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# Research on the Connection of Social Security System under the Development of Cross-Strait Marriage and Family: Current Situation, Obstacles and Paths

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#### **Abstract**

With the increasing number of marriages between Taiwan and mainland China in recent years, the size of the group that flows and settles across the two sides has been constantly expanding, which requires the cross-Strait social security system to cooperate and set up institutional co-operation and cohesion mechanisms to help more families response to life risks effectively and promote the development of cross-Strait marriage. Taking the development of marriages on both sides of the Taiwan Strait as a background, this paper uses the practical experience of international communities and the developed countries in Europe and the United States to sort out and analyze the current cooperation status of the social security system across both sides. Also, this paper analyzes the existing obstacles in the cross-Strait social security system cohesion and explores paths to resolve them.

## **Keywords**

Cross-Strait Cooperation, Social Security, Obstacles and Paths

## 1. Introduction

For a long time, marriage and family ties have become an important way to increase mutual understanding and promote exchanges between different social groups. As a vital link connecting the compatriots on both sides of the Strait, marriage and family across the Taiwan Strait is an important force that inherits the faith in peace and development, which is promoting national identity and strengthening the integration of communication (Zhang, 2013). Ever since Tai-

wan opened Taiwan compatriots to visit relatives in mainland China in 1987, exchanges in culture, economy and trade between the two sides of the Strait have continued, and the number of migrants and settlers across the two sides has been increasing year by year. Obviously, the number of marriage registrations on both sides of the Taiwan Strait has shown a clear upward trend. By the end of 2015, more than 367,000 spouses on both sides of the Taiwan Strait got married and registered, which is still increasing at a rate of about 10,000 pairs per year.

According to the life cycle perspective framework proposed by Polachek and Horvath in the field of population migration, it was divided into four basic stages: (1) Short transnational employment in the young period; (2) long-term immigration; (3) reunification of families; (4) community formation (Polachek & Horvath, 1977). Marriage of the two sides is becoming more frequent today; more migrant workers across the Strait started their family life and entered the stage of family reunification. As a result, the welfare needs of cross-border employment workers increased significantly. In addition to basic society insurance, social welfare also includes children's education, health care, family housing and other aspects, and migration between boarders is no longer confined to short-term expatriate staff, while more people tend to get legal permanent residence permit to become a long-term immigrant. As they grow older, they are more likely to have health problems and there are much more growing social welfare demands, especially in health care and pension insurance (Baldwin-Edwards, 2004).

Due to history and other reasons, there is an open problem between the social security system of two sides: The lack of cooperation and cohesion among the systems. Based on Citizenship and Social Right's theory, T.H. Marshall holds the view of social welfare that all people have equal rights to economic, political and social rights and nothing can be deprived of any reason (Zhang, 2012). Therefore, as a part of society, everyone should enjoy the right to social security. However, migrant workers who move across borders may face problems such as the inability to transfer insurance purchased before they move out or even the loss of social insurance in both places. Because of the lack of effective support from the social security system, marriage and family may become more vulnerable and prone to rupture when certain family members are exposed to specific life risks (unemployment, work-related accidents, illness, etc.). Against the background of the increasingly frequent marriage activities between the two sides and the social welfare needs of long-term immigrants continue to increase, this issue is detrimental to the development of marriage and family cause between the two sides, and impedes the effective flow of human resources; the issue still remains to be solved at present.

# 2. Current Situation of Cross-Strait Social Security System Cooperation

At this stage, the social security systems in each side only operate independently within their respective regions. There are no institutional arrangements for

cross-Strait social security systems cohesion. Although in both sides, there are already some certain social security policies which is covering the people from the other regions, systematic system of docking has not been shaped.

## 2.1. Relevant Laws and Regulations of Mainland China

As early as 1989, the former Ministry of Labor and Social Security, Ministry of Human Resources and Ministry of Finance of People's republic of China and other departments jointly issued the Provisions on the Treatment of Settlements by Taiwan compatriots and mainland relatives of a Taiwanese (The State Council, 1989), who were approved by the state for settlement in Taiwan. The retirees, emeritus and retired staff of state-owned enterprises, institutional organizations, party and government organs, and people's organizations who from Taiwan, their retirement benefits are treated in the same manner as the Mainland members. Those who are not eligible for retiring and leaving their posts and who are allowed to settle in Taiwan in the future may be eligible for the severance pay at one time. This provision is designed for those Taiwanese compatriots who choose to settle in Taiwan after their retirement, and continue to enjoy institutional arrangements for their insurance treatment.

Due to the historical reasons for the establishment of the social security system in the Mainland, the social-security provisions have not been incorporated into the Provisions of Employment of Taiwan, Hong Kong and Macao Residents in the Mainland (Ministry of Labor and Social Security of the People's Republic, 1994). However, in 2005, According to the new provisions, it was clearly stated that the employer should sign a labor contract with the hired staff from Taiwan, Hong Kong and Macao and pay premiums in accordance with the Interim Regulation on the Collection and Payment of Social Insurance Premiums (Ministry of Labor & Social Security, 2005). After the promulgation of this provision, local governments successively promulgated the relevant provisions on the employment of local residents in Taiwan and their participation in social insurance. These cover the local residents in Taiwan, Hong Kong and Macao who can participate in the basic medical insurance, the basic old-age insurance, the unemployed and work-related injury insurance according to the prescribed payment standards Insurance, also including arrangements for such people's social insurance transfer from different parts of Mainland China and the termination of relevant content. Local governments like Xiamen, Shenzhen, Suzhou, Shanghai and Tianjin have also introduced similar policies and regulations for social insurance arrangements for Taiwanese residents. Once the local provinces have enforced their implementation policies, many Taiwan-funded enterprises attempt to cut migrant workers eligibility for labor protection in Taiwan and prevent Taiwan businessmen from paying social insurance premiums in mainland China as well as in Taiwan. Therefore, the new regulation affects the relationship between migrant workers and the social welfare system of the two sides. When the government of resettlement places provide more membership benefits, this also often means that the migrant must make a choice between the two welfare systems (Tseng & Wu, 2010).

Subsequently, although the Social Insurance Law of the People's Republic of China was promulgated in 2011 (Standing Committee of the National People's Congress, 2011), it did not address the other policies and regulations for Taiwanese residents. The relevant social security policy practice remained at the local level. By 2013, the Notice of the General Office of the Ministry of Human Resources and Social Security on Unemployment Registration of Taiwan, Hong Kong or Macao Residents was promulgated (Ministry of Human Resources & Social Security, 2013). According to this provision, all residents of Taiwan, Hong Kong and Macao who have been employed in the Mainland for six months can take part in the local social insurance according to law. If they voluntarily file for unemployment registration after they have lost their jobs, they will enjoy employment services and corresponding unemployment insurance benefits like the local residents in the Mainland.

#### 2.2. Relevant Laws and Regulations of Taiwan

In the 1950s, the Taiwan authorities started the construction of local social security system. After three stages of development, including initial establishment, rapid growth and rapid development since the 1990s, Taiwan has now formed a complete institution of social security systems in which the labor insurance system and universal health Insurance system are the two most important social security projects.

With the Draft Amendment to the Act Governing Relations between the People of the Taiwan Area and the Mainland Area passed in Taiwan in 2009 (Ministry of the Interior Constitutional, 2009), the mainland spouses' right to work, inheritance and requisition of labor insurance in Taiwan will gradually be liberalized. Prior to the amendment, mainland spouses may participate in labor insurance in Taiwan as spouse of the insured person. However, mainland spouses may not have the labor insurance payment rights, if the insured person is injured, died outside the Taiwan area. After the bill was amended, the mainland spouse finally gained the full rights enjoyed by the spouse of a complete insured person. At the same time, this amendment amends the restriction that Chinese spouses can not work within 6 years of coming to Taiwan. When mainland spouses obtain permission to settle in Taiwan, they will be able to work in Taiwan. After employment, mainland spouses may participate in labor insurance in Taiwan through the employer, and may apply to the Bureau of Labor insurance for providing old-age insurance when they meet the retirement conditions.

In 2014, mainland spouses were formally included in the coverage of Taiwan's labor pension system. As one of the three major pension systems in Taiwan, the labor pension system is an endowment insurance system including "Personal Pension Accounts" and supplemented by "National Pension". Unlike labor insurance, employers should provide their mainland spouses as insured persons a monthly payment of 6% of their wages as employees' pensions and in special accounts for labor pensions (Bureau of Labor Insurance, 2014). Meanwhile,

Mainland spouses may pay their own personal pension special accounts on their own within 6% of their monthly wages. After the mainland spouse reaches the age of 60, if the payment period reaches more than 15 years, the monthly pension can be collected. If the spouse is less than 15 years old, the amount in the special personal pension account can also be withdrawn at one time.

In addition, the coverage of the National Health Insurance in Taiwan covers almost the entire population in Taiwan, including requiring the reimbursement of overseas medical expenses. Therefore, mainland spouses traveling to Taiwan may take part in universal health insurance six months after arriving in Taiwan and obtaining a certificate of residency. In the case of insured and continued payment, the mainland spouse who return to mainland China to visit relatives and receive local medical treatment, they first pay the medical costs in the hospital within the relevant regulations, then they can apply for reimbursement of some medical expenses back to Taiwan later based on the relevant documents opened by the hospital in Mainland (Ministry of Health and Welfare, 2017).

In general, the social security systems in mainland China and Taiwan provide some support to the migration of people from each side. The social members who migrate between the two places have access to the local social insurance system after obtaining the local residence and employment, they are covered and supported by certain social insurance. In other words, the social insurance system across the Taiwan Strait also has an initial extension to each other's regions. However, some groups still outside the coverage of social security. For example, unoccupied residents in the Mainland from Taiwan can not participate in local social insurance schemes as compared to the mainland residents. Some compatriots in Taiwan who marry the mainland man but do not choose to work, so they can not buy the Mainland Social insurance, which has caused many inconveniences in their daily life. For example, a Taiwanese woman married in the Mainland has no maternity insurance because she is not employed and during this period childbirth will bring her a higher amount of medical expenses.

Therefore, at present, the coverage and support of the social security system across the Taiwan Strait is only a low-level one. It is only an arrangement within each side, and it has not yet further developed into a system of cohesion and cooperation. There is no formation of social insurance between the two places effective portable. A large number of social members who come and go between the two sides of the strait and who are employed and settled can not obtain effective social security coverage, which will result in the loss of their rights and interests in social security, raising the social life risks of this part of the population. As a result, there will be negative impact on the harmonious development of cross-Strait marriage and family.

# 3. Obstacles to Cooperation of Cross-Strait Social Security System

### 3.1. Unstable Political Relations and Complex Political Ecology

The feasibility of politics is an indispensable condition for realizing regional co-

operation in social security between countries and regions. It refers to whether certain policies are consistent with the nature of the state, the basic political principles and the national development plan, whether it is in the interests of the country or the people and whether it can be accepted by the decision makers, the higher-level leadership and the people (Ou, 2004). The issue of political sensitivity is particularly prominent on the issue of cross-Strait exchange and cooperation. At present, the "1992 Consensus" was not reached and the political disagreements between the two sides have become an important obstacle to the institutional cooperation. Mainland China has consistently adhered to and affirmed that the "1992 Consensus" is the basis for cross-Strait "The Three links" and the institutional economic, trade and cultural exchanges as well as the basic principle that Taiwan must comply with in its foreign relations. However, in 2016 Tsai Ing-wen, Taiwan's new leader, denied the "1992 consensus" directly when it came to dealing with foreign affairs. Therefore, the unfriendly attitude of public power among the two sides will become an obstacle to many aspects of institutional cooperation across the Taiwan Strait.

In addition, the complicated political environment in Taiwan and the longstanding presence of "Taiwan independence movement" have given adverse social and political conditions for the cross-Strait social security system cooperation. Taiwan's legislature and administrative agencies have mixed the ills of "pan-politicization" in their deliberations on various types of agreements (Ji, 2014). The game between the two parties has restricted the passage of policies and regulations. In recent years, Kuomintang in Taiwan, and the Democratic Progressive Party (DPP) have been obviously divided. Differences in policies opinion in the fields of ideology and social policy have been widened. There has been a serious lack of consultation and coordination between the two parties, which has made it very difficult for the formulation and promotion of the policy that benefiting the people. Take cross-Strait trade as an example. In 2014, the Sunflower Student Movement against the "Cross-Strait Service Trade Agreement" broke out in Taiwan. At that time, the forces of social movement in Taiwan were used by the DPP to strengthen the anti-Kuomintang force. Ma Yingjeou, who was the leader at that time, was forced to formulate the "Regulations for the Supervision of Cross-Strait Agreements" and accept the "Substantive review". As the DPP has repeatedly delayed the censor, the "Cross-Strait Service Trade Agreement" has long been on hold in Taiwan's Legislative Yuan, not been put into force yet.

# 3.2. Lack of Trust and Misunderstand

The formulation of policies is influenced by the value orientation of the entire society and the attitude of the public. The people in Taiwan lack sufficient trust in official consultation and cooperation between the two sides of the Taiwan Strait. This is reflected in the unfriendly attitude of Taiwan people to the ruling parties and governments in the Mainland and people in Taiwan generally con-

cerned that Taiwan's interests being invaded by the Mainland. Taiwan's youth are worried that the over-reliance of Taiwan's economy on the mainland will threaten its "Political Security" (Deng & Shen, 2017). According to the poll data of August 2012, 50.2% Taiwanese people think the mainland government is unfriendly to the people in Taiwan, which is significantly higher than the rate of 32.8% that regards it as being friendly (TISR, 2012). According to 2016 polls in May, the percentage of Taiwanese people who hold negative reviews about the Communist Party of China (CPC) is as high as 66.2% of the surveyed population, much higher than the positive rate (11.5%) (TISR, 2016). Moreover, more than 60% (62%) of Taiwan people surveyed by the TVBS Poll Center in 2012 have no confidence in Taiwan authorities in safeguarding the interests of Taiwan in cross-Strait negotiations. The negative attitude of the Taiwanese people to mainland China has affected their judgment of the interests. Since the judgment of interests must through "cognition", and "cognition" is affected both by "identity" and more "emotion" (Chen & Geng & Chen, 2016). In other words, Taiwan people's perceptions of cross-Strait system cooperation interest will be influence by their negative attitudes toward mainland China.

Social forces such as non-governmental organizations and mass media in Taiwan don't concern with the vulnerable groups such as mainland spouses on cross-Strait marital issues. In addition, such an atmosphere is exploited by "Taiwan independence movement" forces, causing some Taiwanese residents show their psychology of discrimination and exclusion to mainland spouses, "which is shaped as a social issue producer and burden on social welfare." (Yang, 2016). Mainland spouses would hear in daily life in Taiwan such as "Ah Lu Mei", "foreign workers" and "marginalized" with such exclusionary labels, and their images are easily labeled as "low quality", "coming to Taiwan for money and cheating Taiwan identity cards" and other bad labels (Chen, 2005). In the meantime, mainland residents also have some negative attitudes toward Taiwan. Some studies have pointed out that more than half of the compatriots in Taiwan who are interviewed believe that Shanghai people have a deep-rooted prejudice against them. Mistrust and prejudice make mainland residents misunderstood or even excluded migrations from Taiwan (Shu, 2011). People fail to see the long-term interests that cross-Strait cooperation will bring, so they show indifferent to the policy issues of cross-Strait social security cooperation. Without the necessary foundation of public opinion, the issue of cross-Strait social security cooperation can hardly be formally entered into the government's official policy agenda.

## 3.3. Difference in Design and Model in Social Insurance System

Taiwan's labor insurance covers several types of aspects, such as childbirth, injury, disability, old age, medical treatment and death among the labor force (Xiang, 2010). One insurance covers many fields of protection projects. However, the social insurance modes in mainland China are different, and it is com-

posed of unemployed, pension, medical care, work injury and maternity insurance, each aspect are set to different insurances. Take the example of endowment insurance, it's the system combining the actual account with the personal account in mainland China, and it's mainly composed of the pension insurance system for urban workers and employees, the pension insurance system for government agencies and public institutions, and the rural pension insurance system. Although Taiwan also classified different types of retirement pension insurance for different occupational groups, it forms a three-tier system including "National Pension", personal account system and commercial annuity insurance. In other words, the pension system across the Strait is on different modes of framework, although both systems have their common characters but essentially different in the structure, (Chen, 2017) virtually increase the difficulty of convergence between two systems. In addition, there are obvious differences in social insurance design between Taiwan and mainland China in terms of specific classification, coverage, level of payment, contribution rate, and fund-raising methods. Take health insurance as an example, the coverage of Taiwan's National Health Insurance covers almost all the population in Taiwan, including children, the elderly, non-employers and people with disabilities, and other types of people involved. Although the coverage of various insured persons, both the rich and the poor enjoy the same health insurance treatment. Compared with the social basic medical insurance in the lower Mainland, the insurance is classified according to the population, divided into Urban Resident Basic Medical Insurance, Urban Employees' Basic Medical Insurance System and The New Rural Cooperative Medical Insurance, different kinds of population have its own insurance treatment. As a result, many difficulties have been caused in docking the system. In addition, in actual cooperation in cross-Strait social security system, if we sign the social insurance exemption agreements, mutual insurance migration between the two sides may face the loss of rights and interests after the transform of social security, which is a crucial problem need to be resolved.

## 4. Paths to Cohesion of Cross-Strait Social Security System

At present, there is a clear gap between the mainland and Taiwan in terms of the level of overall economic development. Moreover, the historical old problems and new issues for the realization of the peaceful development of cross-Strait coexist at present. Various obstacles hinder the realization of the cooperation between the two sides' social security system. Combining the above three obstacles, this paper explores the ways to resolve the barriers to cooperation in this area.

#### 4.1. Build Political Foundation and Promote NGO's Participation

Adhere to the "One China" Principle as the Political Foundation for Realizing Cross-Strait Regional Cooperation in Social Security. To achieve institutional cooperation, both sides must form a common recognition of the "1992 Consensus." However, under the current complex political environment in Taiwan,

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there are too many uncontrollable factors in political consensus. Both the Kuomintang and the DPP government are unlikely to make a drastic change in their political stance in a short period of time. The political obstacle to resolving social security cooperation across the Taiwan Strait is a complex process that requires more intelligent political game techniques and flexible handling of details (Li & Hai, & Zhang, 2012).

"As a civil society, as a political presence, civil society strives people to participate in politics, express and realize its own will, and promote the state to serve its citizens and social interests." (Guo, 2009). On the one hand, the two sides of the Strait government encourage relevant NGO through policies and financial support, such as the Mainland's Cross-Strait Marriage and Family Association, Taiwan Cross-Strait Marriage Coordination Association, Taiwan International Workers Association and New Immigrants Labor Rights Association. As they are promotion association groups that help each individual to show their will on social protection and help through organized political entities. On the other hand, by encouraging the exchanges and interactions among civil society, we will continue to accumulate the energy of mutual trust in politics and establish cross-Strait "civil society". People across the Strait form common social experiences in the exchange and interaction so as to form common values and code of conduct (Xiao, 2015). Consensus on cross-Strait people's pursuit of cooperation in the social security system will be formed and powerful public opinions will be formed to guide the introduction of official government policies.

#### 4.2. Strengthen Individual and Cultural Interaction

Social psychology holds the view that an individual considers a group with certain similar characteristics to itself as an "inner group", and regards other groups with different characteristics as "outer groups." Under such a division, individual tends to actively work hard to find out the advantages of members in the group body, and then make a negative evaluation for the negative group members (Sun, 2015). Therefore, seeking ways to change people's negative assessment of immigrants based on the theory of social psychology, the direct face-to-face communication between people between the two sides is a indispensable way to change the inherent stereotype. As the direct face-to-face communication between the people across the Taiwan Strait can build the public awareness for cross-Strait cooperation and promote the in-depth and interactive cooperation across the two sides. By promoting cross-Strait non-government exchanges and resolving relevant policy obstacles, people can walk out of their long-term social environments and to experience each other's social life. In the interaction, they perceive differences, understand differences and establish friendship, in order to eliminate the psychological barrier between the people on both sides of the Strait as far as possible.

At present, on the basis of a good platform for cross-Strait exchanges and cooperation, we need to further resolve the obstacles to exchanges between the people on both sides of the Strait and reduce the costs of exchanges. We need to promote exchanges between social groups across the Taiwan Strait so as to create cross-Strait cooperation Living home together (Ai, 2014). At the same time, we should grasp the advantages of Taiwan culture with the same roots as Chinese culture, attach importance to the link between Chinese culture and cross-Strait culture, and promote the establishment of cultural exchange institutions such as the Chinese Cultural Co-operation Committee across the Taiwan Strait, and attract cross-Strait folk culture scholars and literary and art circles to act as an active role and build an open and integrated communication platform (Shi, 2017). This will help modern cultures across the Taiwan Strait discover more common ground between them, and release more extensive goodwill for cooperation so as to lay a good public opinion foundation for the cooperation and development of the social security system.

#### 4.3. Establishment of Cooperation and Convergence Mechanism

Due to different development paths and so on, the differences between the social security systems in mainland China, Hong Kong, Macao and Taiwan are not less than the differences between China and other countries. Therefore, we can learn from the experience of international cooperation in social security and establish the social security system in mainland China, Hong Kong, Macao and Taiwan Cooperation between the mechanisms (Wang & Wei, 2008). The most common international cooperation among countries in implementing the social security system to deal with overseas employment of labor force is the signing of a Social Security Agreement between the labor importing and exporting countries, and the establishment of a system of cooperation and cohesion of the social security system. Europe Connection on Social Security, passed by the Council of Europe in 1972, stipulates that all citizens of the European Union may retain, maintain and transfer their social security rights (Kulke, 2006). It has been proved that it will help to better guarantee the basic rights and interests of the migrants and promote the long-term development of population migration among Europe. Taking Germany as an example, migrant workers should be included in the provisions of equal wages and working conditions so that they will have equal employment and injury protection in their workplaces. They will also provide pensions and disabled wills in order to maintain the overall family of mobile workers' interest. European conventions and bilateral agreements have further strengthened the social rights of foreign workers, and services such as health insurance, sickness compensation, child allowances and housing allowances have all covered the migrant workers (Sainsbury, 2006). The cooperation and convergence of cross-Strait social security can mainly draw lessons from the two aspects of EU practice.

On the one hand, we should organize relevant cross-Strait scholars and regular chamber of commerce-related personnel to discuss and exchange ideas on academic and practical issues so as to lay a solid theoretical and practical basis

for the laws, regulations and the policies implementation. Subsequently, with the initiative and promotion of experts and scholars as well as community discussions, government departments and expert committees conducted the design and construction of laws and regulations to fix the rights and interests of social security for the migrants across the Taiwan Strait. On the other hand, it focuses on solving the system integration design of specific social insurance portability. Under the precondition that the social insurance in the mainland has been uniformed and transferred unimpeded, doing studies on the cumulative and payment of premiums among some EU member states, and we should pay attention to the responsibility of the government and the sharing of enterprises and individuals in the system of responsibility development to achieve the institutional cohesion of social security while ensuring the full realization of individual rights and interests in the eligibility criteria, benefits calculation, insurance payment, service delivery, application process and information communication established cohesion system rules.

In addition, cross-Strait social security cooperation and convergence can be achieved by using Fujian Province as a pilot first for reform and as Fujian is the most close-connected province for communication and cooperation with Taiwan, the long-standing economic and social geography has made Fujian Province play a crucial and special role in cross-Strait social security system cooperation (Zheng & Lin 2015). Therefore, the first step is to promote the cooperation and promotion of the cross-Strait social security system in Fujian Province and establish a social security information communication mechanism between Fujian and Taiwan. Through the development and promotion of network information sharing technology, we will establish a barrier-free communication network between them and solve the problem of exchanging data off-site. Moreover, follow-up with the relevant management system arrangements will achieve effective insurance portability of social security relations between Fujian and Taiwan migrants, and will find some specific problems to assist the system to amend and upgrade, and ultimately achieve national promotion.

#### 5. Conclusion

At this stage, the social security systems in mainland China and Taiwan provide some coverage for the migration among themselves, but this cooperation is only a low-level one and it is still difficult to give cross-Strait marriage family career development strongly support. The next step should be to conduct a more in-depth study on the design of the convergence mechanism for cross-Strait social security system, and to make full use of the rich experience of the international community and developed countries and try to build a well-functioning institutional consultation platform between the two sides to form a cross-Strait social bond. Also, resolving the current obstacles to the cooperation and pushing forward the signing of social security cooperation agreements as soon as possible will offer more comprehensive and effective social security support and coverage

for the people move across the Strait, and safeguard their social security rights and family marriage happiness

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