

## RIGHT TO DIGNITY: ELDERLY ABUSE IN ERA OF SOCIAL PROGRESS AND URBANISATION

### SUB THEME: SOCIAL ISOLATION IN LATER STAGE

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#### INTRODUCTION

“*Na supratikaram tattva maatraa pitraa cha yatkrutam*” the famous shlok is being quoted by Valmiki in the Indian epic ‘Ramayana’. In these words, Rama says it to Vasishtha, who accompanies Bharata to the forests for bringing back Rama to Ayodhya, which means, it is impossible for children to repay the debt of what the parents have done to bring them up. The beautiful lines depict the Indian culture where children have the esteem regards for their parents and the thought of ‘*matr devo bhaavh*’ and ‘*pitra devo bhaavh*’ is imbedded in their minds.

India has been a country where respecting elders has been of utmost importance. Families in India have been tied up with the unseen bonds, interdependence and concordance amongst different generations. But India is urbanizing now! And with this urbanization and westernization, the socio culture and value system is slowly and gradually being eroded.

With the increase in life expectancy from 32 in 1941 to 67 in 2011 and the resultant rise in the concept of nuclear families, the sufferings of old age people has increased many folds. A report released by the United Nations Population Fund and HelpAge India says that India had 90 million elderly persons in the year 2011, with the expected increase to 173 million by 2026. And woefully, of these 90 million seniors, 1/3rd is living alone and 90% of them are working to earn bread and butter.<sup>2</sup> However, aging is not a problem; rather it is a natural process which ineludibly occurs in a human life cycle. Although it brings a host of challenges, which varies from physiological transformation to the declining psychological power, but senior citizens are treasures of our lives and should be preserved for all time to come. It is high time to revive our

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<sup>2</sup> *Concern over an aging India*, The Hindu, 7/10/2012

old socio culture values, to respect elders, to preserve them and to give them the right to live with dignity. A great man has rightly said, “*With age human beings gain lots of experiences to share and wisdom to pass on. They are the building blocks who stand in the middle of past and future. Hence it is really important to utilize and respect such an immense source of knowledge.*”<sup>3</sup>

The text will focus on the increasing number of elder abuse cases and the social isolation faced by elders in later years of life. Further, it will provide suitable steps that can be taken to prevent the increasing number of cases of elderly abuse.

### **Elders and elderly abuse: Definition**

As per Maintenance and welfare of parents and senior citizens act,2007 “Senior citizen” is any citizen of India of 60 years and above whether living in India or not. Thus, elder or a senior means any person of or above the age of 60 years.

Elderly abuse is a situation of being ignored, neglected and harassed by someone closer to the elder person, with whom they have a relationship of trust, such as child, grandchild, spouse or a sibling or caretaker. It can be physical, psychological, financial, social or any other type.

### **Old age and abuse**

“Old age” is primarily associated with exasperating faculties, both physical and psychological, and a diminution in social commitments of any person. Old age has become more of a social constrain than a biological stage. To name a few, some common problems confronted by old age people are:

- Economic problems like loss of employment, deficiency of income and economic insecurity.
- Physical problems like health and medical issues, and the worry of having a decent housing at the later stage of life.
- Psychological problems which cover a larger ambit of problems like the feeling of being deserted by his children and grandchildren and other societal maladjustments.<sup>4</sup>

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<sup>3</sup> Prof. Dr. N.K.Chadha, *Intergenerational relationships: An Indian perspective*

<sup>4</sup> Dr. Rakesh Singh, *Rights Of Senior Citizen : Need Of The Hour*

Of these, economic problems seem to be a priority but when surveyed many of the senior citizens prioritized “psychological problems” concentrating more on lack of work and the general feeling of emptiness and loneliness ‘talking to walls’. Out of these three major classification of problems, economic and physical problems are to some extent be cured by various legislations and monetary schemes run by the government and NGOs, but what can’t be achieved by money is to overcome their psychological problems.

The psychological problems can be precisely defined as the risk of being socially isolated. Social integration and involvement of senior citizens in the society is seen as one of the major indicators of their productive and healthy aging. However, a large number of seniors are at the risk of being socially isolated.<sup>5</sup> Social isolation amongst senior citizens means the sense of being abandoned by the society and a lack of contact with family and friends at the late years of life. Social isolation may be due to a number of factors like the increasing concept of nuclear families or living alone, death of spouse or any family member or retirement or poor health maybe the reason for the same.

A wise man has rightly said, “*Maintaining friendships and building relationship is an important aspect of old age that wards off social isolation.*” Any person in any corner of the world may be socially isolated, but a senior citizen has a high risk of being deserted and triggered by the social isolation. Results of social isolation can be dangerous, especially for that already susceptible to frail health. A number of studies have shown that usually, socially isolated seniors are into late life depression and avoid taking health and social services which further adds to their sorrows.

Due to the increasing concept of small families, social isolation has become a plumping problem now than it was in past. Earlier, elders had no increased risk of social isolation as they would shift with any of the child. But with the urbanization and the increasing generation gap, many seniors are moving to old age homes with less frequent contacts with their family. The below case study will further help us in understanding the situations of elders in the country.

#### Case study of slum areas of Gulbarga City:

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<sup>5</sup> *Social Isolation among Seniors: An emerging Issue*, An investigation by the Children’s, Women’s and Seniors Health Branch, British Columbia Ministry of Health. March 2004.

Old age is not a disability, but unfortunately a majority of seniors believe that old age is nothing less than a disability. This study was done in the slum areas of Gulbarga City on about 117 male and 97 female elderly people to analyze their physical and psychological problems and other disabilities. The study covered people from 58-100 years of age. It revealed the following facts:

- Only 38.32% of the respondents were living in joint family and the rest 61.68% were living either alone or nuclear families.
- A big portion of the elders surveyed i.e. 45.79% were not getting due care and respect in the families.
- 41.12% seniors were facing difference of opinions with their children, grandchildren and daughter-in-laws.
- It is shameful to say that about 68.69% seniors were mentally depressed and felt unsecured in their societies.
- Only 13.08% of the senior citizens were in good health and the remaining respondents were facing different health problems like Diabetes (53.27%), psychiatric problems (48.13%), Asthma (42.99%), Dental problems (42.12%) and Cardio-Vascular problems (18.22%) and many more.<sup>6</sup>

Although the graph of health problems rises among elderly people but old age is not a disability. Still a large portion of the seniors i.e. about 57.01% strongly believe that old age is disability. It is in their minds that they are disabled and this very thought do not let them recover from their health and aging problems. With aging and declining health, elders need someone to hold their hands and walk to the end of life. They need their children around them to make them feel wanted and to dispel their fear of helplessness and worthlessness. Looking at the above situation, the probable solution to give the seniors a dignified life in many of such Gulbarga cities of the country can be to extend a helping hand to overcome circumstances both financially and psychologically.

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<sup>6</sup> Basalingamma, S. Halemani & Maitradevi Shivarya, *Is old age a disability: A case study of elderly people in slum areas of Gulbarga City*

### **Not just the law, but the society's responsibility**

It is said in the Rig Veda that *with sons and daughters at their side elders can live a good long span of years, both decked with precious gold*. But with the changing time and attitude of the people towards their elders, it has become difficult to justify the above thought. At present the elderly find themselves in such a stage of life where they have more of emotional needs as compared to financial needs. The glaring problems faced by the elders, of being deserted by their family, of being unsecured about food and shelter spread with the changing time. As the aging of today's population increases, there is high potential that elder abuse cases will raise unless it is more comprehensively established and spoke off. This leads the law to intervene the situation so as to protect the rights of senior citizens and to give them a dignified life.

The law, both nationally and internationally, came forward to extend a helping hand to the elders across the world. The question of elderly abuse was for the first time discussed at United Nations in 1948 at the initiative of Argentina. This was further raised and debated in the General Assembly. After four decades, UN General Assembly adopted 18 principles which were clubbed into 5 major heads: independence, participation, care, self-fulfillment, and dignity of the older persons. These 18 principles widened the framework for action against any elderly abuse and aging. Also, the UN adopted 1<sup>st</sup> October as International Day of older persons.<sup>7</sup>

Also, neither the Indian legislature nor the government has been at a back step in giving protection to the old age people in the country. Protection and preservation of rights of elderly people find a place at almost everywhere, from the major laws of the land to any other special act. Article 41<sup>8</sup> and 46<sup>9</sup> of Indian Constitution are the perfect example of protection and promoting the rights and interests of the old age people and other weaker sections of the society. Further the country provides for a dozen of statutory provisions made for the protection of elderly rights. Some of these are:

- Section 20 of the Hindu Adoption and Maintenance Act, 1956 imposes an obligation on the children to maintain their parents.<sup>10</sup>

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<sup>7</sup> Dr. Rakesh Kumar Singh, *Rights of senior citizens: Need of the hour*

<sup>8</sup> Article 41- Right to work, to education and to public assistance in certain cases.

<sup>9</sup> Article 46- Promotion of education and economic interests of SC, ST and other weaker sections of the society.

<sup>10</sup> Section 20 - Maintenance of children and aged parents, *Hindu Adoption and Maintenance Act, 1956*

- The Muslim law puts a duty on the children to maintain their parents.
- Chapter IX of CrPc provides for order for the maintenance of wives, children and parents.<sup>11</sup>
- Further, the government has started many schemes for the benefit of the old age group people. For instance Jeevan Dhara Yojana, Jeevan Akshay Yojana, Senior Citizen Unit Yojana, Medical Insurance Yojana and Annapoorna Yojana are some of them.
- The most recent act, the Maintenance and welfare of parents and senior citizens Act, 2007 also adds to the list of legislations for the protection of the elderly people of the country.

The country's legislature has not left a single stone unturned for giving a better life to elders. It has introduced various specific and comprehensive legislations and implemented many schemes for the upliftment of the abused, abandoned or exploited elderly people through its health and social service web. Guidelines and protocols have been formulated to assist the social workers and even special training has been provided many a times. Generally, care is taken by the consulting teams but the real care can only be taken by the family and friends of the elderly people. As long as elderly abuse is seen solely as a caregiver issue, just legal action can't be an effective measure. Thus, precisely said what a family and society can do for preventing elderly abuse, can't be done by legislations.

Even though a handful of legislations exist, cases of elderly abuse are rarely been prosecuted. The principal reason behind this is that elderly people are usually reluctant to initiate a suit against their family members. At an age of 70-80, with the quivering voice, trembling hands and wobbling knees, elderly people finds it extremely difficult to tell others that someone they love so much, trust to their last breathe are abusing or neglecting them. And above all, to make matters worse there are incidences that abusers often blame the elders that they themselves are responsible for their state or threatens them that if they reveal it to anybody.<sup>12</sup> Thus, the most suitable solution to the increasing number of elderly abuse cases can be inculcating the cultural values, beliefs, traditions and value system of respecting and preserving the elders among the 21<sup>st</sup> century generation. The cultural values and beliefs dictate the family member's role and responsibility to one another. Therefore, developing cultural values and tradition of respecting

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<sup>11</sup>Section 125 of CrPc - Order for maintenance of wives, children and parents.

<sup>12</sup><http://www.healthinaging.org/resources/resource:preventing-elder-abuse-and-neglect-in-older-adults/>

elders, giving them the position of head of the family and making them feel wanted is the need of the hour. It is the time to educate and enlighten the society about the need of preserving the rights of senior citizens.

### **Role of family in preventing elderly abuse and social isolation**

In India, joint family is more than living together. The long standing tradition of the Indian culture of living in extended families, one for all and all for one, is an ideal place of learning interpersonal skills. The ideal place, where the youth live with the elders of the family from the time they are born; appreciating, admiring, loving and cooperating with them. Although India has always been the modified extended family but, with the onset of urbanization and globalization, its culture and traditions are being faded. Elders have lost their place in the society. With the increasing life expectancy, the concern for elderly abuse is raising like forest fire.<sup>13</sup>

The change that needs to be brought up to reduce the ever increasing number of cases of elder has to be initiated at the lower level of institution of family. The time has come to restore their position, to imbibe in the minds of young generation the incredible Indian culture and values and to preserve the real treasures of the country. The culture where children use to see their best of friends in their grandparents; to whom they can express their thoughts without any fear and freight is now being eroded. The time has come to revive the Indian culture and to bridge the gap between the two generations to preserve the treasures of our life. The following can be the prominent solution for reducing the social isolation faced by the elders and further reducing the elderly abuse cases:

- ❖ **Assist children to understand and later accept their grandparents' aging-** Involve children in playing and talking to their grandparents. The more they spend the time together, the stronger will be the bond.
- ❖ **Provide an opportunity for both of them to learn together-** Grandparents and grandchildren learning things together can be the best option for both of them to develop a sense of belongingness.

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<sup>13</sup> Prof. Dr. N.K.Chadha, *Intergenerational relationships: An Indian perspective*

- ❖ **Giving elders a sense of purpose-** Elders with a sense of purpose find their life easy and can keep themselves from negativity of social isolation. Further, family can extend a hand in helping elders in pursuing their hobbies and interests.
- ❖ **Arranging the social gatherings and communications-**Seniors often gets bored by their mundane routine. Therefore, arranging various social gatherings can bring a change in their lives. Also, a recreational day/ centre can be organized for the elders of few localities, where they can sit, talk and exchange thoughts.
- ❖ **The communication between the two generations-** Grandparents' help in inculcating family values among the grandchildren, which in turn help them understand the importance of institution of family in life. The communications can help grandchildren in learning the significance of values like honesty, solidarity, togetherness and helping behavior and thereby help in developing sense of belongingness among the children and grandchildren. The grandchildren can give them best company, advice and be a support in building the lost parent-child relationships.
- ❖ **Role of parents-** Sometimes even parents can help in bridging the gap between grandparents and children by engaging them in some peaceful activities like planting seeds, walking on grass, singing folks etc.
- ❖ **Providing adaptive technologies-** Providing the new day technologies developed for them, ranging from walkers to hearing aid devices, can help elders to compensate their age related deficiencies. This will make them feel good in social interactions.
- ❖ **Grandchildren can help them in learning new technologies-** Grandchildren on the other hand can try to make their grandparents familiar with the recent technology and its utility. Learning new technology makes elders updated with the changing world and thereby helps in reducing generation gap.
- ❖ **Notify neighborhood-** Since socially isolated are vulnerable to a variety of problems, it is crucial for their loved ones to notify the neighborhood of such a situation. Trusted neighbors can help in increasing the elders' communication group and in turn can make them more socially involving

Inculcating the culture and values not only help in building a good human being but also help them learn the joy of giving back to the society anything and everything they could from their positive thoughts and actions. Further, being with grandparents gives the youngsters the chance

to learn and respect their elders and their experiences. It helps children to understand their sentiments and make them learn from their past experiences and wisdoms. This all increases the sense of belongingness and later in turn when they are sick or in need, the younger generation will always be there to stand beside them.

Thus, reviving the culture and values among the family members can definitely re-generate the bond between two generations and in turn help them in realizing their responsibilities towards the elders of the society.

### **Conclusion**

Although elderly abuse by family members, caregivers and nursing homes is better understood today than it used to be a quarter century ago, a strong base of family and society's intervention is required to stop the increasing number of elderly abuse cases. Proper planning, programming and research need to be done in this area to know the causes and the consequences and the extent to which it occurs. Among the various types of abuse, physical and financial could be overcome to a large extent with the help of legislations and social workers, but what can't be cured easily is the psychological abuse. Perhaps, the diciest form of abuse is what they face from their loved ones, when they are devalued and marginalized.

However, the problems of elderly abuse will not come to end by physical, medical and economic facilities alone. The demanding need of the hour is to enlighten and educate the society about the rights of senior citizens. It is high time to revive and inculcate the thought of preserving the treasures of our life. The effort of preserving elders should start at the lower level of the society.

The institution of family should start the very practice of preserving the rights of elders.

Give the elders a dignified life and let the world grow under the umbrella of their worldly wisdoms.

### Author's opinion

Physical, psychological, social abuse and disrespect and neglect exist almost in every corner of the country. While some may blame it on westernization of the thoughts and society and eroding value system of the mother India, there are many who blame the elders for their rigid thoughts and redundant cultural values. Further, economic dependence and frail health due to age is another reason of elders being abused in the country.

With the passing years the elder abuse cases are increasing like forest fire, although most of the elder abuse cases go unreported. The Indian parliament has made a handful of legislations for protecting the rights of elders from giving pensions to promising them a dignified life but all in vain. The institution of family in India is built in such a way that most of the elders find it shameful that they are being abused and ill treated by their family and friends. Although the love does not exist but the emotional attachment of being their parents do not let them report cases against them. And above all, a majority of them though talked about 'emotional stigma', 'fear of insecurity', 'being neglected by family or spouse', 'desertion' and 'disrespect' but nobody was ready to name it as 'abuse'. The elders are afraid of retaliation by family members if the NGO or other agencies come to help. And many a times, elders try to justify the neglect by taking the veil of changing time and belief of the young generation and the rapid westernization of attitude and aptitude. The major reason behind this is no doubt the emotional bonding with their children.

Thus, the best solution, if any can be to this problem, is to involve family and society at large to preserve the treasures of our life. Reviving the old culture and values, imbibing the holy thoughts of "matrdevo bhaavh" and "pitradevo bhaavh" and making the new generation learn the practice of respecting their elders can be the prominent solutions to this problem. The beautiful thing about the Indian culture lies in some of its incredible age old practices like living in a joint family. A joint family place a significant role in keeping all members, both small and big, united in peace and love and inculcating in them the holy practices of touching elders feet in respect, speaking to them in a dignified manner and taking their advice in every important decision of life.

The time has come where children and grandchildren should realize their responsibility of removing the fear of insecurity and helplessness among the elders. In 1994, NHRC once

acknowledged starvation is a violation of human rights<sup>14</sup>, now the time has come to recognize the elderly people's right to live with dignity. It is the time to give the elders the richness of life, to give them a life they actually wanted to live and to learn from their worldly wisdom. Even the Bible quotes, "*You shall stand up before the gray head and honor the face of an old man.*"

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<sup>14</sup> Kishen Pattanayak v. State of Orissa