

## Evolution of Right to Protection of Senior Citizen

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### Abstract

The protection and care of senior citizens has been a concern throughout human history, shaped by cultural, social, and economic factors. This paper provides a historical overview of how different societies across time have approached the welfare and rights of the elderly. In ancient civilizations, such as Greece, Rome, and China, the elderly was often revered and regarded as sources of wisdom and guidance, though societal status and family roles heavily influenced their treatment. During the medieval and early modern periods, religious institutions played a significant role in providing care, but the rise of industrialization in the 19th century saw a shift in family dynamics, leading to new challenges for elder care. With the advent of social welfare programs in the 20th century, particularly following the Great Depression and World War II, governments began to formalize protections through pensions, social security, and healthcare systems. However, the global aging population of the 21st century presents new challenges, prompting the need for further policy innovations. This historical exploration highlights the evolution of senior citizen protections and underlines the ongoing importance of addressing the needs of older populations in contemporary society.

- **Keyword-** wellbeing, protection, human history, gender equality, economic factors, civilization, social security.

### Introduction

Buddha made a well-known remark at the start of his ministry. These are not vile tragedies that should be hidden or buried. They comprise the essential structure of all human existence. Growing older is a worldwide occurrence. People have the potential to grow up, mature, and eventually age in every culture<sup>1</sup>. In India, above 60 are considering as elderly, although in Western countries, that age is just 65<sup>2</sup>. Perhaps the issue that most adversely disrupts India's perfect society goal is the difficulties faced by the elderly. Even as civilization advances, the condition of the elderly has not changed; this issue has raised doubts about some of humanity's most basic assumptions<sup>3</sup>. Along with ensuring their independence and engagement over time, older people today want society to provide them with care, fulfilment, and respect<sup>4</sup>. Safety, poor income, disability or incapacity, lack of legal assistance, loneliness, child abuse, child neglect, and disrespect are the main problems this group faces. One question that has been brought up is who Elder. The terms "old age" and "elderly" describe ages that are near or above the average lifespan of a human<sup>5</sup>. Since the definition of old age varies depending on the community, it is impossible to pinpoint exactly. In January 1999, the Indian government enacted a "National Policy on Older Persons." A person 60 years of age or older is considered an "elderly" or "senior citizen" under the legislation<sup>6</sup>. Understanding the nature and scope of senior citizens' pains is the aim of this thesis. Nonetheless, the urban city of Lucknow is specifically mentioned in this socio-legal study. The study emphasized to investigate the treatment of senior citizens by Indian law enforcement. Finding out how knowledgeable Indian law enforcement was on matters pertaining to senior citizens was the aim. The rights of the aged in India have been extensively discussed in literature, but the laws and policies that impact that they received less as compared with others. By analysing effects of legislation pertaining as the aged with particular reference to the Lucknow division, the researcher hopes to shed light on the miseries associated with aging.

### Who is Older Person?

Most industrialized countries define an "older person" as someone who is 65 years of age or older, according to "the World Health Organization (WHO)" in 2009<sup>7</sup>. In addition to a person's chronological age, there are other factors which can be considered in establishing their age, such as psychological, biological, and sociocultural processes. For example, a person's social positions, level of physical fitness, perceived age, and skill level can all be considered to establish their age in addition to their actual years. This study focused on physical attributes of aging, including body image, hair colour, and facial features<sup>8</sup>. When recognizing an elderly person, mobility and mental activity it has been found that particularly important traits<sup>9</sup>. There are wide variations even in the age at which an individual is deemed elder. In a survey of elementary school pupils in the United States, some participants believed that another than 100 years as compared with others than a person of 20 years old<sup>10</sup>. The age of the perceiver has been found to have a considerable impact on their understanding of what it means to be "old."<sup>11</sup> Generally speaking older people think that old age starts later in life than younger people do. For example, people over 50 considered themselves to be older than 80 years, but peoples between the ages of 20 and 29 considered themselves to be 60 to 69 years old. The gender of the perceived and the perceiver has been emphasized as a crucial factor in classifying an individual as elderly<sup>12</sup>. Men tend to think that women reach old age earlier than men, and they are more likely than women to characterize "old age" as happening at a lower chronological age. It has also been demonstrated that historical ideas and cultural norms have an impact on what is viewed as being old. It's observed that cultural norms and historical viewpoints can influence what is considered old<sup>13</sup>. In the previous decade, 65 has been viewed as the upper limit of middle age, but in the early nineteenth century, 40 was considered "the beginning of old age." It is possible because of steady increase in life expectancy. Furthermore, the term "old" is defined differently in different countries.

### Views of the general public toward elderly individuals

As people live longer and the world's population ages, it is important to comprehend the attitudes that are common in society toward older people. Ageism can lead to discrimination and elder abuse. Understanding the factors that influence our perceptions and interpretations of aging and older people is also essential. These factors can then be taken into consideration when creating social and educational programs to protect and improve the care of senior citizens. The aging of the world's population has resulted in a number of new social, political, and economic problems (WHO 2002). In this context, the public's perception of aging and the elderly influences the creation and implementation of social policies that impact them. For example, people are likely to need more medical care and daily support as they get older. Zhou (2007) asserts that favourable perceptions of senior citizens reduce their likelihood of receiving high-quality care services and forming wholesome relationships with others. According to a published study by the Health Service Executive (HSE) called Open Your Eyes (2009), people's attitudes and opinions can seriously negatively impact the lives of older people. According to the study, ageism and ageist viewpoints can create a system that promotes elder abuse, age discrimination, and the denigration and disempowerment of the elderly, and these are not the only factors that lead to elder abuse. There is a requirement for a scientific understanding of how the general public views aging and senior individuals, according to a study conducted by the Working

<sup>1</sup>Côté, J. E. (2000). *Arrested adulthood: The changing nature of maturity and identity*. NYU Press.

<sup>2</sup>Dommaraju, P. (2016). Perspectives on old age in India. *Contemporary demographic transformations in China, India and Indonesia*, 293-308.

<sup>3</sup>Cruikshank, M. (2013). *Learning to be old: Gender, culture, and aging*. Rowman & Littlefield.

<sup>4</sup>McCormack, B. (2003). A conceptual framework for person-centred practice with older people. *International journal of nursing practice*, 9(3), 202-209.

<sup>5</sup>Roebuck, J. (1979). When does "old age" begin? The evolution of the English definition. *Journal of social history*, 12(3), 416-428.

<sup>6</sup>Pahuja, R. (2019). Critical Study on Human Rights of Senior Citizen in India With Special Reference To Policies And Programmes.

<sup>7</sup>World Health Organization. (2014). Regional strategy for healthy ageing.

<sup>8</sup>Neagu, A. (2015). Body image: A theoretical framework. In *Proc. Rom. Acad., Series B* (Vol. 17, No. 1, pp. 29-38).

<sup>9</sup>Baker, P. S., Bodner, E. V., & Allman, R. M. (2003). Measuring life-space mobility in community-dwelling older adults. *Journal of the American Geriatrics Society*, 51(11), 1610-1614.

<sup>10</sup>Robinson, S., & Howatson-Jones, L. (2014). Children's views of older people. *Journal of Research in Childhood Education*, 28(3), 293-312.

<sup>11</sup>George, P. A., & Hole, G. J. (2000). The role of spatial and surface cues in the age-processing of unfamiliar faces. *Visual Cognition*, 7(4), 485-509.

<sup>12</sup>O'Toole, A. J., Deffenbacher, K. A., Valentin, D., McKee, K., Huff, D., & Abdi, H. (1998). The perception of face gender: The role of stimulus structure in recognition and classification. *Memory & cognition*, 26, 146-160.

<sup>13</sup>Hareven, T. K. (2018). *Families, history and social change: Life course and cross-cultural perspectives*. Routledge.

Group on Elder Abuse (WGEA), a body created to consult and advise the Irish government on problems relating to elder abuse. It was acknowledged that research on attitudes toward the elderly was necessary, and it was further argued that considering the possible harm, research on attitudes toward the elderly is warranted<sup>14</sup>. Both people and organizations may be impacted by ageism. Elderly people's treatment may be influenced by how society views them. Recent incidents have brought to light the importance of closely monitoring how older persons are perceived in order to take steps to reduce ageism and elder abuse<sup>15</sup>. It was mentioned that the prevalence of anti-aging and anti-older people sentiments in different nations is yet unknown<sup>16</sup>.

#### Old Civilization

**Mesopotamia and Egypt:** Ancient societies like Mesopotamia and Egypt's treatment of the elderly demonstrates their fundamental views on aging and regard for the knowledge of elders<sup>17</sup>. Legal codes like the Code of Hammurabi (c. 1754 BCE) not only set social rules but also represented the values of the time in Mesopotamia, which is frequently considered one of the cradles of civilization<sup>18</sup>. The Code emphasizes the obligation of children care their parents through a number of legislations relating to family dynamics and obligations<sup>19</sup>. It reinforced the notion that cared about elderly was not only a familial duty but also a community expectation by, for example, penalizing those who neglected in their support for elderly relatives. Ancient Egypt, whereas, presented old age people are important contributors to society<sup>20</sup>. The Egyptians held their elderly in high regard and frequently portrayed them as wise and experienced individuals in tomb art<sup>21</sup>. The idea of Ma'at (Egyptian Goddess), which stands for justice and truth, was applied to how elderly people were treated<sup>22</sup>. In both household and governmental affairs, elders were frequently sought out for their wisdom and experience. Furthermore, the existence of complex funeral customs for the elderly suggests that society values them and believes that their worth is maintained beyond death.

**Old Greece and Rome :** Ancient Greek city-states differed greatly in how they treated their old citizens<sup>23</sup>. Elderly people were frequently ignored in Sparta, a society that placed a strong emphasis on military principles<sup>24</sup>. People who could no longer serve in the military might be neglected because society valued youth and physical prowess. The practice of exposing children who were considered weak or ill is proof that the Spartan ethos promoted the desertion of the elderly who were unable to sustain these standards<sup>25</sup>. Elderly people, on the other hand, played a larger part in civic life in Athens<sup>26</sup>. Only male citizens were permitted to participate in decision-making procedures under the democratic system<sup>27</sup>. Elderly people, on the other hand, played a larger part in civic life in Athens<sup>28</sup>. Only male citizens were permitted to participate in decision-making procedures under the democratic system. Athenian thinkers like Plato and Socrates argued that elders should be included in discussions about ethics and governance because they understood the significance of lifelong wisdom<sup>29</sup>. Even yet, there was still ageism and the possibility among elder peoples being made fun of in public. Legal frameworks in Rome started to codify "the rights and obligations" of the aged. Enacted in 9 CE, the Lex Julia et Papia Poppaea sought to promote family assistance for aging parents<sup>30</sup>. A social recognition of family responsibilities to the elderly was reflected in the law's provisions that penalized neglect and required children to look after their aged parents. However, economic disparities started to appear when Roman society changed from a public to an imperial one. During economic downturns, many older people found themselves at risk of being abandoned or relegated to the periphery of society.

#### Middle Age

**Feudal Societies:** Senior citizens' treatment underwent a dramatic change during the Middle Ages, especially under the feudal system<sup>31</sup>. Because the social system was based on local community and familial relationships, elderly people were largely dependent on their relatives for support. The elderly was frequently seen as knowledge keepers in rural areas, and their life experiences influenced local government and agricultural methods<sup>32</sup>. They were crucial to the dissemination of practical and cultural knowledge, which was necessary for agrarian societies to survive<sup>33</sup>. However, traditional family structures started to erode in the late medieval era as urbanization increased. As younger generations relocated to urban areas in pursuit of employment, many older people experienced social isolation<sup>34</sup>.

**Holy Manipulation:** During the Middle Ages, religion had a significant influence on how society viewed the old. In particular, the Christian Church promoted elder care as a moral obligation<sup>35</sup>. Elder care was seen as an act of piety with respect to biblical teachings that placed a strong emphasis on respecting one's parents<sup>36</sup>. Monasteries frequently functioned as refuges for the elderly, offering care and housing to the individuals who were unable to sustain themselves<sup>37</sup>. The Church did have some restrictions on its charity endeavours, though. Usually, support was only given to members of the faith, leaving non-Christians or people on the margins of society without help<sup>38</sup>. Furthermore, the emergence of mendicant orders complicated the social dynamics around elder care by introducing a degree of stigma to people who depended on charity, even though it was advantageous in some ways.

**Era of Reason:** A paradigm shift in how societies viewed aging and the elderly occurred during the Age of Enlightenment<sup>39</sup>. Philosophers like Jean-Jacques Rousseau and John Locke popularized concepts that focused on the inherent dignity of all people, including the elderly, and individual rights<sup>40</sup>. These ideas created an atmosphere in which older people's experiences and contributions were valued more and more by society<sup>41</sup>. However, these theories' actual applications differed greatly between countries, and in many places, systematic neglect of the elderly persisted.

#### Contemporary Perspective

**Legal Outline:** The legislative systems that safeguard the welfare and rights of older adults have undergone substantial change the 20th and 21st centuries<sup>42</sup>. "The Universal Declaration of Human Rights" was adopted in 1948 which results into significant shift in the debate of "(IHR) International Human Rights" that followed

<sup>14</sup>Lyons, I. (2009). Public perceptions of older people and ageing. *Dublin: National Centre for the Protection of Older People (NCPOP)*, 14.

<sup>15</sup>Shepherd, B. F., & Brochu, P. M. (2021). How do stereotypes harm older adults? A theoretical explanation for the perpetration of elder abuse and its rise. *Aggression and Violent Behavior*, 57, 101435.

<sup>16</sup>Henry, J. D., Coundouris, S. P., Craik, F. I., von Hippel, C., & Grainger, S. A. (2023). The cognitive tenacity of self-directed ageism. *Trends in Cognitive Sciences*, 27(8), 713-725.

<sup>17</sup>Harris, R. (2000). *Gender and aging in Mesopotamia: The Gilgamesh epic and other ancient literature*. University of Oklahoma Press.

<sup>18</sup>Waibel, P. R. (2020). *Western civilization: A brief history*. John Wiley & Sons.

<sup>19</sup>Flekkoj, M. G., & Kaufman, N. H. (1997). *The participation rights of the child: Rights and responsibilities in family and society* (Vol. 4). Jessica Kingsley Publishers.

<sup>20</sup>Kemp, B. J. (2018). *Ancient Egypt: anatomy of a civilization*. Routledge.

<sup>21</sup>Hodel-Hoens, S. (2000). *Life and Death in Ancient Egypt: Scenes from Private Tombs in New Kingdom Thebes*. Cornell University Press.

<sup>22</sup>Ferguson, R. J. (2016). The ancient Egyptian concept of Maat: Reflections on social justice and natural order.

<sup>23</sup>Glassman, R. M. (2017). The origins of democracy in tribes, city-states and nation-states.

<sup>24</sup>Hodkinson, S. (1983). *Social order and the conflict of values in classical Sparta*. Beck.

<sup>25</sup>Robertson, E. A. (2018). *Growing up Greek: The differing journeys through childhood in ancient Athens and Sparta* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

<sup>26</sup>Evans, N. (2010). *Civic rites: Democracy and religion in ancient Athens*. Univ of California Press.

<sup>27</sup>Irvin, R. A., & Stansbury, J. (2004). Citizen participation in decision making: is it worth the effort? *Public administration review*, 64(1), 55-65.

<sup>28</sup>Evans, N. (2010). *Civic rites: Democracy and religion in ancient Athens*. Univ of California Press.

<sup>29</sup>Holstein, M., Waymack, M., Sheets, D., Bradley, S., & Hendricks, J. (2006). The contributions of philosophy and ethics in the study of age. *Enduring questions in gerontology*, 177-201.

<sup>30</sup>O'Keefe, A. K. (2004). Augustus as Paterfamilias. *The University of Georgia. Georgia*.

<sup>31</sup>Dyer, C. (2005). *An age of transition?: economy and society in England in the later Middle Ages*. OUP Oxford.

<sup>32</sup>Lwoga, E. T. (2010). Bridging the agricultural knowledge and information divide: The case of selected telecenters and rural radio in Tanzania. *The electronic journal of information systems in developing countries*, 43(1), 1-14.

<sup>33</sup>Šumane, S., Kunda, I., Knickel, K., Strauss, A., Tisenkopfs, T., des los Rios, I., ... & Ashkenazy, A. (2018). Local and farmers' knowledge matters! How integrating informal and formal knowledge enhances sustainable and resilient agriculture. *Journal of Rural Studies*, 59, 232-241.

<sup>34</sup>Rúa, M. M. (2017). Aging in displacement: Urban revitalization and Puerto Rican elderhood in Chicago. *Anthropology & Aging*, 38(1), 44-59.

<sup>35</sup>Lategan, L. O. (2021). The ethics of elderly care—is the Church prepared for challenges and opportunities?. *Journal for Christian Scholarship= Tydskrif vir Christelike Wetenskap*, 57(3), 149-171.

<sup>36</sup>Canda, E. R. (2013). Filial piety and care for elders: A contested Confucian virtue reexamined. *Journal of Ethnic and Cultural Diversity in Social Work*, 22(3-4), 213-234.

<sup>37</sup>Burton, J. (1994). *Monastic and religious orders in Britain, 1000-1300*. Cambridge University Press.

<sup>38</sup>Sawyer, M. R. (2003). *The church on the margins: Living Christian community*. A&C Black.

<sup>39</sup>Cole, T. R. (1983). The 'enlightened' view of aging: Victorian morality in a new key. *The Hastings Center Report*, 13(3), 34-40.

<sup>40</sup>Regin, D. (2012). *Freedom and Dignity: the historical and philosophical thought of Schiller*. Springer.

<sup>41</sup>Lund, A., & Engelsrud, G. (2008). 'I am not that old': inter-personal experiences of thriving and threats at a senior centre. *Ageing & Society*, 28(5), 675-692.

<sup>42</sup>Esping-Andersen, G. (1996). After the golden age? Welfare state dilemmas in a global economy. *Welfare states in transition: National adaptations in global economies*, 1-31.

World War-2. Implicitly acknowledging the requirements of elder people and promoting their social and economic stability, this historic resolution highlighted the right to a sufficient standard of living<sup>43</sup>. Building on this framework, a number of international agreements and programs have been developed to expressly address the rights of older citizens. Notably, the Madrid International Plan of Action on Ageing (2002) sought to guarantee older people's full involvement in society and advance their rights<sup>44</sup>. Comprehensive policies addressing social security, health, and older people's participation in their communities were collective part of the plan. Although the enforcement of these pledges varies among different countries, the countries who ratified this plan have committed to creating national policies to better the elderly lives of citizens<sup>45</sup>. Legal actions have been taken in many western nations to finance social programs aimed at the elderly, such as the United States' Older Americans Act (1965)<sup>46</sup>. A greater understanding of the special requirements of senior citizens is reflected in these services, which include community support, healthcare, and nutrition<sup>47</sup>.

**Access to Healthcare:** Ensuring seniors have sufficient access to high-quality healthcare is still a challenge<sup>48</sup>. Numerous comorbid conditions that require continuous medical care are among the chronic health issues that many older persons will be dealing with<sup>49</sup>. Access is still expensive, there are travel problems, and there aren't enough geriatric specialists<sup>50</sup>. Innovations in home health care and telemedicine have a lot of potential and can help close service gaps, particularly in rural areas or for those with mobility issues<sup>51</sup>.

**Solitary Life:** Solitary life is the other important risk factor. Due to the death of numerous family members and friends, living in remote locations, having mobility issues, or not taking part in community activities, older individuals frequently lead lonely lives<sup>52</sup>. Solitary Life has been linked by researchers to declining health, such as depression and cognitive decline<sup>53</sup>. In order to help older folks, fight Solitary Life and loneliness, community programs that unite generations—like mentorship and volunteer programs—may be crucial.

**Economic Security:** Elderly people need financial stability. Elderly people are more likely to be economically vulnerable, and many of them rely on outdated pension plans that are insufficient for them<sup>54</sup>. In order to reduce these financial risks and give older folks more autonomy, pension security regulations, financial education for the elderly, and job training programs are very helpful<sup>55</sup>. Thirdly, promoting equitable pay and safeguarding against age-based discrimination in the workplace would guarantee that older adults have the opportunity to continue making contributions to the economy if they are prepared to do so.

**Technological Advancement:** Rapid technological breakthroughs present the aging population with both opportunities and challenges<sup>56</sup>. Although older persons face significant challenges due to the digital divide, technology has also improved their quality of life. For example, telehealth services, which enable senior citizens to receive medical treatment without having to travel, have become a crucial component of service delivery. This guarantees prompt medical attention and removes some of the obstacles that mobility impairments or transportation issues may provide<sup>57</sup>. Additionally, older persons' daily lives can be improved by a wide range of assistive technologies, such as mobility aids and smart home appliances<sup>58</sup>.

**Respect to the Elders among Indigenous Cultures:** Elderly people are regarded as living examples of wisdom and cultural knowledge in the majority of indigenous communities worldwide<sup>59</sup>. For instance, elders are widely respected in many Native American tribes due to their extensive life experiences, which have helped them succeed, particularly in situations involving important judgments. Performing cultural heritage, teaching survival skills, and instilling morals in the younger generation are some of their traditional customs<sup>60</sup>. Respect for older wisdom fosters rigid combination between the generations, which facilitate the smooth transfer of cultural information<sup>61</sup>. However, these traditional traditions face challenges due to rapid urbanization and industrialization. For instance, the disappearance of customs puts young people's kinship and respect for seniors at danger when they relocate to the city. In order for elder wisdom to continue to be respected and shared, these relationships must be restored through cultural preservation initiatives and community gatherings that are open to people of all ages<sup>62</sup>.

**Education and Awareness:** Effectiveness can be increased by education and awareness among caregivers, families, communities, and the elderly<sup>63</sup>. Incorporating senior citizens into the society and providing social and community services can be more successful if the community has access to public education and awareness on gerontology, counselling, and training<sup>64</sup>.

**Awareness Campaigns against Ageism:** Campaigns for education and awareness are the cornerstones of the fight against ageism and the advancement of an age-balanced society<sup>65</sup>. By educating the public on the contributions older adults can and due to society, stereotypes can be dispelled and altered to incorporate fresh viewpoints<sup>66</sup>. Age-related subjects can be incorporated into training programs and school curricula to enhance the value of experience and intergenerational relationships in the industry, community organizations, and schools. Public seminars or "Age Awareness Days" could be useful in promoting positive aging themes and fostering intergenerational communication.

**Olders' Economic Contributions:** Elderly people's economic contributions are frequently underestimated. One of the largest consumer market sectors, older adults make up a significant portion of the economy<sup>67</sup>. Every dollar spent by senior citizens supports industries like healthcare, tourism, and other recreational pursuits. Seniors are therefore a major economic driver in the majority of developed nations, particularly in sectors like healthcare, hospitality, and retail<sup>68</sup>. Their

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<sup>44</sup>Tang, K. L., & Lee, J. J. (2006). Global social justice for older people: The case for an international convention on the rights of older people. *British Journal of Social Work*, 36(7), 1135-1150.

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<sup>46</sup>Schulz, J. H., & Binstock, R. H. (2008). *Ageing nation: The economics and politics of growing older in America*. JHU Press.

<sup>47</sup>Drewnowski, A., & Evans, W. J. (2001). Nutrition, physical activity, and quality of life in older adults: summary. *The Journals of Gerontology Series A: Biological Sciences and Medical Sciences*, 56(suppl\_2), 89-94.

<sup>48</sup>Feng, Z., Glinskaya, E., Chen, H., Gong, S., Qiu, Y., Xu, J., & Yip, W. (2020). Long-term care system for older adults in China: policy landscape, challenges, and future prospects. *The Lancet*, 396(10259), 1362-1372.

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<sup>50</sup>Iezzoni, L. I., Killeen, M. B., & O'Day, B. L. (2006). Rural residents with disabilities confront substantial barriers to obtaining primary care. *Health services research*, 41(4p1), 1258-1275.

<sup>51</sup>Rocha, A., Martins, A., Junior, J. C. F., Boulous, M. N. K., Vicente, M. E., Feld, R., ... & Rodríguez-Moliner, A. (2013). Innovations in health care services: The CAALYX system. *International journal of medical informatics*, 82(11), e307-e320.

<sup>52</sup>Gabriel, Z., & Bowling, A. N. N. (2004). Quality of life from the perspectives of older people. *Ageing & Society*, 24(5), 675-691.

<sup>53</sup>Donovan, N. J., Wu, Q., Rentz, D. M., Sperling, R. A., Marshall, G. A., & Glymour, M. M. (2017). Loneliness, depression and cognitive function in older US adults. *International journal of geriatric psychiatry*, 32(5), 564-573.

<sup>54</sup>Schröder-Butterfill, E., & Mariani, R. (2006). A framework for understanding old-age vulnerabilities. *Ageing & Society*, 26(1), 9-35.

<sup>55</sup>James, J. B., Matz-Costa, C., & Smyer, M. A. (2016). Retirement security: It's not just about the money. *American Psychologist*, 71(4), 334.

<sup>56</sup>Kinsella, K. G., & Phillips, D. R. (2005). *Global aging: The challenge of success* (Vol. 60, No. 1, p. 3). Washington, DC: Population Reference Bureau.

<sup>57</sup>Tournier, I., Domes, A., & Cavallo, V. (2016). Review of safety and mobility issues among older pedestrians. *Accident Analysis & Prevention*, 91, 24-35.

<sup>58</sup>Morris, M., Adair, B., Miller, K., Ozanne, E., Hansen, R., Pearce, A., ... & Said, C. (2013). Smart-home technologies to assist older people to live well at home.

<sup>59</sup>Durie, M. (2005). Indigenous knowledge within a global knowledge system. *Higher Education Policy*, 18, 301-312.

<sup>60</sup>Bronner, S. (2011). *Explaining traditions: Folk behavior in modern culture*. University Press of Kentucky.

<sup>61</sup>Holthaus, G. H. (2008). *Learning Native wisdom: What traditional cultures teach us about subsistence, sustainability, and spirituality*. University Press of Kentucky.

<sup>62</sup>MacCallum, J., Palmer, D., Wright, P., Cumming-Potvin, W., Northcote, J., Booker, M., & Tero, C. (2006). Community building through intergenerational exchange programs.

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<sup>66</sup>Schwartz, D., Blue, E., McDonald, M., Giuliani, G., Weber, G., Seirup, H., ... & Perkins, A. (2010). Dispelling stereotypes: Promoting disability equality through film. *Disability & Society*, 25(7), 841-848.

<sup>67</sup>Wong, Y. (2007). *The glittering silver market: The rise of the elderly consumers in Asia*. John Wiley & Sons.

<sup>68</sup>Patterson, I., & Balderas, A. (2020). Continuing and emerging trends of senior tourism: A review of the literature. *Journal of Population Ageing*, 13, 385-399.

involvement in economy can be vital by fostering growth, bolstering and enhancing local businesses, producing jobs, and many other benefits<sup>69</sup>. Furthermore, a large number of senior citizens continue to contribute their experience and knowledge through paid or volunteer labour. In addition to assisting companies in meeting labour shortages across numerous industries, older persons benefit from their sustained labour force involvement by retaining the majority of their social connections and their financial independence. In fact, a number of studies have demonstrated that senior employees offer a company invaluable expertise, dependability, and institutional knowledge<sup>70</sup>.

#### **Role of Law in Protecting Senior Citizens in India**

**Legal Frameworks for Elder Rights in India:** The 2007 Law Concerning the Maintenance and Welfare of Parents and Senior Citizens: The rights of older persons in India are governed by this statute. The maintenance and well-being of the elderly are guaranteed under this statute. It addresses the enabling duty of children and heirs to provide for the maintenance and well-being of their parents. When it comes to building a system that can care for the elderly, a culture where children are held accountable for their parents offers greater institutional strength<sup>71</sup>. Elder abuse is also covered under the IPC under other parts that address criminal acts including abandonment and neglect<sup>72</sup>. For example, section 498A of the IPC makes it illegal for a spouse or his family members to treat a woman cruelly, which includes treating an old woman who is experiencing domestic abuse.

**Protection against elder abuse:** In the Indian setting, elder abuse is a growing problem. Lately, the senior population has been subjected to physical, emotional, financial, and neglect abuse<sup>73</sup>. Adopted in 1999, the National Policy on Older Persons acknowledges the need to safeguard elderly individuals against various forms of exploitation and abuse<sup>74</sup>. This policy outlines steps to empower senior citizens and shield them from damage caused by family members and other members of society<sup>75</sup>. Women with old age who have been assaulted may even be covered by the Protection of Women from Domestic Violence Act of 2005<sup>76</sup>. In certain situations, the rights to residence and protection orders can be used to provide legal redress. But despite all of these structures, rules against elder abuse and the accountability of those who commit them have become essential<sup>77</sup>.

**Anti-Age Discrimination Laws:** Indirect concerns are handled by current laws that have provisions pertaining to age discrimination, particularly in the healthcare and employment sectors, even though India does not have a specific statute banning it<sup>78</sup>. Although age is not expressly prohibited as a basis for discrimination, older persons are protected against it on a number of grounds under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952; and the Maternity Benefit Act, 1961<sup>79</sup>. Although accessibility differs between different areas, the Indian Constitution's Right to Health requires the state to provide the elderly with the medical facilities they need<sup>80</sup>. According to the 2017 National Health Policy, health services must be age-friendly in order to help the aged reach their health objectives.

**Legal Aid and Counselling:** Through groups like HelpAge India and Aging India, seniors may need legal assistance and counselling regarding upkeep, neglect, or abuse issues<sup>81</sup>. These groups also advocate, working continuously to create awareness of the predicament regarding the same and, in certain cases, calling for legislative changes<sup>82</sup>. The judiciary plays a significant role in protecting their rights. There would be no reversal of such rights, thanks to rulings like the one that established the right to maintenance. For example, the Supreme Court of India affirmed children's legal duty to care for their parents by ruling that older parents are entitled to support from their offspring under the support and Welfare of Parents and Senior Citizens Act<sup>83</sup>.

#### **The Urgent Requirement of Thorough Legal Reforms:**

It is due to deficiencies even within present laws. This requires comprehensive legal reforms.

For instance, stricter legislations regarding long term care should be put in place making sure that the houses employ high safety and care standards. Additionally, it is a need to establish an elder rights commission charged with the duty of supervising the plight of the older adults<sup>84</sup>. Such a body can serve as an avenue for redress, encourage legal assistance, and spread the education on elderly rights across different communities<sup>85</sup>.

**International Human Rights Perspective:** International human rights frameworks further strengthen India's commitment to defending the rights of senior citizens<sup>86</sup>. These People rights, including the old, are demanded by the "Universal Declaration of Human Rights" and the "International Covenant on Economic, Social, and Cultural Rights"<sup>87</sup>. To improve older people's protection, countries would need to match these requirements with their own domestic legislation<sup>88</sup>. India can follow the UN Principles for Older Persons when it comes to passing laws and policies that are specifically tailored to the needs of the elderly<sup>89</sup>. The principles' incorporation into domestic law will guarantee that senior citizens are granted the same rights and protections as all other citizens<sup>90</sup>.

#### **Conclusion**

The protection of senior citizens has evolved as an integral aspect of societal responsibility, shaped by both historical traditions and modern legal frameworks. Historically, respect and care for elders were embedded in the moral fabric of many cultures, often upheld by social customs and family obligations. However, as societies have transformed, particularly with the advent of urbanization, industrialization, and changes in family structures, these traditional forms of support have weakened, necessitating formal legal mechanisms. The legal protection of senior citizens has become critical in safeguarding their rights, dignity, and welfare. Various International and National legal instruments, such as the UN Principles for Older Persons and specific laws like the Maintenance and Welfare of Parents and Senior Citizens Act in India, have recognized the unique vulnerabilities faced by the elderly, offering provisions for financial security, healthcare, and protection against abuse and neglect. Despite these advancements, challenges remain. Gaps in enforcement, awareness, and resource allocation often hinder the full realization of senior citizens' rights. There is also a need for a holistic approach that integrates legal protection with social, economic, and healthcare support systems, ensuring that the elderly can live with dignity and independence in their later years. In conclusion, while significant progress has been made in legally protecting senior citizens, ongoing efforts are needed to adapt to the evolving needs of aging populations. Strengthening the enforcement of existing laws, raising public awareness, and fostering a culture of respect for the elderly will be essential in creating a society where senior citizens are valued, supported, and protected.

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