



AN AGING WORLD

DILEMMAS AND CHALLENGES FOR LAW AND SOCIAL POLICY

with an Introduction by Peter Laslett

Edited by John Eekelaar and David Pearl



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An Aging World

Dilemmas and Challenges for Law and Social Policy

With an Introduction by
PETER LASLETT

edited by
JOHN M. EEKELAAR
Fellow of Pembroke College, Oxford, England
and
DAVID PEARL
Fellow of Fitzwilliam College, Cambridge
England

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An Aging World

Dilemmas and Challenges for Law and Social Policy

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**AN AGING WORLD — DILEMMAS AND CHALLENGES
FOR LAW AND SOCIAL POLICY**

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February 1989

Ichiro Shimasu
Convenor
VIth World Conference
I.S.F.L.

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Introduction and Overview

by

Peter Laslett

The demographic scene — an overview

Peter LASLETT

University of Cambridge

There are several reasons why it is appropriate that an international meeting on family law and the elderly should have been held in Tokyo. One is that the Japanese population is aging faster than that of any other country. There are now over thirteen million Japanese people above 65 years of age out of a total of 122 million, and their number is growing at an unprecedented rate. It is expected that there will be 20 million over 65 by the year 2000. The only population which seems likely to exceed the Japanese pace of aging, though in the early part of the next century, is also in Eastern Asia, the People's Republic of China with some ten times the number of people.

Nevertheless Japan is still relatively young among the developed, industrial countries. Slightly above Australia and the U.S.S.R., with a little more than 11% of people over 65, Japan is clearly below the U.S.A. and France at 13%, or England and Wales and Germany, which both have 15%. In 1964, however, there were no more than 6% of Japanese over 65, about equal to today's world average. Japan then is a newcomer to the body of elderly nations, and perhaps for that reason more surprised, perhaps more dismayed even than they are — or should I say we are? — to find the national society transformed by suddenly growing old.

There is another sense in which Japan is notable for the age of its citizens, since expectation of life at birth in that country is at the moment the highest in the world. As of 1984 Japanese males could expect to live for 75.54 years, and Japanese women for 80.18; along with Iceland, the smallest of the nation states, the first example of a national life expectation for one gender of over 80 years. The latest estimate is 80.93 for females and 76 years for males and females together. Moreover another East Asian neighbour, the community of Hong Kong, has joined Japan as its closest rival for length of life.

You may be surprised at this combination of figures. It looks strange that a population in which everyone lives for such a long, long time as in Japan, should have a smaller proportion of elderly people than Sweden where males have a life expectation of 73.8 years and women 79.9, very close to the figures for Japan and Hong Kong. Yet there are almost two thirds more people over 65 in Sweden than there are in Japan, 17% of the whole population as against 11% in Japan and 7 or 8% in Hong Kong. The fact is that there is a demographic trap here. It has been rare until recently for expectation of life to be the most important factor in determining how many older people there are in any population. The fertility record of the population in question has been much

more influential in raising proportions of those in the higher age group. Japan, Sweden, and the countries of Europe, indeed all the developed countries, have seen their proportions get so big largely because their birth rates have been going down, until recently going down at very rapid rates. Hong Kong illustrates another factor in the aging process: it has a large immigrant population and immigrants tend to be young.

The importance of falling fertility in raising the proportion of old people is reasonable enough when you remember that as fewer and fewer babies are born, younger persons occupy less and less space in the population and older persons more and more. Nevertheless increasing life expectation does have an effect in causing proportions of the elderly to rise, especially if these increases occur before fertility, and after a long period of decrease, begins to level out at a low or very low rate. This has been the position in the 1970s and 1980s of all the countries which are classified as old, including Japan. Moreover it is important in itself that those in later life should have more years to go on living, since length of life in the later years is highly significant for the phenomenon which will concern me most in this overview of the demographic scene, that is the emergence during the last decade or two of what I shall call the Third Age, using the vocabulary which is now establishing itself for the discussion of aging.

My major task however is to provide family lawyers from all over the world with the bare demographic information which they need in order to take account of aging as a feature of family life. Since ours is a pre-eminently international society, this has to be done with international comparison in mind. Hence the necessity of presenting tables, and the first three sets of figures I have to show you illustrate the facts I have already mentioned. Let us look at them one by one and try to assess their interest for our present purposes.

Table 1 presents us with the ages of various continents and countries in terms of their proportions of elderly persons and spells out the differences between the developing and the developed areas. There are 5.8% of the people living on the globe who are over the age of 65, but the proportions in the developing countries are only just under a third of those in the developed ones, 4% as against 11.3%. Nevertheless there are already more elderly people in the Third World — 132 million compared with 128 million — and by the 2020s this discrepancy will have grown so much that there will be over twice as many. The general reason for these differences and changes is the much higher current fertility of developing countries. But fertility is now falling among them and mortality is falling too, often quite rapidly. The numbers of their elderly in relation to their populations are therefore bound to go up in the near future. Nevertheless the proportion of older people in the Third World in the 2020s will still be less than half of what we shall have in the developed countries.

What stands out in Table 1, then, is that developed societies at the present time are old societies, and undeveloped ones are young. This is evident in the lower panel, where Europe is far and away the oldest continent. The share of elderly people in European populations is larger by a quarter than that in North America, well over twice that in East Asia and four times that in Africa. As for

individual countries, Sweden, West Germany along with Britain are the oldest listed in the lower panel of Table 1, and these are undoubtedly the oldest populations which have ever existed anywhere at any time in history. Whether it follows from all this that population aging inevitably accompanies economic development is not a question which we can discuss. It is clear however that a society can age without developing, and that developed societies can differ greatly from each other as to age.

Table 1. Proportions and numbers over age 65, present and expected future

	1980's	2000's	2020's
World	5.8% 259 million	6.6% 403 million	9.3% 760 million
Developed Countries	1.3% 128 million	13.0% 166 million	16.7% 230 million
Developing Countries	4.0% 132 million	4.9% 237 million	7.8% 530 million

Continents and countries, proportions over 65, 1985 and after

East Asia	5.8%	Japan	10%	France	13%
North America	10.6%	United States	12%	Sweden	17%
Europe	13.0%	Australia	10%	Poland	9%
South Asia	3.1%	United Kingdom	15%	Brazil	4%
Latin America	4.3%	USSR	10%	India	3%
Africa	3.0%	West Germany	15%	China	5%

Sources: G. Myers, in Handbook of Aging and the Social Sciences, ed. R.Binstock and E.Shanas, 1984 U.N. yearbooks and various

It can be forecast, nevertheless, that in the long term, over a century or a century and a half, all populations will be old populations, at least as old as contemporary Europe, and probably older, and this irrespective of degrees of development. In this sense, as was the case with industrialization itself, the developed world is undergoing a process of change which will sooner or later affect the whole globe. Bearing in mind the other conspicuous message of Table 1 which will become clearer as we proceed — that the aging of populations is a very recent, a sudden event — let us turn to our second table. Here two further major demographic patterns are evident, the relatively small numbers of the very old in the present group of elderly persons as a whole, and the preponderance of women among them, which gets more pronounced as the years go by.

It is quite evident that such things as those which we have been discussing must affect the family and so are important to family lawyers. Of course aging is only one of the developments with such a tendency, and goes along with the drastic and near universal fall in the numbers of children born to couples and

Table 2. Proportions over 55 by age groups, with gender ratios
With Gender ratios, males per 100 females various years 1965-85

	55-9	60-4	65-9	70-4	75-9	80-4	85-
Japan (pop. 120,235,358)	4.8% (81)	3.8% (77)	3.4% (78)	2.6% (77)	1.7% (71)	0.9% (62)	0.5% (48)
United States (pop. 238,740,000)	5.1% (89)	4.4% (91)	3.9% (80)	2.9% (72)	2.1% (63)	1.3% (53)	1.0% (44)
Australia (pop. 15,378,646)	5.8% (100)	4.8% (92)	4.2% (86)	3.2% (79)	2.0% (69)	1.2% (61)	0.8% (37)
England & Wales (pop. 49,763,600)	5.5% (96)	5.8% (90)	4.3% (83)	4.3% (74)	3.2% (61)	1.9% (46)	1.2% (30)
West Germany (pop. 61,175,100)	5.8% (86)	5.5% (65)	3.4% (61)	4.6% (57)	3.5% (52)	2.0% (45)	1.1% (34)
France (pop. 55,061,000)	5.5% (93)	5.3% (87)	2.7% (81)	3.8% (71)	3.0% (61)	2.0% (50)	1.2% (34)
Sweden (pop. 8,350,366)	5.3% (96)	5.7% (94)	5.3% (90)	4.7% (83)	3.8% (74)	2.4% (60)	1.6% (47)
Poland (pop 36,913,515)	5.3% (84)	4.2% (77)	2.6% (70)	3.0% (65)	2.1% (58)	1.1% (46)	0.5% (36)
Brazil (pop. 135,564,000)	2.9% (97)	2.3% (96)	1.7% (94)	All over 70		2.6% (88)	
India (pop. 750,859,000)	2.9% (112)	2.3% (108)	1.7% (101)	All over 70		2.3% (100)	
China (pop. 1,003,913,927)	3.4% (107)	2.7% (100)	2.1% (92)	1.4% (81)	0.8% (68)	0.4% (57)	0.1% (45)

Source: U.N. Demographic Yearbook, 1985

present in their households, the rapid increase in divorce, in illegitimate children, in one-parent families, in cohabitation outside marriage and so on, all of which must likewise concern family lawyers and which may well have already been dealt with in earlier international gatherings of this kind. Japan has been touched by all these changes, but less so than the other industrial countries.

We know this, and we can discuss these things with some confidence in relation to Japan, because of a feature familiar to those who have any knowledge of the country; the facts have been recorded in considerable detail and, if the national census is anything to go by, with great accuracy. If we ask ourselves why Japan has been less affected by these changes, or less affected so far, the easiest answer is that the family is different in that country, with a different position in the social structure: perhaps the family is stronger, more traditional as many would say. It remains to be seen whether such a contrast will continue, or whether Japan, which is still early in the process of general familial change, will converge with Europe and America. The Japanese social structure, however, is very unlike the European, and the societies of East Asia and Asia as a whole have quite distinctive familial features. Accordingly, convergence between Japan and other Asian countries with Europe and North