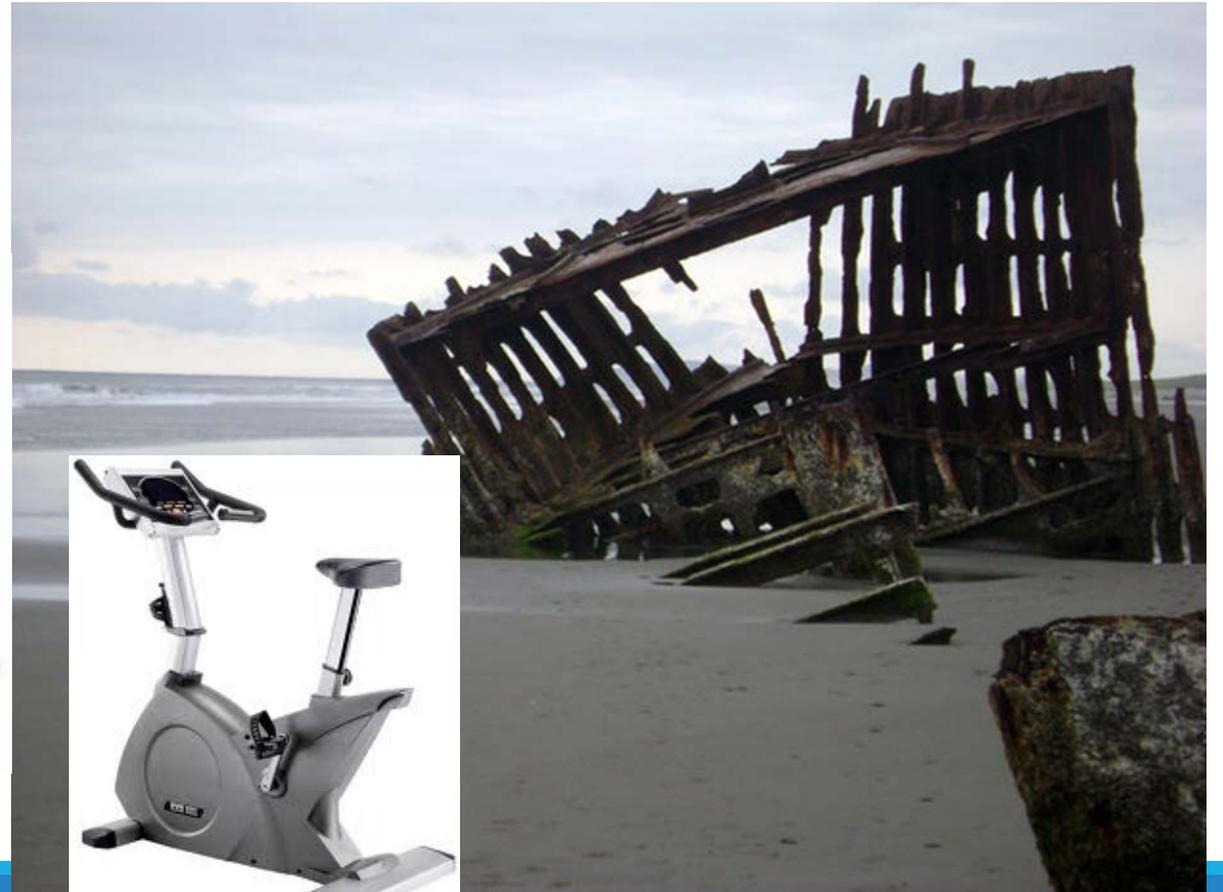


Caring for Parents: A Contractualist Approach

WILLIAM SIN 2016 JULY

The Case of (Strangers) Shipwreck: Joan & Jack



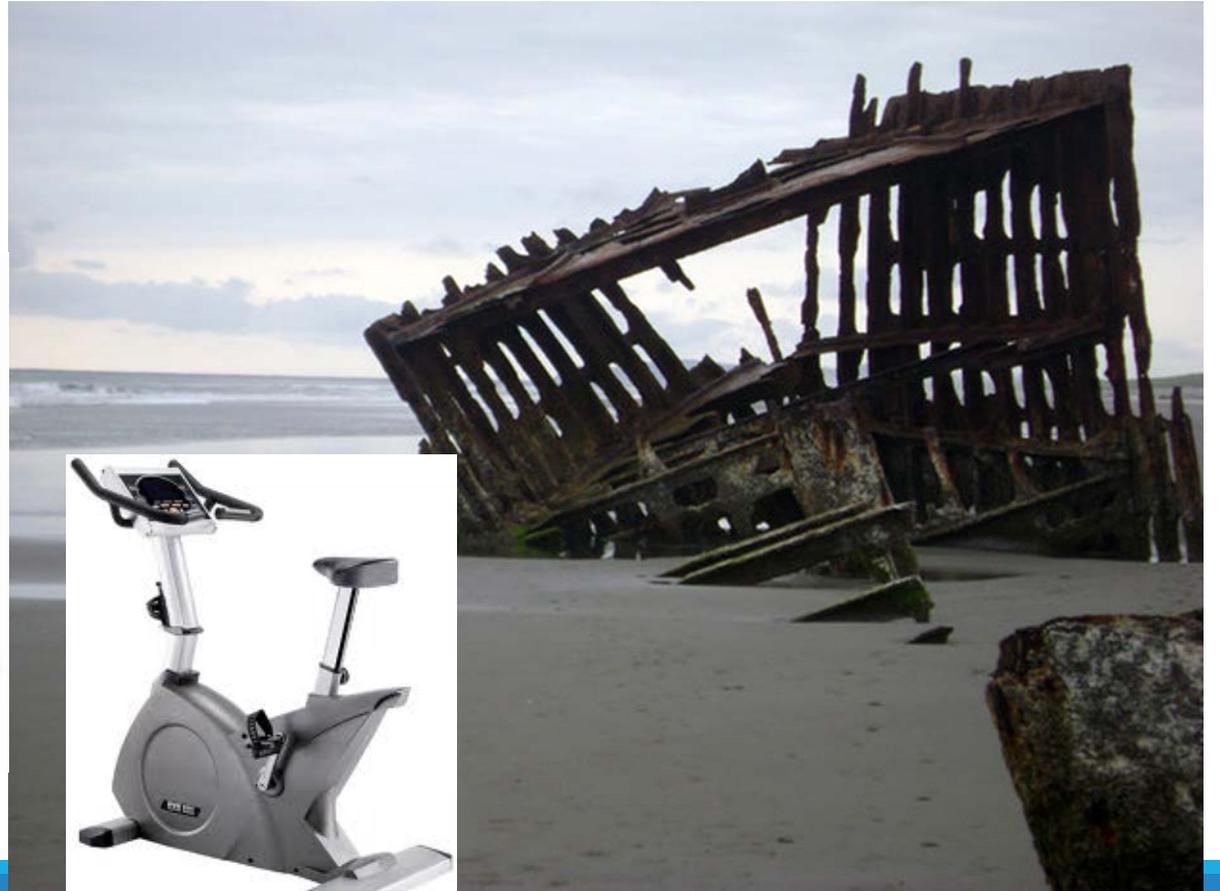
Dimension of Demand

- 1. Size of Sacrifice: Minimal, Moderate or Stringent
- 2. Mode of Response: Iterative or Aggregate

Three Principles of Caregiving

1. The Minimal Principle: An adult child is not obligated to promote his parents' interests.
2. The Moderate (Aggregate) Principle: An adult child is only released from the obligation to promote his parents' interests after he has sacrificed a substantial amount on their behalf.
3. The Extreme (Iterative) Principle: An adult child is always obligated to promote his parents' interests.

The Case of (Family) Shipwreck: Joan & Jack



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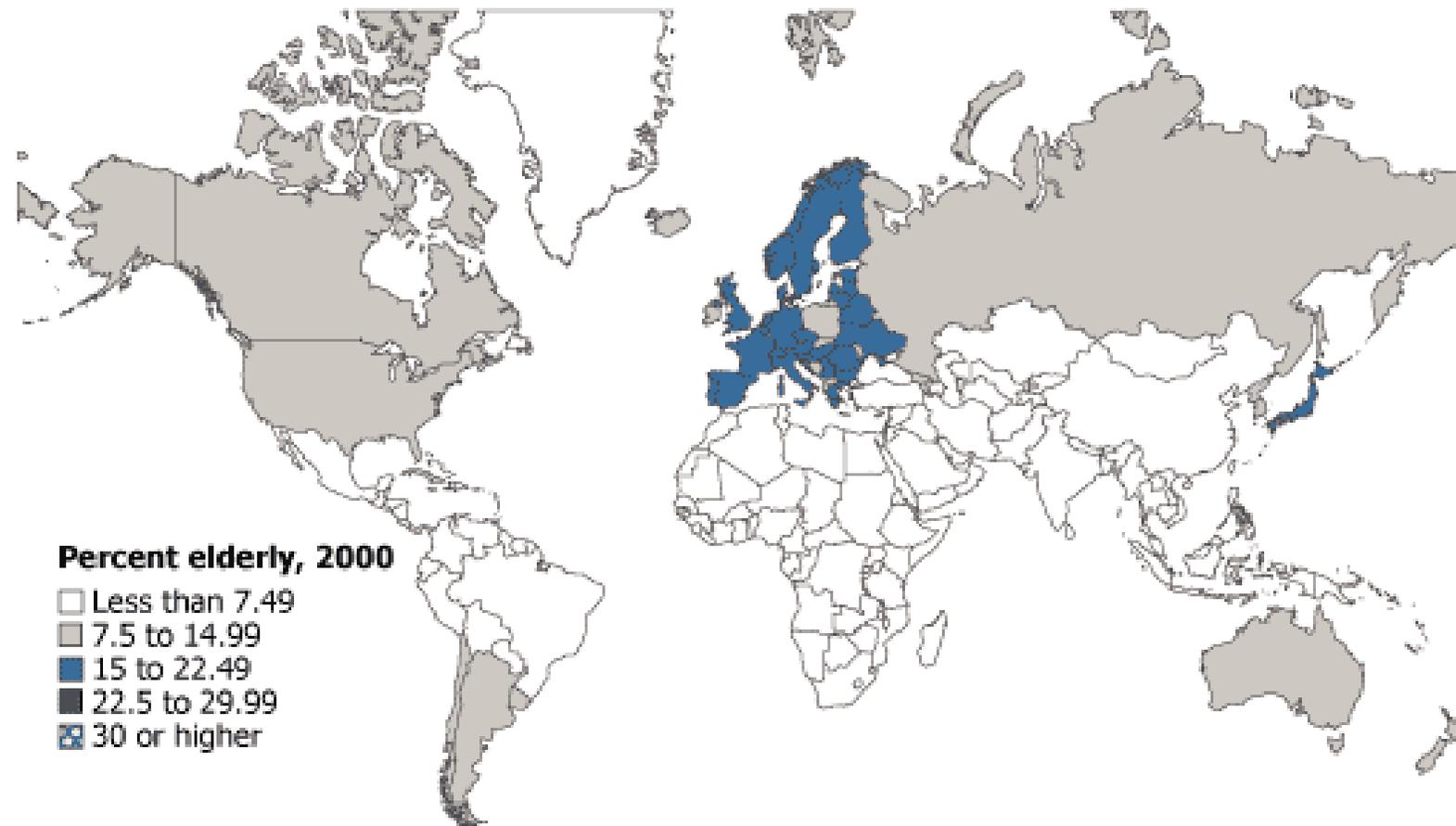
What are the differences between them?

1. The Case of (Strangers) Shipwreck: Joan & Jack
2. The Case of (Family) Shipwreck: Joan & Jack
3. The Case of (Unsatisfactory Father) Shipwreck: Joan & Jack

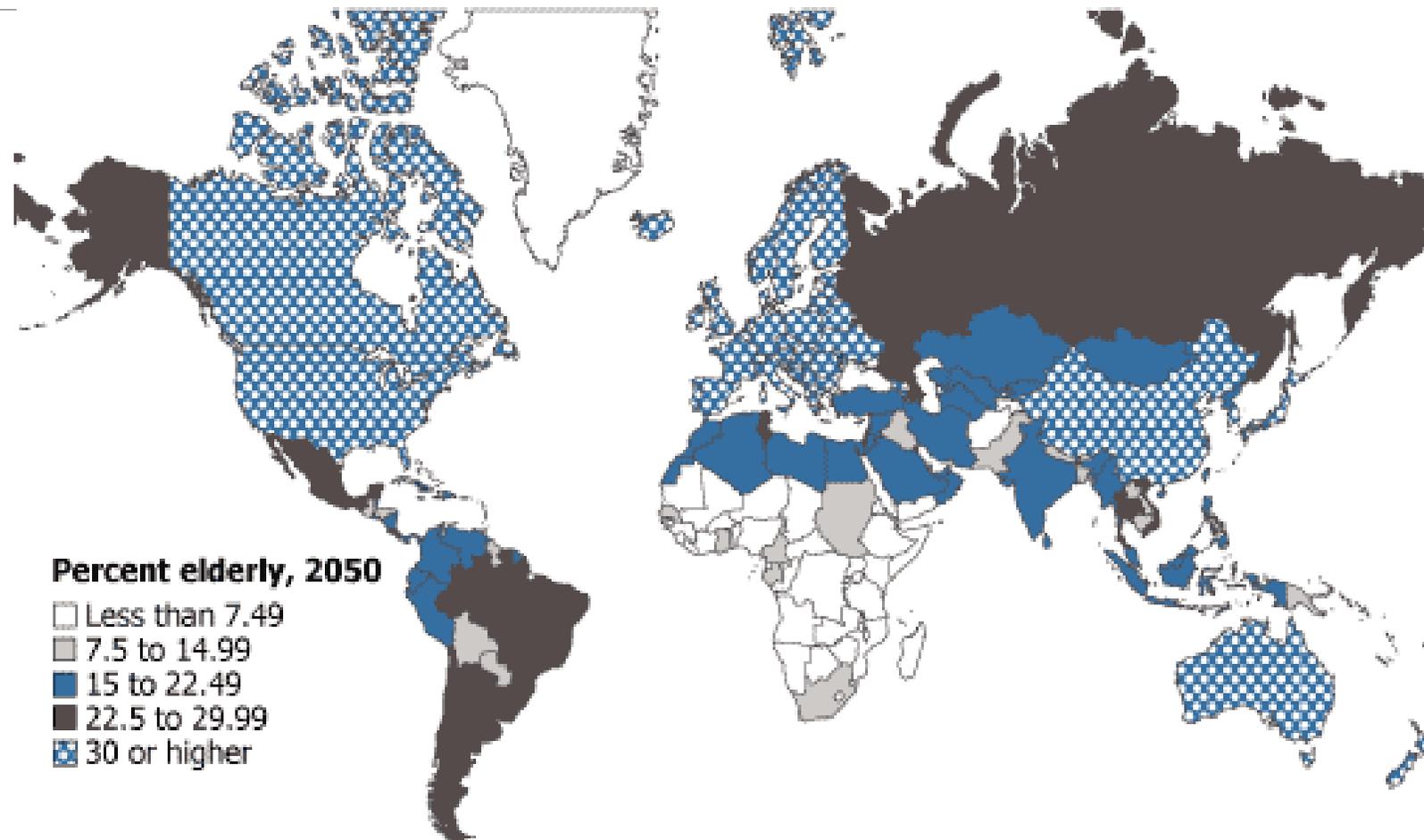
Major Considerations

1. The Burden on Jack if Joan does not ride the bike
2. The Burden on Joan if she has to keep riding it
3. The Aggregate Amount of efforts which Joan has contributed before.
4. + The Fact that Jack has saved Joan before
5. + The Fact that Joan and Jack share a friendly relation now
6. + Special Goods will be generated as Joan assists Jack
7. + Joan may need similar assistance too one day (?)

Population Ages 65 and Over in More Developed and Less Developed Countries, 2000-2050



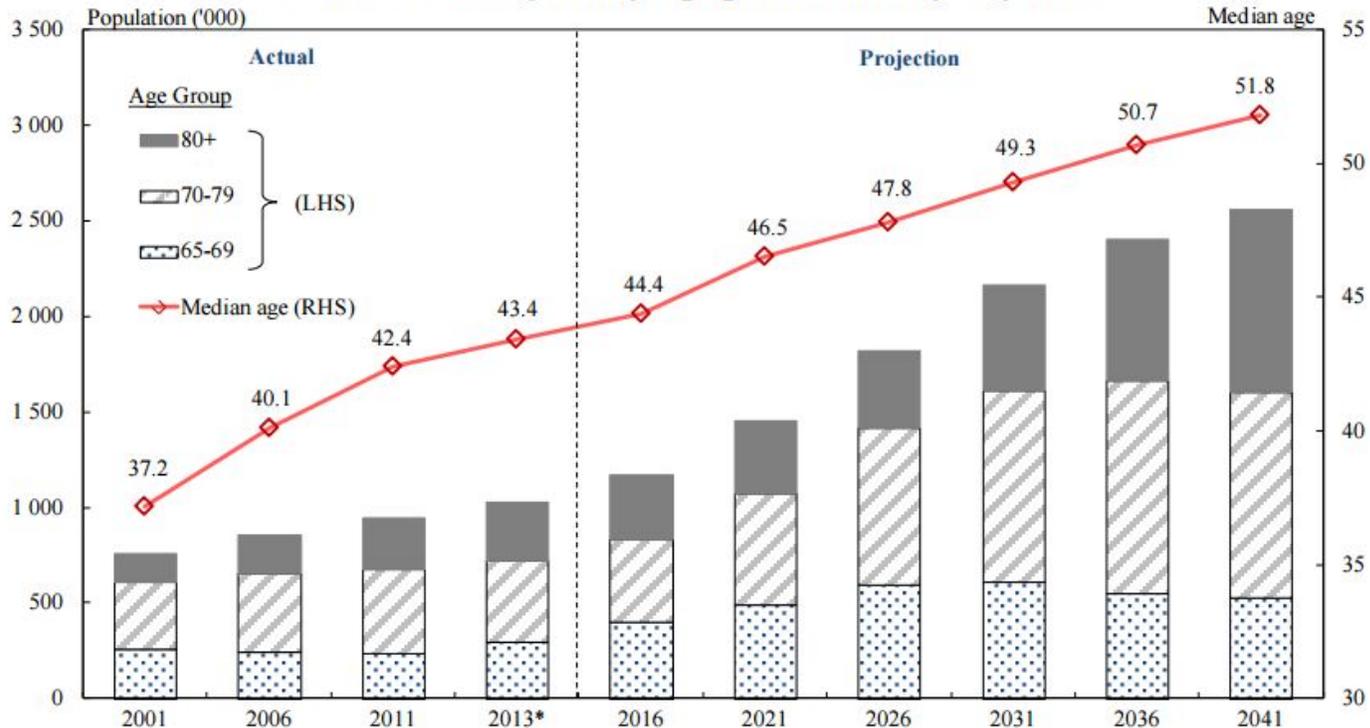
Population Ages 65 and Over in More Developed and Less Developed Countries, 2000-2050



Population ageing: no longer a long-term matter

The latest projections by the Census and Statistics Department show that our population will continue to grow in the next 20-30 years, but only at a decelerating pace, from 7.2 million today to 8.5 million in 2041. There will be a startling shift in composition: in less than 30 years' time, the number of elders aged 65 and above would surge from the current 1.0 million to 2.6 million in 2041. The median age would also climb to 52 by then, versus 43 today (*Chart 1*).

Chart 1 : Hong Kong's population is ageing fast



Notes : (*) Provisional figure.

Mid-year figures, excluding foreign domestic helpers.

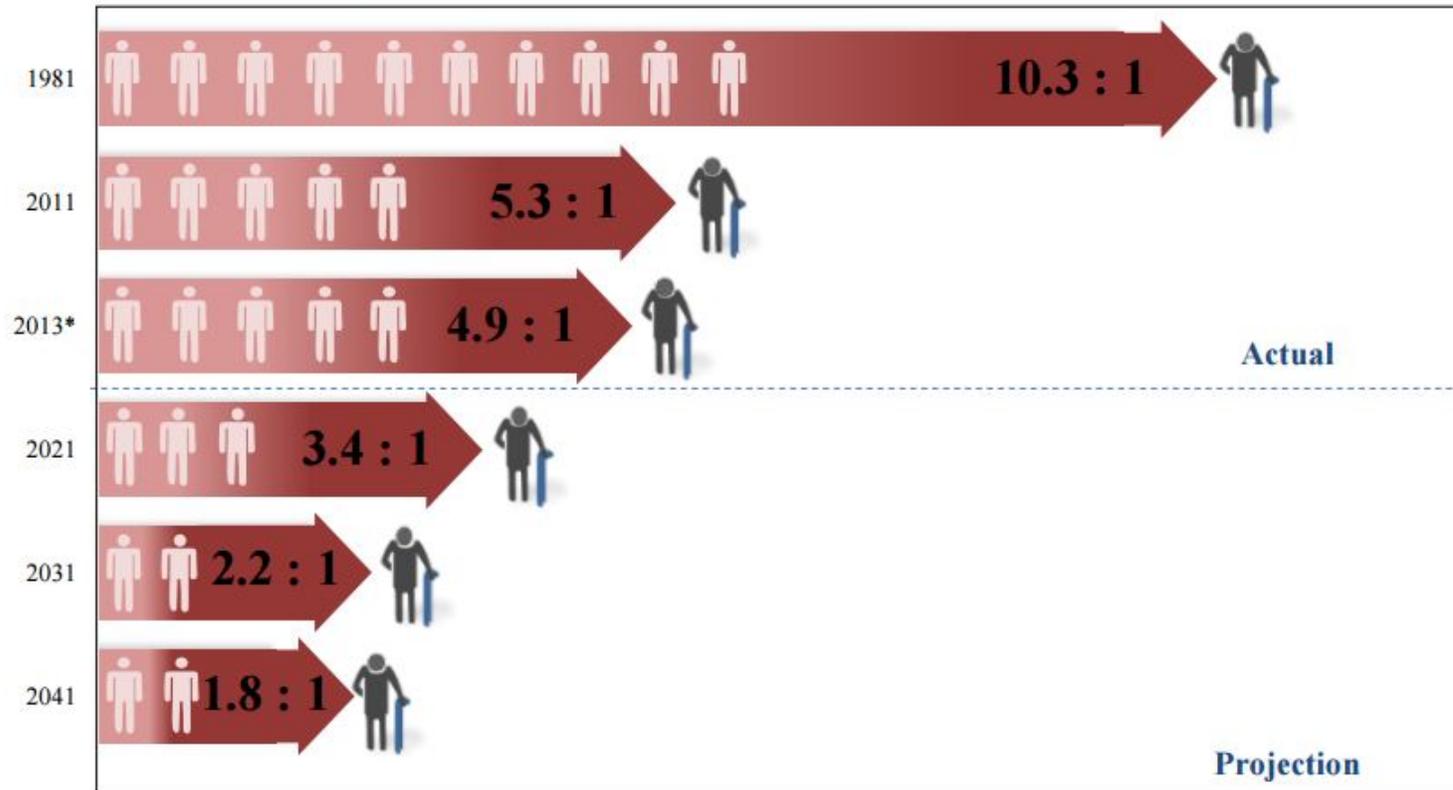
Source : Demographic Statistics Section, Census and Statistics Department.

Third Quarter Economic
Report 2013

Box 5.1 (Cont'd)

Chart 2 : Fewer and fewer working age people to support elders

The ratio of working age population to one elder



Notes : (*) Provisional figure.
Mid-year figures, excluding foreign domestic helpers.
Source : Demographic Statistics Section, Census and Statistics Department.

The demand of caregiving

RAWLS: "THE CORRECT REGULATIVE PRINCIPLE FOR ANYTHING
DEPENDS ON THE NATURE OF THAT THING." THEORY OF JUSTICE
1991:29

For Families of the Ailing, a Brief Chance to Relax

By JOHN LELAND
Published: August 18, 2008

MILWAUKEE — Mildred and John Fischer thought their retirement years would be a time for traveling and visiting their grandchildren. Then last September, just as Mr. Fischer was retiring as a postal carrier, Mrs. Fischer's mother, who has [Alzheimer's disease](#), came to live with them.

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Darren Hauck for The New York Times
Mildred Gordon, right, with her daughter, left, and an aide at a Milwaukee adult day care center.

The New Old Age

Jane Gross
blogs about

While friends and neighbors enjoyed carefree time, Mrs. Fischer said she felt that her world was closing in on her. She could sense her heart palpitating from the constant stress. It got so bad one day, she said, "I needed to go down to the basement and just sit."

Finally, with some feelings of guilt, the Fischers did what most other people in their position never try: they got away, leaving Mrs. Fischer's mother, Mildred Gordon, for the weekend at a new nine-bed "respite care" center here. It is a measure of health care aimed not at the sick or frail person, but at the exhausted spouse, child or friend.



A Quirky Athletic Tape Gets Its Olympic Moment
August 19, 2008, 7:46 AM

For the Overweight, a New Definition of Health
August 18, 2008

Getting Through to Teens About Driving Risks
August 18, 2008

Why Women Stop Breast-Feeding
August 15, 2008

Flawed Logic in Obesity Forecast
August 15, 2008

Health Update

 A weekly dose of health news on medical conditions, fitness and nutrition. See [Sample](#)
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SEE HOW MUCH YOU COULD SAVE.
CONTACT A MINNEAPOLIS ALLSTATE AGENT.

For Mrs. Fischer, respite rubbed directly against what she saw as her responsibilities to her mother. “I thought, no way am I leaving my mother,” she said. “I’m a good daughter; I can take care of her myself.”

So they tried to adjust. As her mother, 88, declined at their home, the Fischers bathed and cleaned her, and got used to her repeating questions or demands. They ran errands separately so one of them could stay with Mrs. Fischer’s mother. When their grandchildren visited, they took turns riding bikes with them.

Then one day, Mrs. Fischer said, “I looked at my husband and I felt sorry for him. I knew he needed a break, and I realized that I did, too. Much as I love my mother, I’m married, and we need to take care of each other.”

Mrs. Fischer began taking her mother to adult day care at [the St. Ann Center for Intergenerational Care](#), which last year also opened one of the few dedicated overnight respite facilities, to provide an alternative to nursing homes. Then when the couple needed a few days to work on their house, they took the leap of faith to leave her in respite care.

“What kind of daughter am I, leaving her for four days?” Mrs. Fischer asked herself. “I felt I was being selfish. Why do I need this time away from her?”

“I called her and said, ‘How are things?’ She said, ‘Today is the loneliest day of my life.’ I told myself I had to dismiss it. I told her: ‘Mom, you’re not alone. The reason we did this is that we had to work at home, putting a floor in.’ She said, ‘Oh, O.K. then.’ ”

The Best is not Enough. Seek Forgiveness.

I really hope my mother understands my difficulty and can forgive me for sending her to the nursing home. I am doing the best that I could in terms of financial support, but I know it is not good enough.

Janet sends her aging mother to a nursing home (p. 288).

From Cecilia L. W. Chan and others, "The Blessings and the Curses of Filial Piety on Dignity at the End of Life: Lived Experience of Hong Kong Chinese Adult Children Caregivers" *Journal of Ethnic & Cultural Diversity in Social Work*, 21: 277-296, 2012.

Feeling Sorry & Terrible

Sometimes I feel like a failure and a horrible daughter for sending my mother to the nursing home But I am so restricted in terms of time, money and space I really want to let her know how sorry I am and how terrible I feel.

Karen, 58, cares for her 82 year old mother at institutional care (p. 288).

Rawls's Contractualism

The Original Position: Veil of Ignorance

- “...no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance.” TOJ, p. 11.

Difference Principle: Protection of the worst off

Social and economic inequalities are to be arranged so that (Rawls, 1971, p. 302; revised edition, p. 53):

- (a) they are to be of the greatest benefit to the least-advantaged members of society, consistent with the just savings principle. (*the difference principle*)
- (b) offices and positions must be open to everyone under conditions of *fair equality of opportunity*

Self-Interest Rationality

“They are the principles that rational and free persons concerned to further their own interests would accept in an initial position of equality as defining the fundamentals of the terms of their association.” TOJ, p. 11

(1) Using the Maximin Strategy

1. The Minimal Principle: Lots of freedom for adult children; no assistance is provided for aging parents. (It is not a mere placeholder.)
2. The Moderate Principle
3. The Extreme Principle: Give great care to the aging parents; no room for other meaningful activities for the adult children

(2) One-Person Trade-offs

- Relation between generations is not like the relation between class, gender, or race. Many members of one party (the young) will also be members of the other party (the elderly).
- The circumstance is comparable to trade-offs between different stages of one person (though some adult children will not become parents, and some aging parents did not have parents to support when they were young.)
- Assume that people will live through each stage of life under institutions governed by the principles they choose.

(3) Choice between style of life?

- The Minimal Principle: A life without insurance. (Good opening)
 - The Moderate Principle: An affordable insurance. (Even course of life)
 - The Extreme Principle: A very expensive insurance. (Good end)
-
- How do people decide if they are ignorant of their actual conception of good?

Prudential Lifespan Account

- Income Preservation Principle: Each individual should have available at each stage of life, an adequate income to pursue whatever plan of life he may have at that stage of life. [Daniels, 1988, 121]

Equal Concern given to different stages of a life

- Daniels: “I may think of myself as free to form and revise my plan of life over time, and my lifetime well-being will depend on my having available to me at least a fair share of the all-purpose means for pursuing my ends, whatever they may turn out to be. [Ibid., 61]”

Special Goods of Intergenerational Support

- Keller: “parents may experience a sense of continuity and transcendence, a feeling that they will, in some respect, persist beyond their own deaths.” 267

Full Confidence against the Worst Possibilities

- Keller: “it is certainly likely that they are the ones you could approach with full confidence that they will do whatever is needed. ... In having such a special concern for you, they can add a level of protection against some of the worst possibilities that life might present.” 267

Scanlon's Contractualism

Irrelevance of Identity

- Scanlon: “This [the contractualist aim] gives us a direct reason to be concerned with other people’s points of view: not because we might, for all we know, actually be them, or because we might occupy their position in some other possible world, but in order to find principles that they, as well as we, have reason to accept.” (1998, 191)

No one could reasonably reject

- An agent has to justify his actions to those who are affected by them. An action is wrong if its performance would be disallowed by any set of moral principles for the general regulation of behavior that no one could reasonably reject (Scanlon 1998, p. 153).

Pairwise Comparison

- To make it impossible for different individuals to aggregate the magnitude of their complaints, Scanlon suggests we use a pairwise comparison between the agent most burdened by the prescribed principle and the recipient most burdened by the omission of it (Scanlon 1998, p. 195, p. 208 & p. 211).

Well-Being Losses

- “In many cases, gains and losses in well-being (relief from suffering, for example) are clearly the most relevant factors determining whether a principle could or could not be reasonably rejected.” (Scanlon 1998, 215)

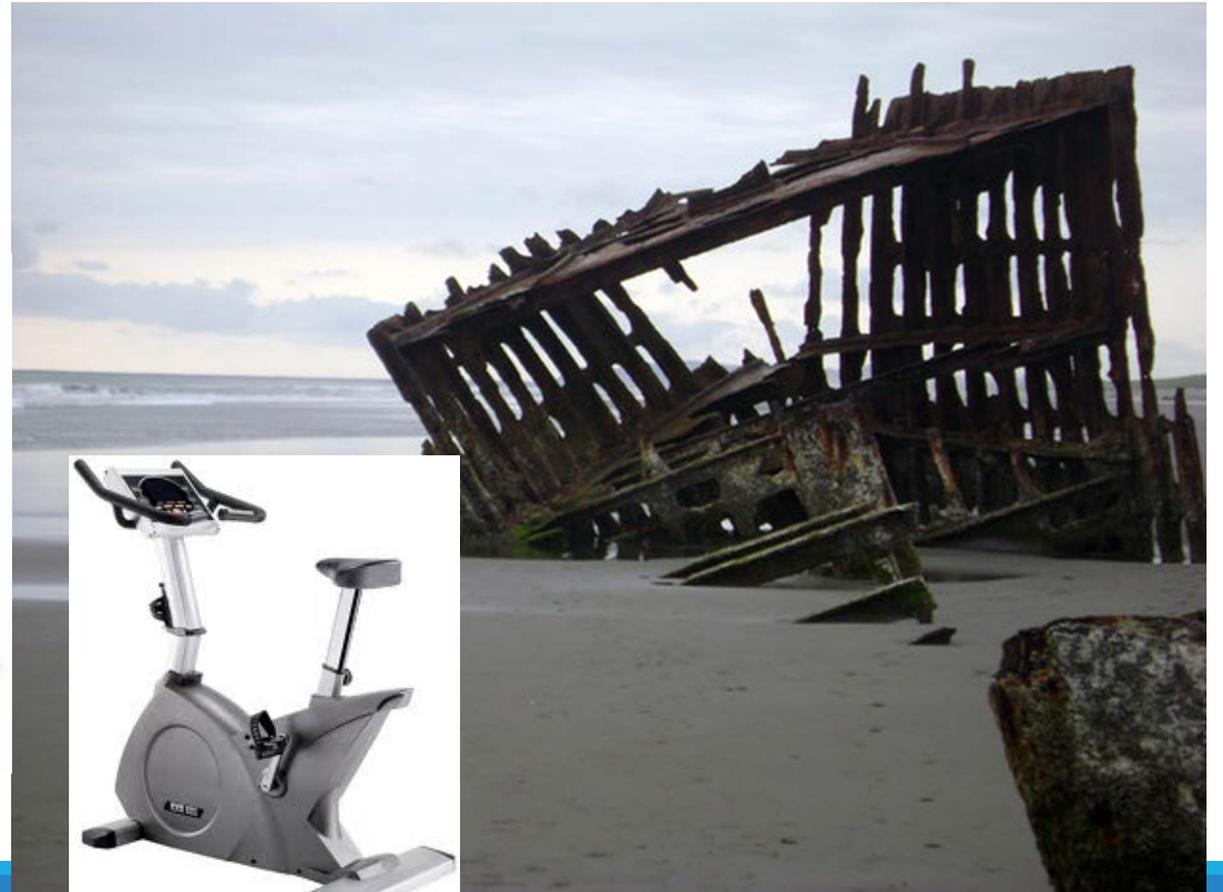
The Rescue Principle

- Scanlon: “If someone is in need of assistance and an agent can help him by making trivial to moderate sacrifices, it will be wrong if the agent does not help him (Singer, 1972, p. 235, p. 241; Griffin, 1996, p. 82; Unger, 1996, p. 7; Scanlon, 1998, p. 224).”

No Upper Threshold of Cost

- Ashford (2003, 279): Scanlon rejects the idea that there is a threshold level of cost, “such that it is reasonable to reject any principle that would lead to one’s suffering a cost that great” (p. 196). ... However great is the cost to an agent of her compliance with a principle, she cannot reasonably reject the principle on the basis of appealing to this cost alone, given that all the alternative principles may impose an even greater cost on other individuals.

The Case of Shipwreck: Joan & Jack



Reasonably reject anything less than EP

- The Minimal Principle conflicts with the considerations of the Rescue Principle.
- The Moderate Principle also conflicts with the considerations of the Rescue Principle.
- The Extreme Principle will make it difficult for the agent to maintain his projects and fulfill other special obligations.
- But the agent's doing anything less than the EP may be rejected by the recipient in the Shipwreck Case.

Even Stronger Reason in Family Shipwreck

1. EP is not rejectable in the Shipwreck case.
2. In the Family Shipwreck case, the agent has even a stronger reason to provide help.

Therefore, EP is not rejectable in the case of Family Shipwreck.

Previous Contribution

- Scanlon: “It is very plausible to suppose that this principle, which I will call the Rescue Principle, is one that could not reasonably be rejected, at least not if the threshold of sacrifice is understood to take account of previous contributions (so that the principle does not demand unlimited sacrifice if it is divided into small enough increments).” (1998, 224)