

Age discrimination in Europe: the need for a human rights plan for older persons

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Introduction

In Europe, people are living longer and in better health than ever before (Jagger et al, 2011). The rise of multigeneration societies has created the potential for unprecedented forms of exclusion and discrimination that are intertwined with age, giving rise to new images of ageing and old age and to different attitudes towards old age among older and younger persons. Yet it would be unwise to conceive of ageing per se as a cause of exclusion. In fact, the problem of social exclusion based on age may take different forms in different countries, reflecting their diverse age profiles and expectations as well as differing cultural orientations to age. The very complexity of these differences calls for a reconsideration of the application of distributive justice and highlights the need for a human rights-based approach that includes the old and very old. In this chapter, we argue that the promotion of social inclusion – with a sustainable governance system – through the allocation of equal rights to people of all ages represents an important element of a ‘society for all ages’ (UNECE, 2008).

The European Commission (2000a) regards ‘discrimination’ as being the application of different treatment in a negative and unfavourable way, on the basis of race or origin, ethnicity, religion or convictions, handicap, age, or sexual orientation. In addressing the theme of social exclusion based on age discrimination in Europe, this chapter begins with a review of core processes of discrimination and exclusion based on old age, such as ageism, stigmatisation and stereotyping. Where appropriate, recent European data are presented to illuminate these processes. The chapter then evaluates a range of existing policy responses to age discrimination and exclusion in the form of legislative instruments available in European nations. Extending the lens beyond Europe, the focus then moves towards a variety of mechanisms and programmes initiated by the United Nations (UN) in the field of older persons’ human rights.

Social exclusion: generation and age

As noted in Chapter One, social exclusion can take many forms depending on the types of individuals or groups that are affected, the immediate social context, and the broader societal context. For example, exclusion takes different forms in education, health, housing, business or community contexts (Abrams et al, 2007). In the European Union (EU), exclusion has typically been defined and operationalised as being relational and dynamic, and as involving agency; exclusion is not necessarily a fixed or perpetual state (Millar, 2007; see also Chapter One). It does not merely involve exclusion from material resources and opportunities, but also implies non-participation in key activities in society (Burchardt et al, 2002). Given the breadth of the exclusion concept, different policy emphases for tackling social exclusion have been adopted across Europe. For example, while some countries focus on the alleviation of poverty and inequality, others emphasise cultural integration (Gordon, 2007). Recently, Abrams and Christian (2007) proposed a general framework for analysing and understanding social exclusion. It holds that identifying and understanding social exclusion is aided by articulating four general features:

1. who is involved (as either a target or agent of exclusion);
2. where the exclusion is located, its situation and context (from transnational down to personal);
3. how exclusion is expressed or sustained (through ideological, cultural, religious or institutional rules, norms or practices, or specific acts or communication between individuals); and
4. why exclusion is sustained (eg through conflicts of interest, status motives, historical legacy or duration of relationships, or inequalities of resources or abilities).

At the root of social exclusion is typically either a presumption or belief that a particular individual or group does not need or deserve treatment that would give them parity with others. Exclusion is generally perpetrated by groups that already have an advantage, although on occasion disadvantaged groups are complicit in their own exclusion through a shared ideology regarding their status (Tajfel and Turner, 1979; Jost and Hunyadi, 2005). Moreover, there is a key psychological process that defines who is involved in excluding and who is excluded, namely the categorisation of people into social groups. In this chapter, we focus on these elements as they are expressed and revealed in social-psychological processes, national and cultural differences, and in the development of international legislation on age discrimination and rights.

Ageism as a cause of stereotyping and exclusion

Butler (1969) introduced the term 'ageism' to describe a form of prejudice against old age, later defining it as:

[a] process of systematic stereotyping of and discrimination against people because they are old, just as racism and sexism accomplish this for skin colour and gender. Old people are categorized as senile, rigid in thought and manner, old-fashioned in morality and skills, ... Ageism allows the younger generation to see older people as different than themselves, thus they subtly cease to identify with their elders as human beings. (Butler, 1975, p 35)

Schaie (1993, p 49) expanded the definition of ageism and ageist language to prejudice or discrimination against, or in favour of, any age group:

Ageism may be defined as a form of culturally based age bias that involves a) restrictiveness of behaviour or opportunities based on age, age-based stereotyping, and distorted perception in the service of maintaining such stereotypes, positive or negative; b) a cultural belief that age is a significant dimension by definition and that it defines a person's social position, psychological characteristics, or individual experience; or c) the untested assumption that data from one age group generalize to others, or conversely that age is always relevant to variables studied by psychologists (to which we include all social scientists).

Much of the empirical work on ageism has been conducted by psychologists who tend to focus on the micro level, that is, the ageist attitudes and behaviours of social actors, as well as consequences for individuals, be they young or old, who are 'targets of ageism' (Nelson, 2002; Hagestad and Uhlenberg, 2005). The cumulative effects of ageist attitudes and language on the older person has been demonstrated by several studies and include: self-fulfilling prophecy effects; over-accommodating or patronising communication (Giles et al, 1993, 1994); mistreatment by professionals (Wilkinson and Ferraro, 2002); and neglect, exploitation and abuse by younger adults (Quinn and Tomita, 1986; Hirsh and Vollhardt, 2002). Much less attention has been paid to the wider consequences of ageism on age discrimination and macro-level social exclusion.

Common negative stereotypes and discriminatory attitudes have been studied, for example, through behaviour, communication and language (Nuessel, 1984). These attitudes include views that older people are inflexible, lonely, religious, sickly, depressive, senile, rigid, frail and lacking in energy (Schoenfeld, 1982; Greene et al, 1986; Grant, 1996; Bowling, 1999; Palmore, 2001; Cardinali and Gordon, 2002). Other assumptions underlie stereotypes about older workers and lead to them being labelled as costly and relatively unproductive (Taylor

and Walker, 1993, 1998). Attributing such negative stereotypes through language and other observable behaviours often results in discrimination (Palmore, 1999).

Ageist attitudes reflect age categorisations, which are associated with specific stereotypes that depend on the perception each age group has of another age group. Much gerontological research is based upon an assumption that, in all its complexity, the ageing process is a reality, but that chronological age is:

a time interval with no intrinsic meaning. It is a convenient, heuristic indicator of the ageing of the individual. It is relevant only in that it is the basis of many institutional regulations that have real consequences for the lives of individuals. (Bytheway, 2005, p. 363)

Thus, ageing involves characteristics that go beyond chronological age (Kite et al, 2005). This is reflected in research on age perception, which shows a surprising lack of public consensus about age categorisation. A nationally representative survey conducted in the UK, showed that people under the age of 25, on average, judged that youth ends at 38 and old age starts at 55 years. This contrasted with perceptions among people over the age of 65, who believed that youth did not end until after 56, and that old age did not start until after the age of 67 (ACE, 2005).

Recent analysis of data from 28 countries and over 50,000 respondents in the 4th European Social Survey (ESS) shows dramatic variation in age categorisation across Europe (Abrams et al, 2011a). On average, youth was perceived to end at 40 and old age to start at 62. But the definitions of these labels vary widely between countries. For example, in Greece, youth was perceived to extend until the age of 52, whereas in Norway, it was perceived to end at 34; old age was perceived to start at 68 and 63 years in these countries, respectively. People in Turkey perceived old age to arrive earliest of all (55 years). The point of these comparisons is that the subjective categorisation of people as young or old is substantially determined by factors other than age itself. Yet, once people have categorised someone as young or old, they are then likely to apply stereotypes about age to that person. It is the fact that age categorisation itself can be so variable that makes it difficult to track social exclusion based on age, and why such exclusion is likely to be manifested differently in different national contexts.

In order to understand the implications of age categorisation (eg judging that someone is 'old'), it is important to understand stereotyping. Stereotypes affect how people treat members of social groups because they underpin prejudices and reinforce images of stereotypical behaviour by members of those groups. The stereotype content model (Fiske et al, 2002) holds that groups in society tend to be viewed with stereotypes defined by warmth/coldness on the one hand, and competence/incompetence on the other. Research with representative samples of the population in the UK (Abrams et al, 2009) and across Europe (Abrams et al, 2011a) consistently shows that older people are stereotyped as warmer but less competent than younger people. Older people are also conscious of these stereotypes and are vulnerable to them (Levy, 2003). For example, in one study,

people aged over 60 were asked to take a cognitive test, either under the impression that it was just a test of different people's ability, or under the impression that the test was to see whether older and younger people performed differently. This latter situation induced 'stereotype threat' (Steele, 1997) – anxiety and concern that the 'elderly' stereotype might be applied. Performance of older persons dropped dramatically in that situation (Abrams et al, 2006). The importance of such negative stereotyping of older adults should not be underestimated given that positive self-perceptions of ageing can actually increase longevity (Levy et al, 2002). In addition, Levy et al (2009) showed that ageist attitudes and stereotyping lower self-esteem, affect mental and physical health, and decrease quality of life and longevity. This research also demonstrates that people internalise stereotypes of old age when they are still quite young – with far-reaching consequences. Age discrimination may manifest differently in different cultures, but with similarly harmful consequences. In summary, old age stereotypes lead not only to auto-discrimination, but also to age discrimination at the societal level, both of which can result in exclusion.

Ageism is unlike prejudices that are manifested against other groups. For example, whereas racism or homophobia are often characterised by antipathy, contempt or fear (Abrams and Houston, 2006), ageism, particularly ageism towards older people, is paradoxically marked by positive feelings such as admiration and warmth. Nonetheless, as Fiske et al (2002) have argued, it is the coexistence of positive and negative stereotypes, such as warmth and incompetence, which gives ageism its dangerous qualities. For example, when older people are viewed as likeable but harmless and ineffectual, they are potentially denied a voice because they may be respected (for their warmth) but ignored (due to their incompetence), and pitied rather than envied (Abrams et al, 2009). This 'benevolent' or paternalistic type of prejudice and stigmatisation is a basis for a social exclusion that is just as powerful, and perhaps harder to combat, than more traditionally hostile types of prejudice.

Ageism as a form of age discrimination

But is there evidence that ageism is experienced as a serious form of discrimination, rather than being simply an inevitable consequence of people's recognition of the realities of ageing? Prior reviews and evidence have called into question the extent to which ageing, as distinct from ill-health, actually is debilitating (Stiehl, 1995; Nelson, 2005). However, European survey research has shown that ageism is widely experienced and perceived to be a quite serious problem. On average, 44% of ESS respondents perceived ageism to be a quite or very serious problem, although there were large variations between countries (Abrams et al, 2011a). For example, only 22% of Danish respondents but 68% of French respondents judged ageism to be a serious problem (see Figure 8.1).

Moreover, when asked whether they had personally experienced prejudice based on age, gender or ethnicity, more said they had experienced unfair treatment because of their age (35%) than either gender (25%) or ethnicity (17%), indicating