

Visibility and Value at Work:

The legal organization of productive and reproductive work

(FIRST ANNUAL LECTURE in the LAWS OF SOCIAL REPRODUCTION)

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WHEN

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Feminists have long troubled the status of reproductive work, arguing for the recognition of its value and the sharing of its burdens. International initiatives like the new ILO Domestic Workers Convention seek to de-exceptionalize domestic work by giving presence, voice and power to millions of 'invisible workers', while support for unpaid work is now identified as a target of the Sustainable Development Goals. Yet the simultaneous endorsement of policies and practices of market entrepreneurialism, favoured to advance development and gender empowerment, risks intensifying distinctions between paid and unpaid workers, along with the economic and political inequality that travels with it. In this context, we need to shift our gaze to how differences between productive and reproductive work are made and maintained. Here, I discuss four ways to think about legal rules: as behavioural incentives; as devices to allocate resources, risks and powers; as tools to (re) shape the domains of home and work; and as norms that legitimate hierarchical social and economic arrangements. Examining law in this way reveals how the flow of risks and resources, burdens and benefits is organized across home and market and provides a window on the mechanisms by which productive and reproductive work are distinguished, shaped and valued. Making a wide range of economic as well as social laws and policies visible as part of the law of social reproduction, this legal analysis provides a bridge to the work of activists and scholars in other disciplines and helps identify perils and chart future possibilities for those engaged simultaneously in unpaid and market work.



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