gender Programme Paper No. 4, UNRISD, Geneva.

¹² Addati L. , Cattaneo U., Esquivel V. and Valarino I., (2018). "Care Work and Care Jobs for the Future of Decent Work", Geneva: International Labor Organization.

¹³ Alonso C., Brussevich M., Dabla-Norris M. E., Kinoshita Y. and Kochhar M. K., (2019). "Reducing and Redistributing Unpaid Work: Stronger Policies to Support Gender Equality", International Monetary Fund.

views concerning household labor remained prevalent.¹⁴ Even if societal standards are slowly changing, in both Russian cities and the countryside, unpaid care work is still performed by women. As an illustration, the micro-census of the population conducted in 1994 revealed that 18.9% of males and 23.9% of women between the years 1965 and 1969 had graduated from college. This did not, however, result in equitable economic possibilities for men and women.¹⁵ The split of unpaid household work followed a similar pattern: according to past research, women with children performed five times as much housework than men in the 1980s. As a result, the majority of Russian women had to balance both paid jobs and unpaid chores at home.

CONCLUSION AND RECOMMENDATIONS

WOMEN'S ACCESS TO JUSTICE

Access to effective remedies is what women must have when their rights are violated, the law must protect their right to equal protection, and laws must be in place to guarantee non-discriminatory adjudication for all. According to Article 2(c) of the Convention on the Elimination of All Forms of Discrimination Against Women, State Parties must create legal protections for women's rights on equal ground with those of men and ensure that women are effectively protected from all kinds of discrimination by proficient authoritative tribunals and other governmental institutions.

It is critical to emphasize that States must see to it that laws are upheld and have an impact on women's everyday life. The power imbalances that exist in society, specifically those that harm women are reflected in the justice systems. Social and institutional restrictions impede women's rights to justice. Social barriers include things like illiteracy, ignorance, and dependence on males for money and assistance. These are just a few examples. Institutional barriers including distance from centers of power, proper facilities, infrastructure, and language must be looked at to ensure that women from remote areas, women who identify as minorities, indigenous, or women with disabilities have access to justice.

“Care shouldn't be seen as a responsibility alone, and it should be shared more equally between men and women, families, and the state since states' inability to create, supervise,

¹⁴ Altintas E. and Sullivan O., (2016). "Fifty years of change updated: Cross-national gender convergence in housework", *Demographic Research*, 35, 455-470.

¹⁵ Ird C. E., (1999). "Gender, household labor, and psychological distress: The impact of the amount and division of housework", *Journal of Health and Social behavior*.

and support formal household and care service increases the load on families, particularly women.”

In this regard, some recommendations are listed below.

Reduction of Investment in time-saving technology and infrastructure: The time restrictions on women are reduced by electrification and increased water access. When rural electrification was implemented in South Africa, the number of hours women spent on housework dropped significantly, which resulted in a 9% increase in female labor participation. In Pakistan, groundwater resources fairly close to home were linked to less time spent on household chores and increased female employment (Ilahi and Grimard, 2000). (Dinkelman, 2011). More public and care services are required because improved access to public amenities care for children, and geriatric care gives greater work-life balance. The NGO Mobile Crèches offers child-care services to women working on building sites for public works projects in India.

Tackling discriminatory social institutions: It is possible to "de-feminize" caregiving and change gender conventions that hinder males from taking on equitable caring obligations by taking on ingrained societal standards and gender roles.¹⁶ By boosting male participation in home-based care services, "Africare's Male Empowerment Project" is challenging gender stereotypes and changing behavioral tendencies in Zimbabwe, for instance.

¹⁶ Dinkelman, T. (2011), "The Effect of Rural Electrification on Employment: New Evidence from South Africa", *American Economic Review* 101 (7), pp. 3078-3108.

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