

## **When Filial Piety is a Legal Obligation**

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**by Winnie Chwang  
of Matthews Asia**

Filial piety is a concept well-ingrained in many Asian cultures. Children are often taught to respect their elders, appreciate their hard work of parenting and to reciprocate that gratitude by looking after them in their old age.

However, the financial obligation of looking after Asia's graying society is currently putting a strain on many young adults who find themselves unable to perform basic filial duties. In China, this issue has progressed to the extent that the government has stepped in and established a law requiring people to attend to the "spiritual needs of the elderly." The law outlines several clauses that detail the responsibilities of caring for parents. Children should visit their parents "often" and remember to send them greetings. Companies should provide employees with sufficient vacation time to be able to visit their parents adequately. The new rules, however, do not stipulate what punishment or consequences may face those who fail to abide by the law.

In 2007, India also passed a similar law in which children who neglect their parents may face jail time. Those over the age of 60 in India are expected to reach 113 million by 2016 and may jump to 179 million by 2026, highlighting the urgent need for India to resolve issues surrounding the erosion of its family structures.

Singapore actually adopted such a law in 1999, allowing parents to sue their grown children for cash and care. As of 2011, more than 400 cases had been filed, with four out of five successfully obtaining an order compelling offspring to financially support elderly parents.

In China, rising cases of elder abandonment have resulted in part from the country's long urbanization process. As China's coastal cities have flourished in recent decades, many young workers from poorer inland areas have been lured away from their hometowns in search of higher wages and better lives. Migrant workers to major cities continue to increase annually, with as many as 11 million new rural migrants relocating just last year alone. For many, returning home may involve traveling a considerable distance and at significant expense. In addition, China's one-child policy, established in 1979, has contributed to a generation of adults that are more likely to place their needs ahead of their parents.

Nearly half of about 185 million parents aged 60 and over in China now live apart from their children, according to a 2011 report by China's Xinhua news agency. The country's "empty nests" now reportedly account for more than 50% of all Chinese households. These alarming statistics may have prompted the Chinese government to create this new law. But the country still needs to prioritize the development of a more robust social welfare system, particularly a better health care system. The country has enacted some reforms to improve the affordability of medical coverage, but medical infrastructure is still sorely lacking in many parts of China. By 2050, China will also face the long-term issue of sustaining its economic growth rate. It is projected that 52% of its population will be working to support 34% of its population of elderly and young.

Part of the solution is to set up a health care system that will provide some level of care for the indigent elderly. China's new law signals the government's desire for families to share in the costs of health care. It is uncertain whether this desire is a function of the current stage of China's economic development or a preference for a less generous welfare state. However, it is consistent with the government's past stance. It may also lead to increased opportunities for the private sector to be involved with a reduced level of regulatory impact. Ideally, however, as the Chinese in-laws of a colleague put it, it would be far preferable to be cared for out of love, rather than a legal requirement.

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