Abstract: As India’s society, economy and culture westernize, its traditional multi-generational family structure is breaking down. Traditionally, multiple generations of an Indian family would share one home. The patriarchs would allocate their finances to raising their own young children and caring for their aging parents. There was no need to plan for retirement because it was understood that as children grow up, they take responsibility for the support of their own parents. But as economic opportunities expand, young men and women are leaving their villages for lucrative jobs and more comfortable lifestyles in India’s cities. With no one left to care for them and little money making its way home, the nation’s elders are suffering.

The Maintenance and Welfare of Parents and Senior Citizens Act is an attempt to deal with this problem. The government bureaucrats who drafted the Act acknowledge that India cannot enact a social security program similar to the American system. The government needs children to adhere to the status quo and take care of their parents; it cannot financially support the elders on its own. The most salient provision of the Act creates local tribunals where a senior can bring a case against his or her children for non-support. Children who do not support their parents face hefty fines and jail time.

The Act has two main goals. First, the Act seeks to protect elders from poverty, abuse, and neglect. Second, as India cannot fund a comprehensive social security system, it seeks to accomplish its goals by enforcing and preserving traditional cultural values.

The challenges of supporting an elderly population are not unique to India. In fact, the United States has dealt with this issue in its own ways—by creating the hulking Social Security program and encouraging retirement investment, among other things. Comparing India’s and America’s responses to the shared problem of elder maintenance reveals telling differences about the countries’ cultures, social and family values, and ideas about what role government should play in private life.

This paper explores the problem of elder support, first in India and then in the U.S. It provides critical background information about the countries, which informs their values as well as their policymaking. It then compares the countries’ proposed solutions. We note that despite significant differences between the countries, India is following the same path to development that America took during the 20th century. The paper concludes by arguing that although the Act is well-intentioned, it will not improve the lives of Indian seniors. However, by Indian standards the Act may not be a complete failure: Its existence does communicate to the elderly that the government is concerned with their plight. In the conclusion we also propose solutions that the government and
NGOs could employ to actually improve the lives of Indian seniors. We also discuss whether India’s solution for supporting the elderly could become part of the U.S. solution to its own looming Social Security insolvency crisis.