
OLDER PEOPLE'S PERCEPTIONS OF THEIR RIGHTS

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Abstract

This article has allowed us to identify the opinions of elderly citizens on their rights, who in this difficult period of life continue to individually face their problems and needs. Poor information about pensioners accentuates the manifestation of discrimination, isolation, and indifference toward this group of population. Although R. Moldova has a rich agenda of normative acts that must work in our society in favour of elderly citizens, social, medical, economic institutions, etc., continues the production of age segregation processes, which is felt by the interviewed seniors. To reduce the daily tensions and worries of the elderly, it is necessary to create institutions (at all levels) that would provide support, protection and insurance with the rights of older citizens, becoming the key solution to their problems.

Keywords: rights of the elderly; problems of the elderly; social inclusion of seniors; discrimination, isolation, social indifference.

Résumé

Cet article a identifié les points de vue des seniors sur leurs droits, qui, dans cette période difficile de la vie, continuent à faire face à leurs problèmes et à leurs besoins de manière individuelle. L'insuffisance de l'information destinée aux retraités accentue les manifestations de discrimination, d'isolement et d'indifférence à l'égard de ce groupe de population. Malgré le fait que la Moldavie dispose d'un riche programme d'actes normatifs qui devraient fonctionner dans notre société en faveur des personnes âgées, dans les institutions sociales, médicales, économiques, etc. Afin de réduire les tensions et les inquiétudes quotidiennes des personnes âgées, il est nécessaire de créer des institutions (à tous les niveaux) qui apporteraient soutien, protection et droits aux personnes âgées, devenant ainsi la solution clé à leurs problèmes.

Mots-clés: droits des personnes âgées; problèmes des personnes âgées; inclusion sociale des personnes âgées; discrimination; isolement; indifférence sociale.

Rezumat

Acest articol a permis identificarea opiniilor cetățenilor vârstnici cu privire la drepturile lor, care în această perioadă a vieții grea continuă să se confrunte individual cu problemele și nevoile lor. Informarea slabă a pensionarilor, accentuează manifestarea discriminării, izolării și indiferenței față de acest grup de populație. Cu toate că R. Moldova are o agendă bogată de acte normative care trebuie să funcționeze în societatea noastră în favoarea cetățenilor vârstnici, în instituțiile sociale, medicale, economice etc., continuă producerea

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proceselor de segregare a vârstelor, lucru resimțit de către seniorii intervievați. Pentru a reduce din tensiunile și grijile cotidiene ale vârstnicilor sunt necesare crearea unor instituții (la toate nivelele) care ar oferi susținere, protecție și asigurare cu drepturi ale cetățenilor vârstnici, devenind soluția cheie ale problemelor lor.

Cuvinte-cheie: drepturi ale persoanelor în vârstă; problemele vârstnicilor; incluziunea socială a seniorilor; discriminare, izolare, indiferență socială.

1. Introduction

The respect, esteem and accepting attitude that has always existed towards older people has disappeared and in today's times, they have become a burden on society. Old age has come to be associated with illness, helplessness, lack of judgment, irritability, and dependence on others (Muntean & Sagebiel, 2007). If in the past the elderly were respected and appreciated because of their social prestige, experience and wisdom, today they are insulted and ignored, which accentuates the violation of their rights.

Around the world, large numbers of older people face challenges such as discrimination, poverty and abuse, which severely limit their human rights and their contribution to society. The world has not reacted quickly: lack of political will and prioritization of the special rights of other disadvantaged groups has often been to the detriment of the case of older people. Although concerns about ageing populations are not new, they have traditionally been seen as problems requiring functional, piecemeal, and reactive solutions.

Population ageing is one of the most significant demographic transformations of the 21st century, as well as a major challenge for all societies, requiring the development of strategies and mechanisms that could protect the rights and freedoms of older people. Regardless of gender, older people enjoy the rights of human society in general because, many believe, „we are all equal and have the same rights,” said IIA woman_87 and others.

As older people have suffered traditional human rights law neglect, older people's rights are becoming an important part of the public policy agenda. National and international non-governmental bodies (NGOs), along with some national governments, have been lobbying for a reinforced human rights instrument to uphold the rights of older people. The issue has received increasing focus in both academic and professional environments.

In the same way, as in the case of childhood and disability, the notion of old age is a socio-constructed concept - meaning that it is not merely a natural process, rather it is a process that is given a particular signification by its social and historical context (Gergen, 2001).

The lack of information on the elderly population on legislative changes, socio-economic problems, their way of life and quality of life, safety, protection and insurance against certain risks, the diversity of social and medical services, etc., which could make them powerless in this area.

Under international law, in some situations, older citizens are treated in the same way as other age groups and have their rights often violated. According to

this view, the presence in our society and not only of socio-economic crises, which are often cyclical, drastically affects the existence of the most vulnerable citizens, such as the elderly. The crisis of unexpected price increases affecting the populations of the world's countries threatens the well-being of the elderly, who, although vulnerable, will demand the provision of quality psychological, social, medical, legal, etc. services that will be insufficient to protect their rights.

2. Methodology applied

To develop this topic, the interview method was applied to older people between May and June 2023, in the town of Strășeni 10 seniors were interviewed. The study aimed to identify the degree of knowledge of seniors with their rights; the institutions they can turn to, what solutions they individually undertake to defend their rights and the recommendations proposed to certain institutions: state, social institutions and population to change this attitude. The opinions obtained are integrated into this paper.

3. Legal protection of the rights of the older persons in the Republic of Moldova.

International and regional Human Rights are defined at the international or regional levels by International Conventions, and at the national levels by Constitution and Law, and are at the basis of the concerns of the institutions that establish these rights, rights that assure the principle of equality of all people, the ability to manifest themselves without restrictions, based on human dignity and liberty, since humans, by their nature, are free and dignified beings.

After Second World War, numerous regulations of a worldwide or even regional nature were promulgated, beginning in 1945 with the UN Chart and in 1948 with the Declaration of Human Rights - the first document with a worldwide character, stating the main human rights principles: Freedom, Equality, Universality and Inalienability, and express clauses on legal basis for the practice of human rights, the right to directly or through representatives participate in the elaboration of laws, freedom of expression, freedom of the press, freedom of assembly, etc.

Rights are for all humans and they are crucial for older people. Everyone has the right to benefit and enjoy their human rights without any kind of discrimination, including based on age. Several rights and liberties are especially important for older people, among them rights to:

- an adequate living standard, which includes having access to food, clothes and housing;
- the highest standard of physical and mental health;
- to work conditions and equitable conditions of work;
- to work safely and without violence;
- not to be treated in a cruel, inhuman or degrading manner;
- confidentiality;

- family care (Inter-American Convention on the Rights of Older Persons).

In the human rights view, age is not just a figure, but a „social construction” built on habits, social practices and perceptions of the social role a person has in his or her society. The particular weaknesses of ageing people may be a result of their physical and mental health conditions, but can also arise from the barriers faced by society's perception and the interaction of the individual with the surrounding environment.

According to international standards, all policies must take into account the changes that take place in a person's situation throughout their life. They should be designed to facilitate participation in the development of society and to counter social exclusion as a result of reduced functional capacity due to factors related to ageing and disability (Regional Implementation Strategy for The Madrid International Plan of Action on Ageing, 2002).

To implement these provisions, in the context of international commitments, the Republic of Moldova has adopted a package of policies addressing ageing issues.

The rights of the elderly and the provision of their social protection are stipulated in several national documents and legislative acts. Thus, Article 16 Equality of the Constitution of the Republic of Moldova, adopted on 29 July 1994, clearly stipulates: that individual respect and protection is a fundamental responsibility of the state: all citizens of the Republic of Moldova have equality rights under the law and before the public authorities, no matter race, nationality, ethnical origin, language, religion, gender, political belonging, social status or origin (the Constitution of the Republic of Moldova).

The country's fundamental document proclaims the constitutional protection of all citizens, including the elderly.

Another important document for ensuring social protection for the people is the Labor Code of the Republic of Moldova, which in Articles 54-55 ensures the work activity of citizens by concluding individual employment contracts for different periods, from 5 years to temporary work of up to 2 months, which is a real opportunity for older people to work on the labour market even after reaching retirement age. Taking note of the adjustments made to the Labor Code recently, which have been quite controversial, we recommend analyzing these provisions in terms of their impact on older people in concrete contexts.

Also, experienced seniors who have performed tasks in specific areas of activity may, with the agreement of the institutions, temporarily replace persons seconded for service purposes or those who have gone abroad.

At the same time, Contravention Code of the Republic of Moldova no.218 dated 24.10.2008 in article 54 *Violation of equality in employment* and art. 56 *Violation of employment legislation The Law on Employment and Social Protection of Jobseekers* provides for several sanctions for the violations allowed (Labour Code of the Republic of Moldova).

Social policies on ageing deserve a closer and special examination, seen from a broader perspective of life and society as a whole, and the growing process

of global ageing needs to be integrated into development strategies. In this respect, concrete efforts are needed to ensure a fair and comprehensive approach to integration policies, to integrate ageing into economic and social development strategies (Girleanu-Şoitu, 2006).

Starting from the principle that older people are a valuable human resource, the Millennium International Plan of Action on Ageing (MIPAA) recommends states parties to adopt national policies and strategies aimed at ensuring the participation of older people in the economic, social and cultural development of their countries, thereby promoting a society for all ages. This plan proposes objectives and strategies for action aimed at changes in attitudes, policies and practices at both micro and macro levels in all sectors: economic, political, and social (Regional Implementation Strategy for The Madrid International Plan of Action on Ageing, 2002).

By Law no. 484 of 28 September 2001 (in force since 01.01.2002), the Republic of Moldova also acceded to the Revised European Social Charter (partially ratified) which became an instrument for ensuring social cohesion and recognition of fundamental democratic principles governing the obligation of Member States to ensure access of citizens, including the elderly, to social rights: the right to protection against poverty and social exclusion, the right to health protection, social and medical security, the right to benefit from social services (LAW no. 484 dated 28.09.2001 on the partial ratification of European Social Charter revised).

Based on the roadmap, Moldova aims to help identify concrete actions relevant to the economic, social, cultural and political specificities of the country concerned, to contribute to the country in fulfilling these internationally agreed commitments following the signing and accession of the country to MIPAA, which will promote the physical and intellectual potential of the elderly (Road Map for Mainstreaming Ageing in the Republic of Moldova).

Although the theoretical interpretation is reflected in a package of legal acts, however, in the practical conception, seniors feel quite insecure and discriminated against in all the institutions they approach, the results of the pilot research are presented below.

4. Research results

Following an interview survey with 10 elderly people from the town of Străşeni, we can mention, that several of them do not know what rights they have and in fact, what they are. Of the interviewed seniors, only 4 found it difficult to name these rights, the reason being the low information about them for the elderly population.

Although they mentioned a general version that they have rights like other people, it was very difficult for them to mention what they are, which created confusion on this topic. The other 6 elderly referred to IIA women_87 years old „*Every man has rights, the right to pension, to rest, to social protection*”. As IIA men_72 years old specified; IIA women_84 years old „*everyone has them, but I don't even know what they are*”, and IIA men_69 years old „*human rights as for everyone,*

the right to retirement, to create the right conditions to make our life easier". Following the interview, the elderly specified a diversity of opinions, including *„the right to sing, to play, to vote, to all that is good*". This question provoked a reaction from some seniors, which made them remember (life in the past), when society was different, when there was respect for parents, people and elders when education was free, when people worked hard, but life was easier and there was no discrimination, isolation and age segregation. As an IIA women_80 years old said *„Now, I don't have rights, they are not respected at all in society: I didn't even think about this topic once there was: the right to rest, to work, to social security, and at the moment, I don't have any rights, because nobody looks at us because we are old and nobody notices us*". The inability to provide an answer resulted in pauses, also found in the answer IIA women_77 years old *„yes-or no, I have some like the others, but I don't know what they are*". The opinions of the subjects affirm the lack of knowledge of these rights, by the interviewed seniors.

The lack of information about the rights of older people creates fear and insecurity for them. The low level of knowledge of older people about their rights reduces their possibility of achieving a satisfactory and decent life in the community in which they live. Economic and financial deprivation, as well as problems relating to family members, make them even more vulnerable.

Of the 10 elderly interviewed only 3 (1 of whom works occasionally) continue to work, the jobs are very poorly paid because they are old and do not know which institutions they could turn to for justice.

Regarding the compliance of these rights, we obtained a diversity of opinions, because not all interviewees were able to give a clear answer to this question, which for some of them became quite complicated. Therefore, several of the interviewed seniors mentioned the following IIA men_69 years old; IIA women_77 years old; IIA men_72 years old: *„Our rights in our society, they seem to be respected and seem not (being about 50 to 50), about half are respected and half are not*", and IIA women_87 years old *„we cannot fulfil them, we have to walk after them, our elders have many difficulties in life, there are many problems and because of the hard living conditions, even the rights cannot be fulfilled*". The major problems of the elderly at the moment, namely the rising prices of communal services and all products, and the lack of state support for family members, make their lives very expensive and difficult.

The biggest challenge continues to be the provision of wood and coal for the cold season. In this area, all interviewees were unanimous in their response, saying: *„They have given us coal from the association, for which we thank them, but they have not yet given us wood*". The prices for communal services further impoverish the elderly, who, although powerless, are trying to survive in these hard times of life.

The problem of communal services becomes the hardest question to overcome *„Even if we pay all the communal services with our small pensions, we won't even have anything to eat after that*" said IIA women_77 years old; IIA men_72 years old; IIA women_87 years old and others. An IIA women_84 years

old said „If we have to say about the communal services we pay for, for the light I got 25 €, for gas 10 €, life is very expensive, the tax on the house has no exemption for pensioners”, IIA women_77 years old „life is very hard, everything is expensive, but I won't even say about light, I heat with gas, I don't know who will help us”.

At the same time, an IIA man, 72 years old said „I'm not afraid of work, I'm still working, but I'm worried about others, what to do, how to get out of winter. I have worked in many places and some people call me to work, but I can't, I work in shifts”. The elderly have a hard enough lot to deal with in these extremely difficult times of the 21st century.

This is due to the lack of attention from society, and the institutions to which the elderly have access, which allows for unsatisfactory answers. Discrimination, ignorance and indifference are processes that accentuate discomfort for the elderly population, making them more vulnerable in our society. Thus, the accentuation of these problems was mentioned by all interviewees, namely IIA men_69 years old said „Children are not educated, nor do they respect us, and so they speak ugly words, but neither do they take care of their parents, who are younger than me. But what about the old people who live far away, nobody goes to them anymore, although they may have grandchildren living in a garden”. The generation problem was the most complicated enough to solve. Thus, different proposals were offered to re-educate the younger generations, which will at least bring some security from the younger people towards the older ones.

The rights that have been violated for practically all elderly people in the last 12 months were specified by the interviewees, IIA men_71 years old: „that my right to salary has been violated, I get paid less, because I am old”, IIA men_70 years old: „that if I am in a hurry, in transport I can stand up”; IIA women_77 years old: „insecurity in our society comes from the family and if it is not there is no one to give it to them”, „at the hospital I was not given the necessary attention” said IIA men_71 years, and IIA women_70 years old, specified that „at the medical point the nurse always tells us „to look in the passport”.

Elderly people who continue to work are faced with several rights being violated, namely, IIA men_75 years old mentioned: „I went to the DOFM in our town, I got 5 addresses and I went to them and only when they saw me that I am old, they said with not for me this thing”. At the same time, IIA women, 78 years old, said „I have a lot of rights, but if we are old no one even wants to know us, no one is interested in our situation, they only remember us at elections”.

The shortcomings that the whole of the older society has „If it wasn't for our center, I almost died on the road. We are very helplessly destitute and it is very hard for us when we end up with certain problems in social institutions. When I was young, I thought I was going to retire, and rest. But when I reached retirement, and I saw what pension I got and how much life costs, I worked even after retirement for another 13 years”, specified IIA women_78 years old.

The reasons for non-compliance are various, namely - changing values that are not respected because society does not want to accept these rights. Older people interviewed mentioned that society treats them with contempt, that they are mean

to society, and that they only expect benefits, although they could work. But with the advent of social change, there have been changes in the status of senior citizens, which have resulted in the manifestation of their dependent status on social services, giving them the title of „*consumers of social services*”, which is reflected in developing societies. Hence, a bad and contemptuous attitude towards the elderly develops, which is very hard for the whole population of Moldova.

Other elderly people, who have gone through many problems have specified the same institutions they turn to secure certain rights: To labour protection - to ensure the right to work; to medical institutions - to provide them with medical services; to the first level LPA, which is obliged to hear the problems of the elderly and provide them with support in certain increased situations of disadvantage; to the police stations - which must provide them with protection and safety in their own homes; to non-commercial organizations - which would provide them with support, protection and safety; to the Social Welfare Department/DASPF - to be able to benefit from certain benefits, aid, sanatorium leaves; to the CNAS/ CTAS - to be insured with a pension, but also with balneal-sanatorium treatment leaves (for certain categories of pensioners); to the DOFM/ANOFM - to take up employment, etc.

From interviewing older people: IIA women_87 years old, „*the town hall, social assistance and some organizations that older people go to help the elderly so that they are not alone*”.

But in addition to these institutions, others can also be included „*at the town hall, at organizations that help us to overcome life's difficulties. Every year they give us wood and coal (which are provided by foreigners from the Netherlands), now we have received coal for the winter, but wood not yet. But we got wood from the town hall, a bit expensive with everything brought it cost 270€ (6m3)*” – IIA women_78 years old. Some elderly people still don't have wood at home and they are fragile in terms of getting sick because they live in the cold and there is no one to solve their problem.

5. Conclusions

The subject of the rights of older people continues to be one of the most complicated for this segment of the population, who have worked hard enough in their lives and although they have contributed to the development of today's society, they are faced with several problems, which at the moment they cannot cope with individually and require help from the community in which they live. The population in the neighbourhood is not so open to providing help for the helpless, sick and sometimes even hungry elderly and the first level LPA be able to provide them with a minimum package of services and support to make it easier for them to overcome the problem they face. They need our common support by creating institutions they can turn to at any time to ensure justice for them. The care and support that we can provide would reduce the daily stresses and worries of the elderly, who live a complicated life. Thus, to ensure a safe and prosperous

future for older people, Moldova needs to focus its actions on developing and promoting healthy and active ageing and ensuring its involvement.

As **recommendations** by the seniors interviewed, the following were proposed:

- creating a special attention of society towards the elderly;
- the promotion of institutions at all levels (local councils for the elderly), which would deal with their problems and offer them solutions to overcome certain problems;
- providing the elderly with certain transport facilities (Chisinau, but also for the rest of the country's elderly);
- increasing pensions, which are very low and cannot ensure a satisfactory life;
- the social inclusion in employment of elderly people who can work, benefiting from incentive wages, etc.

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