Transcript

George Leeson

Welcome to the Ageing Conversation, a series of podcasts from the Oxford Institute of Population Ageing at the University of Oxford. I am Professor George Leeson, Senior Professorial Fellow at the Institute. The Oxford Institute of Population Ageing is now celebrating nearly 30 years. It was the first Institute to move away from looking at old age per se and instead to examine the implications for societies, economies, political systems and indeed wider global community of the profound demographic shifts brought about by falling fertility and increasing longevity. We are a multidisciplinary institute and the topics presented in this podcast series reflect the breadth of expertise exploring different aspects of population ageing, past, present and future. Each of these podcasts features an interview conducted by one of our research fellows, and I'm delighted that the current series features Dr Chiara Fukaci and Dr Kate Bancroft. The opinions expressed by the interviewees do not necessarily reflect those of the Institute.

Chiara Foccaci

Welcome to the podcast series of the Institute of Population Ageing at the University of Oxford. In this series, we're going to look at interesting aspects of why we age the way we age. Let's dive in. Welcome, everyone. I'm here today with Professor Issi Doran. Hello.

Issi Doran

Hello.

Chiara Foccaci

Isi is a professor of gerontology at the University of Haifa, but also a social activist of older people, which I think is really amazing. And your work intertwines gerontology and law. How do you see legal frameworks shaping the lived experiences of aging individuals?

Issi Doran

Okay, thank you for having me here in this conversation. Historically, the science of gerontology and old age didn't see law or the discipline of law as a significant part of the study of old age. It was mostly focused around sociology elements or psychological elements and even anthropological elements alongside the traditional medical geriatrics aspect. So law was viewed as a foreign territory to many gerontologists. As someone who's coming from the legal discipline and a lawyer by myself, I was educated under the notion of the law is an instrument for social change in general, and more

specific, the importance of human rights discourse in various fields of society. So once I moved into the field of human rights and studied and was exposed to various aspects of human rights in general, and specific elements of human rights to traditional minority groups or disadvantaged groups such as people of color, women, people with disabilities and other groups that historically experienced discrimination, it was fascinating to learn that older persons as a group were usually unrecognized and ignored within the traditional human rights discourse. So from that perspective, from my legal background and being exposed to various, as you said, living experience of older person via infringement of human rights, via experiences of discrimination, via experiences of exclusion, and broadly speaking, through the various aspects of ageism, which is a relatively not new, but compared to other ISMIM was relatively more novel, to connect the ways law can serve as a social instrument to advance and promote the lived experience of older persons with the sociological and psychological aspects of aging that were more developed. So for me, Bringing in the legal prism and lens into social gerontology is sort of a win-win situation. On the one hand, we bring in the knowledge and the lived experience of older persons as they are studied and analysed and exposed in social sciences. and to bring in and add the legal human rights discourse perspective via legislation, case law, strategic litigation, and our understanding of the importance of human rights paradigm as a means to change the discourse around old age in general.

Chiara Foccaci

Yeah, this is really wonderful and I appreciate the fact that you mentioned ageism. because it's still very pervasive in many societies, even the most developed ones. And so from your perspective, what are the most critical misconceptions that drive discrimination against older people and how can legal systems in a way tackle them effectively?

Issi Doran

Yeah, that's an excellent question. Unfortunately, we find evidence of ageism in all fields of reality and the daily lives of older persons. I think the most well-known, again from a legal perspective, the most well-known and historically better approach was the field of age discrimination in employment. So in direct answer to your question, for example, stereotypes about, for example, notions that older workers are less efficient, older persons cannot learn new things, older workers are invaluable or cannot contribute to the company, they are too expensive. the phenomena of age discrimination in employment, which goes either from the lens of when older persons are looking or applying for jobs, they are discriminating, it is very hard for them to be hired, or on the other end of the spectrum, older workers who are pushed out of workforce either from a traditional mandatory retirement policies or into more delicate, informal ways of showing the door out to older workers as being unuseful and

irrelevant. So that's one example very well known that is addressed via anti-discrimination legislation. Another well-known field that ageism can be shown is in in the field of healthcare and medicine. So beginning with quite stark example, historical policies that, for example, excluded older people from, for example, organ transplantation. So if you were beyond the age of 65, regardless of your physical condition or your frailty, the mere fact that you were above a certain age excluded you from receiving all kind of health care procedures. In many countries, this have become illegal in the last decade based on medical and clinical evidence showing that the chronological age is not a really good predictor to the success of, for example, organ transplantations, and the clinic objective clinical situation regardless of your chronological age is much more important. But still there are a lot of examples and empirical studies that show for example that if two people with cancer for example go to a hospital, one is the age of for example in his or her 30s and the other is in his or her 70s or 80s, Unfortunately, and once again, regardless of the clinical evidence, the older patient will receive less appropriate medical care, despite the fact that there is no justification, which once again mirrors the social constructions that the older people are less deserved or that their lives are less worthy or that they live their lives, so to speak, and hence they are not worthy for the same treatment as younger people. And again, regardless of their personal traits and abilities and value to society.

Chiara Foccaci

Yeah, and we've seen this particularly also during the pandemic when you were saying, you know, who to save, I was this, my mind went.

Issi Doran

Exactly. COVID-19 was an example, a tragic but an outstanding example how all these age stereotypes were manifested in various policies around the world, excluding, discriminating and making a narrative that older persons are less worthy or their lives are worth less than younger people.

Chiara Foccaci

Absolutely. So the global population is aging rapidly a bit everywhere. What ethical and policy priorities should governments adopt to ensure dignity, inclusion and equality for older populations in the next decades?

Issi Doran

Yeah, this is an important question because it connects directly to what I'm doing right now in promoting a new international human rights convention with regards to older persons. So the overarching challenge, as you've mentioned, is to combat ageism. So how do we transform and shift our societies into a more equal and dignifying society which treat and construct older persons as not only full citizens, but equal partners in

the sense of continuing participation, continuing in being involved in social and economic daily lives within the society. So in the spirit of the disability rights movement, so nothing about us without us, how to promise and maintain a reality that older persons are part of the society in a meaningful way. So they continue not only to participate and take power, but that their voices are taken into account in a serious manner. So that's the overarching, I think, challenge. The second overarching challenge is to, again, once again, make a paradigm shift in the discourse. Many of the policies right now governments are applying is what we call a social policy orientation in the sense that they focus on the needs, the weaknesses, the challenges, and do not focus on the older persons as rights barriers and older persons in aging as an opportunity. as older persons as a resource, unlike the construct of a burden. So we have to totally change the language that we speak when we talk about shaping rights of older persons. It's not a great tsunami, it's not a threat, it's not a burden, but it's actually a social opportunity of a very diverse and rich population which can significantly contribute and which has the right to be viewed as full citizens within the society.

Chiara Foccaci

Yes. Thank you so much, Isi, for bringing awareness on this important topic and on a segment of the population that we're all part of at some point in our life. It was a pleasure having you on the podcast.

Issi Doran

Thank you. Thank you very much. And if I may say again, you are, if I may stereotypically say a young person, but the beauty of the older rights movement is that eventually, like you said, everyone will age and become old. So we are actually promoting your rights as well as my rights. So thank you for having me here and it's a pleasure.