

questions posed by Hacker about remittance payments may also be asked here: who would get the benefits of children's wages if the cultural norm is to concede to ideals of familial respect and honour? Moreover, to what degree is it valid to assume that work can alleviate poverty in this context? Beyond the practical problems of ensuring safe working conditions – which are vast and complicated – one could also argue that encouraging child labour would *reproduce* the hyper-capitalism that enabled bordered globalisation to begin with and *reinforce* the imposition of all-encompassing work norms of the US on developing countries.

Hacker shows there are no simple solutions to the dire need to feed children in the era of bordered globalisation. But this is why Hacker's conceptualisation is so crucial – to make us notice that we are all living within the framework of globordered families. To do so might help us realise what is at stake and the global responsibility that is needed to ensure that children have a right to minimal standards of living, while children and parents, both in developed and developing countries, have a right to family life. Hacker's aspiration is based on an underlying commitment to support children's needs and an understanding that the fundamental need for food is often underscored by another form of children's hunger – a hunger not only for nutrition, but also for parental nurturance. These two dimensions of children's hunger – for food and for relationships – fuel Hacker's important discussion of feeding children in the era of bordered globalisation. As for the ways to achieve such a vision, these remain largely outside the scope of the chapter. How is it possible to offer decent pay, and a chance at economic prosperity, while providing safe working conditions, adequate work hours and ways to maintain parent-child relationships? These are the questions with which we must continue to grapple.

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Book Review

Old age in an era of migrant elder care

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doi:10.1017/S1744552319000193

Many scholars have discussed the fact that population ageing is a global phenomenon and that old age is a global concern. Yet, surprisingly few have considered the impact of globalisation on ageing. Daphna Hacker's chapter on 'old age' in her new book, *Legalized Families in the Era of Bordered Globalization* (2017), is thus a welcome addition to the literature. In this essay, I describe the chapter's key contributions to the understanding of elder care and family law more broadly, and then – building

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on Hacker's invitation for further research – suggest next steps for researchers seeking to understand the impact of migrant-provided elder care on families globally.

Hacker's chapter on old age makes an important contribution by raising questions, and suggesting some answers, about how migrant-provided elder care affects families. Most notably, she shows how Israeli immigration law facilitates and encourages particular types of family relationships and dynamics. By granting visas for migrant care workers, Israeli law encourages family care of older adults (by discouraging institutionalisation), discourages it (by providing an affordable alternative) and shapes it (by creating caregiving roles for adult children that wrap around migrant labour).

More fundamentally, Hacker advances the study of family law by making the case for family law to take a lifespan approach to understanding the interaction between families and the law. Hacker astutely notes that family law focuses 'almost exclusively on family relations between parents and their minor children, as if the family story ends when the children reach the age of 18' (2017, p. 292). Hacker then demonstrates the fruitfulness of examining the interplay between the law and the parent-child relationship across the lifespan by exploring how migrant-provided elder care may affect the family members' roles and perceptions of the family unit. By calling out the need for an expanded vision of family law, and simultaneously demonstrating its potential, Hacker's chapter may thus help advance the field of family law well beyond the particular context of migration.

Since Hacker frames the chapter as an invitation for future research, I will take the liberty to suggest what it would take – from a research perspective – to provide a comprehensive and robust understanding of the impact of migrant elder care on families.

First, fully understanding the impact of migrant elder care on individuals and their families would involve considering the perceptions of – at a minimum – the three groups of individuals immediately implicated: migrant workers providing elder care, older adults receiving that care and the family members of both groups. Hacker's research as presented in Chapter 8 is an important contribution in that it provides insight into how the adult children of older Israelis receiving such care from migrant labourers perceive the caregiving relationship and the care provided. Parallel research interviewing migrant labourers providing elder care would allow a fuller account of, and more robust conclusions about, the role of the migrant worker in the family. For example, Hacker suggests that workers placed in more affluent homes tend to experience privilege relative to those placed in less affluent homes and that migrant elder care workers may experience 'family-like relations while in the home of the care recipient' (2017, p. 313). Yet, whether an arrangement that feels 'family-like' to a care recipient's children feels 'family-like' to the migrant worker is an open question. The answer might well be shaped both by the worker's experience and the worker's own perspective and attitude as to what constitutes 'family-like' treatment; these, in turn, may be shaped by cultural expectations and experiences not shared by the care recipient's family. Likewise, it would be helpful to understand how care recipients themselves view this care. To be sure, many care recipients are experiencing cognitive dementia or other cognitive disabilities that may make it difficult for researchers to interview them. Nevertheless, even those with significant dementia may be able to express preferences and attitudes that would shed light on how migrant-provided elder care affects their sense of their family and their role in it.

Second, to fully understand the impact of migrant elder care, one would also need to understand the impact on the older adults in countries that are sources of migrant labour. Hacker's chapter focuses on the impact of migrant care on the families in which the migrant labour occurs but, as Hacker notes (2017, p. 313), the 'care drain' could impact elder care in sending countries.¹ Migrant flows have the potential to affect family-care patterns in sending countries. For example, scholars examining the impact of migration of Eastern European labour to Western and Southern Europe have projected that such migration will increase male participation in family caregiving in the sending countries

¹There has, for example, been significant concern about the impact of migration of Filipino nurses on health care and well-being in the Philippines. See Fely *et al.* (2007) (exploring the relationship between migration of Filipino nurses to other countries and hospital closures and higher patient-to-nurse ratios in the Philippines).

(Cangiano, 2014). There is reason to believe, moreover, that the effects are often significant and to the detriment of older adults in sending countries, including migrant workers' own ageing parents. When adult children migrate abroad to care for others, their own parents may find it difficult – or impossible – to find replacement caregivers.² Of course, it may be that remittances to the sending countries or other factors offset the detriment. For example, high birth rates in sending countries may mean that elders in sending countries have sufficient numbers of available family members that they can still receive the care they need in the later years.³ Thus, especially in light of the scant research on the impacts of migration on migrants' parents,⁴ further inquiry is needed to fully understand the impact of migrant elder care on families.

Third, Hacker's chapter is rooted in the Jewish Israeli experience with migrant labour – an experience shaped by a particular set of immigration laws and norms. As both cultural systems and legal systems likely affect the lived experience of both those receiving migrant care and those providing migrant care, further research on the impact of migrant elder care in other jurisdictions would help create a fuller understanding. For example, one might wonder whether similar patterns of impact would be observed in countries, such as the US, in which the entrance of migrants to provide elder care generally is not legally sanctioned.

In short, Hacker's chapter on old age is a welcome and thought-provoking addition to both the family-law and elder-law literatures. It helps to advance debates and discussions surrounding migration and old-age care, challenges family-law scholars to take a lifespan approach to understanding the interaction between family and law, and presents an appealing invitation for valuable further research.

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²See Cangiano (2014) (projecting that European countries supplying migrant labour to other European countries will 'experience unprecedented declines in their capacity to provide intergenerational care support' (p. 144)); Piperno 2007 (explaining that older parents of migrant workers face problems obtaining care, and explaining elders in need of care 'find it more difficult than minors to find replacement caregivers ... because there are few people willing to offer the same services in their homeland that they could perform abroad earning a higher wage' (p. 65)).

³See Qu (2014) (showing that, relative to China and Japan, the Philippines has both a substantially higher rate of elderly parents co-residing with children and a substantially higher fertility rate).

⁴Cf. Hoff et al. (2010) (explaining that more is known about the impact that migrant elder care has on those in receiving countries than those in sending countries).