Revista Bioética
Print version ISSN 1983-8042 | On-line version ISSN 1983-8034

Rev. Bioét. vol.34 Brasília 2026

Ethics of care and legal protection in population aging

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Abstract

Peru's aging population reflects demographic progress accompanied by the fragility of family and community networks, which exposes older adults to forms of vulnerability that go beyond economic factors. This article critically analyzes social fragmentation and the deterioration of support networks among older adults in Peru to justify, from the perspectives of bioethics and social justice, the need for a comprehensive legal framework for maintenance agreements. Through a critical review of the literature, it is evident that the weakening of community ties increases the risk of isolation and precariousness, while current regulations prioritize financial instruments such as reverse mortgages, which are insufficient to address the need for companionship and social belonging. It is concluded that the maintenance contract, reinterpreted from the perspective of the ethics of care, constitutes a regulatory pathway capable of articulating dignity, autonomy, and intergenerational solidarity.

Keywords: Aging. Social isolation. Human rights. Social justice. Respect.

Resumo

Ética do cuidado e proteção jurídica no envelhecimento populacional

O envelhecimento populacional no Peru reflete um progresso demográfico acompanhado pela fragilidade das redes familiares e comunitárias, o que expõe os idosos a formas de vulnerabilidade que vão além do aspecto econômico. Este artigo analisa criticamente a fragmentação social e a deterioração das redes de apoio na terceira idade peruana, a fim de fundamentar, a partir da bioética e da justiça social, a necessidade de um marco jurídico integral para o contrato de pensão alimentícia. Por meio de uma revisão crítica da literatura, fica evidente que o enfraquecimento dos laços comunitários aumenta o risco de isolamento e precariedade, enquanto a legislação vigente privilegia instrumentos patrimoniais como a hipoteca reversa, insuficientes diante da necessidade de acompanhamento e pertencimento social. Conclui-se que o contrato de pensão alimentícia, reinterpretado a partir da ética do cuidado, constitui uma via normativa capaz de articular dignidade, autonomia e solidariedade intergeracional.

Palavras-chave: Envelhecimento. Isolamento social. Direitos humanos. Justiça social. Respeito.

Resumen

Ética del cuidado y protección jurídica del envejecimiento poblacional

El envejecimiento poblacional en el Perú refleja un progreso demográfico acompañado por la fragilidad de las redes familiares y comunitarias, lo que expone a las personas mayores a formas de vulnerabilidad que trascienden lo económico. Este artículo analiza críticamente la fragmentación social y el deterioro de las redes de apoyo en la vejez peruana, para fundamentar, desde la bioética y la justicia social, la necesidad de un marco jurídico integral del contrato de alimentos. Mediante una revisión crítica de literatura, se evidencia que el debilitamiento de los lazos comunitarios aumenta el riesgo de aislamiento y precariedad, mientras la normativa vigente privilegia instrumentos patrimoniales como la hipoteca inversa, insuficientes ante la necesidad de acompañamiento y pertenencia social. Se concluye que el contrato de alimentos, reinterpretado desde la ética del cuidado, constituye una vía normativa capaz de articular dignidad, autonomía y solidaridad intergeneracional.

Palabras clave: Envejecimiento. Aislamiento social. Derechos humanos. Justicia social. Respeto.

The authors declare no conflict of interest.

Research

Social fragmentation among Peruvian seniors

Population aging represents a most significant social and demographic phenomena of the 21st century. Beyond a statistical issue, it implies profound transformations in how societies conceive of solidarity, care, and intergenerational justice. In Latin America, particularly in Peru, the increase in seniors over 60 reflects both public health advancements and the emergence of challenges within social protection, since increased longevity does not always translate into dignified and sustainable living conditions [1]. Growing vulnerability, as experienced by those who reach old age, reveals structural tensions between the achievements of modernity and the fractures of an increasingly fragile social fabric.

In this respect, capability theory has offered a framework for rethinking old age as a period of integral human development that requires more than material subsistence [2]. Complementarily, the ethics of care placed vulnerability at the center of moral reflection, emphasizing that one's relationship with the other requires a commitment that goes beyond economic transaction [3,4]. Per law theory, the principles of equity and dignity should guide normative evolution in response to social transformations that challenge traditional models [5,6].

However, a knowledge gap on translating these theoretical frameworks into effective normative instruments for contexts such as Peru's persists. Specialized literature amply demonstrates the weakening of family networks, the increase in social isolation, and the impact these factors have on the health and well-being of older people [7,8]. Indeed, few studies integrate these dimensions into concrete legal proposals, such as the regulation of alimony agreements, capable of transcending a reductionist approach focused on financial provision. A first-order scientific challenge therefore arises: to construct a conceptual and normative framework that aligns with international human rights commitments while simultaneously addressing local realities of vulnerability.

Such an undertaking is justified by the need to approach old age from a perspective that recognizes dignity as a guiding principle. Critical analyses of social fragmentation and the deterioration of support networks reveals that inadequate public policies is a manifestation of a legal framework that has prioritized material support to the detriment of affective and community dimensions [9,10]. Exploring normative alternatives from a bioethical perspective becomes therefore an urgent task to strengthen social cohesion and ensure intergenerational justice.

In practical terms, this approach enables developing normative frameworks that include mechanisms to monitor care agreements, community integration programs, and policies for promoting the active participation of seniors in social life. These measures would strengthen material security while addressing the emotional and symbolic needs that characterize this stage of life. Previous comparative experience has shown that legal systems incorporating care as an enforceable right generate higher levels of protection and reduce exposure to situations of neglect [11,12].

Beyond its normative dimensions, this debate addresses important contemporary challenges. Job mobility, migration, and the transformation of family models require the law to adapt to a context of weakened ties in which exclusive reliance on the family is becoming increasingly unfeasible [13]. Added to this is the urgency of aligning international commitments—such as the Inter-American Convention on Protecting the Human Rights of Older Persons [14]—with the domestic legal framework, ensuring that protection encompasses all dimensions that guarantee a dignified aging process.

Within this context, this article critically analyzes the social fragmentation and deterioration of support networks among Peruvian seniors to substantiate the need for a comprehensive legal framework, articulated around alimony agreements and the ethics of care, that goes beyond financial aspects and guarantees the dignity, autonomy, and well-being of older people, in accordance with international human rights commitments. Such an undertaking contributes a theoretical and normative reflection that evinces current limitations and outlines a horizon of possibilities for building a more humane and fair legal system for an increasingly aging population.

Method

This study critically analyzed the social fragmentation and weakening of support networks among Peruvian seniors to substantiate, from a bioethical and social justice perspective, the need for a comprehensive legal framework that goes beyond financial aspects. For this purpose, a qualitative research design based on a critical-hermeneutic paradigm was adopted. This paradigm has proven to be relevant by integrating normative and ethical dimensions with the analysis of complex social phenomena, while allowing for a results interpretation using conceptual categories specific to bioethics and the theory of justice.

This is an exploratory-analytical and documentary research, focused on the review, selection, and critical analysis of academic literature, comparative legislation, and official documents related to protecting the rights of older adults. The critical-hermeneutic approach enabled analyzing normative and theoretical texts as expressions of a cultural and ethical context that influences the legal framework surrounding old age.

Our methodological strategy employed the critical literature review modality which, unlike the systematic review, prioritizes interpretation and conceptual synthesis over quantification of evidence, reason why the PRISMA protocol was not applied [15]. Bibliographic search was conducted on the Scopus, Web of Science, SciELO, Redalyc, and Dialnet databases, and on the legal repository vLex between January and November 2025. Descriptors in Spanish, English and Portuguese were combined using Boolean operators: "envejecimiento" AND "derechos humanos" AND "bioética"; "aislamiento social" AND "adulto mayor" AND "cuidado"; "aging" AND "ethics of care" AND "legal framework"; "solidariedade intergeracional" AND "proteção jurídica." Fundamental authors of moral philosophy and legal theory were also included.

Inclusion criteria considered peer-reviewed academic publications that addressed old age based on bioethics, social justice, community support networks, or comparative law, in Spanish, English, or Portuguese, published between 2000 and 2025, prioritizing the last decade for empirical literature. Classical works on philosophy and legal theory were also accepted if bearing essential conceptual relevance.

Opinion pieces lacking a scientific basis, non-peer-reviewed documents, literature not directly related to the comprehensive protection of older adults, and publications from non-academic sources were excluded.

Documentary sampling considered academic and legal texts with thematic relevance to the subject under investigation. Our final sample included 86 documents that met the inclusion criteria, selected by intentional sampling given the qualitative and critical nature of the research.

Data analysis used a three-level thematic categorization and coding procedure. At the first level, we identified the conceptual categories derived from the intersection of the theoretical frameworks adopted—namely, principle-based bioethics [16], the ethics of care [3,4] and capability theory [2,17]—with the recurrent thematic axes in international legislation [14,18,19]. Five deductive-analytical categories emerged from this intersection: dignity, autonomy, social justice, intergenerational solidarity, and care as an enforceable right. At the second level, we conducted a comparative analysis between national and international legislation; at the third level, a hermeneutic interpretation of the results in relation to the bioethical and legal framework. Reliability was ensured by triangulating the sources, whereas validity was ensured by the consistent between the theoretical framework and the results interpretation.

Ethically, this study did not involve the participation of human subjects or required the collection of sensitive data, and therefore needed no approval from a research ethics committee. Regardless, we adhered to the principles of academic integrity, respect for intellectual property, and accuracy in citing sources.

Social fragmentation and deterioration of community networks

Life's sunset is not an end; it is the culmination of a journey of experiences that

deserves to be protected and valued. Population aging in Peru is progressing steadily, requiring a reformulation of care and support strategies. Indeed, 4.598 million people are aged 60 or older—representing 13.6% of the national population [1]—which reflects advances in health and quality of life but also highlights emerging challenges regarding comprehensive care for older adults, particularly given the fragmentation of family structures and the growing trend toward social isolation.

In this scenario, the implications extend beyond the demographic aspect and require the reformulation of public policies aimed at the senior population. Weakening of family networks as the primary support system has highlighted the need to strengthen institutional mechanisms that ensure care extending beyond economic support. Loneliness and social isolation directly impact seniors' mental and physical health, increasing the risk of chronic diseases and worsening their quality of life [7,20]. It is therefore essential to formulate inclusive policies that integrate alimony and healthcare systems with the development of intergenerational support networks.

Changes in family structures observed in recent decades—driven by migration and new dynamics of living arrangements—have disrupted the traditional extended family unit, in which multiple generations shared caregiving responsibilities. Said transition to more fragmented structures has weakened intergenerational ties, reducing the social protection capacity of families [13]. This change left many older adults in situations of vulnerability and neglect. Evidence suggest that loneliness and isolation increase the risk of chronic disease, cognitive impairment, and depression [21,22], worsening the living conditions of those who lack effective support mechanisms.

Conceiving of old age solely in terms of material survival is insufficient, since dignity at this stage is also linked to recognition and social belonging. From a humanistic perspective, each person's life circumstances are elements of their identity and their role in the community [23]. Valuing the accumulated experience of seniors and fully integrating them into society becomes an ethical and political imperative, requiring strategies aimed at strengthening emotional and community ties [24].

In this regard, fostering intergenerational solidarity that extends beyond material support and translates into an ongoing social commitment is essential. The creation of comprehensive support networks must consider the affective dimension and the provision of structured care to strike a balance between autonomy and support [25,26]. Moreover, it is essential to incorporate care models that promote the active participation and social inclusion of older adults [10]. Building a society that values old age is therefore a necessary condition for strengthening social cohesion across all life stages.

Neglect of older adults reflects the fragile bonds that should uphold the dignity of those who contributed to the community's development. Many elderly people who, after decades of work, own real estate—such as houses, land, or other assets—lack companionship and emotional ties in their daily lives. Ethics of care begins by recognizing the other as a subject endowed with dignity [3]. Indifference towards seniors represents, in this context, a failure in collective moral responsibility since making their suffering invisible relegates old age to a marginal space [27].

Older adults see their vulnerability increase by the weakening of support networks and the insufficiency of comprehensive public policies. Changes in family dynamics have diminished families' capacity to provide effective assistance, increasing reliance on protection systems that are insufficient [28]. Added to this is the lack of institutional structures capable of linking economic support with a holistic approach to well-being, thereby perpetuating a cycle of exclusion in which old age is associated with neglect and precariousness [9].

Analyzing social fragmentation and the growing vulnerability of older adults requires a reformulation of the ethical foundations upholding protection in old age. Recognizing this erosion necessitates an analysis of the ethics of care and its link to social justice as categories that can underpin legal frameworks more sensitive to the complexities of aging.

Ethics of care and social justice

From a critical perspective, we should question whether the law, in its current configuration, can capture the complexity of human care or if it requires transformations that integrate intangible dimensions of well-being. Rigid traditional arrangements appears insufficient to meet the diverse emotional and social needs of seniors, who—beyond the availability of material resources—require bonds that strengthen their sense of belonging and autonomy. Hence the urgent need for a regulatory overhaul becomes; one that explicitly incorporates elements focused on quality of life and respect for dignity in old age.

In this regard, capacity theory offers an alternative to a reductionist conception of well-being. It argues that quality of life cannot be measured solely in terms of access to material resources, requiring consideration of each person's capacity to develop their potential across different dimensions of existence [17]. When applied to old age, it becomes evident that reducing legal protection to mere subsistence overlooks central aspects such as self-determination, community integration, and access to meaningful experiences. Thus, integrating these components into the regulatory framework would allow for progress toward a more inclusive and humanistic model [2,29] in which protecting older adults extends beyond financial support and becomes a comprehensive commitment to their well-being.

Moreover, we must reflect on the tension between quantifiable obligations and qualitative dimensions. Indeed, the law must reconcile freedom of contract with the principles of justice and equity, so that obligations also incorporate values essential to human dignity [5]. Under this premise, the absence of regulations incorporating affective and social variables into the rules governing care for older persons reveals a structural limitation that calls for regulatory improvements aimed at harmonizing material security with comprehensive protection.

Importantly, the ethics of care emerged as a response to the inadequacy of moral theories that focus on abstract autonomy and impartiality. Responsibility toward the other, understood as concrete attention to vulnerability, is the central axis of this reflection [3,30]. When applied to the legal field, this perspective suggests that the care provided to seniors constitutes a realm in which the law must act as a mediator of interpersonal relationships, ensuring the material, emotional, and communal conditions that allow for an old age lived with dignity [31].

Care conceptualized as a right has gained particular relevance in Latin American legal systems. The threefold dimension of the right to care—namely, the right to provide care, to receive care, and to engage in self-care—allows us to understand this category as a relational right that protects both dependent individuals and those who provide care [32]. The Inter-American Convention on Protecting the Human Rights of Older Persons [12] enshrines the right to a comprehensive care system that offers health protection, social service coverage, and food security [14,33].

Here, it is important to clarify the legal issue that structures this reflection. Many seniors who managed to build up assets—such as a home of their own, a vehicle, or other possessions—after decades of work face old age alone and without emotional support. The underlying issue in this situation is bioethical rather than financial: what these individuals need most is companionship, someone to listen to them, and a sense of belonging—conditions that money alone cannot provide. Meanwhile, classical philosophy recognizes that the human being is, by nature, a social being, incapable of attaining the fullness of existence in isolation [34]. Consequently, the deprivation of meaningful ties in the final stage of life is a form of suffering that the law must recognize and address.

Peru's legal system has sought a solution based on asset value via reverse mortgage, regulated by Law No. 30,741, which allows individuals over 65 to receive a monthly income in exchange for the progressive transfer of their real estate [35]. Although this instrument addresses the need for economic liquidity, it operates according to a strictly financial logic that reduces old age to an income-related problem. Seniors receive money but remain alone; they obtain resources but lack the support they need.

From the perspective of the ethics of care, the reverse mortgage meets a material need at the cost of perpetuating the social isolation that exacerbates vulnerability.

Faced with this insufficiency, the alimony agreement emerges as a legal instrument that can potentially articulate financial support with the dimension of care. In comparative law, this agreement has been developed as a guarantee of lifelong care, including housing, food, healthcare, and personal assistance [36]. Unlike the reverse mortgage, an alimony agreement establishes an interpersonal relationship between the obligor and the older person, in which asset provision—such as the potential transfer of property—is contingent upon the actual fulfillment of comprehensive care obligations, encompassing emotional, housing, and health-related dimensions [12].

In short, the interplay between the ethics of care and social justice reveals that protecting older adults requires a legal framework capable of embracing the complexity of the human experience in old age. A legal system that limits its scope to the transfer of assets neglects the conditions that enable a dignified and meaningful life, thereby undermining the foundations of social cohesion.

International obligations and national normative deficit

Updating the current legal framework constitutes an urgent necessity in light of the progressive population aging—a phenomenon that challenges demographics and the effective guarantee of fundamental rights. Consequently, protecting older adults cannot be limited to the economic dimension, as it requires a comprehensive approach that integrates emotional, social, and care-related well-being. In this context, law must evolve toward mechanisms—such as the alimony agreement—that go beyond traditional solutions and recognize the centrality of care and dignity in life's final stage.

Indeed, contemporary legal debate has called into question the rigidity of classical care mechanisms, highlighting the need to incorporate more flexible instruments that are better adapted to social transformations. Current regulations have prioritized the protection of assets to the detriment of other dimensions essential to senior well-being [11]. Consequently, this asymmetry produces a limited legal response that fails to recognize the complexity of old age, thereby prompting proposals aimed at redefining the legal framework based on a model of comprehensive protection that ensures not only income but also emotional support and personal safety.

Comparative law shows how supranational norms have established a reference framework aimed at ensuring dignity in old age. Within the European system, the revised European Social Charter [23] obliges States to adopt or promote—whether directly or in cooperation with public or private organizations—appropriate measures to protect older adults against isolation, neglect, and mistreatment [37], thereby consolidating the principle of dignity as a legal limit on state inaction and as a foundation for public policies that ensure comprehensive protection.

Likewise, the European Pillar of Social Rights expressly recognizes the right of old persons to a dignified and independent life, in addition to imposing an obligation to ensure accessible, high-quality long-term care [38]. These provisions make senior care a positive obligation for States, which must reorganize their domestic frameworks so that protection incorporates social and care-related dimensions. In this context, the alimony agreement has functioned, in legal systems such as Spain's, a contractual instrument that translates these obligations into concrete provisions for lifelong care [36].

Within the Inter-American framework, the 2015 Inter-American Convention on Protecting the Human Rights of Older Persons establishes—in Articles 6, 12, 17, and 19—a binding set of rights that includes social security, comprehensive health, autonomy, and community participation [14]. States Parties are obligated to adopt legislative and administrative measures to ensure the practical effectiveness of these rights. Among such measures, regulating the contractual instruments that formalize care relations constitutes an approach consistent with the spirit of the convention.

Within the framework of the United Nations, the International Covenant on Economic, Social and Cultural Rights imposes on States, in Articles 9 and 12, the obligation to ensure older adults access to social security, adequate health services, and dignified living conditions [18]. Moreover, the Committee on Economic, Social and Cultural Rights has interpreted these articles as requiring enhanced protection, indicating that States must adopt specific measures to address the needs of the senior population [19]. Thus, the legal formalization of care relations—such as that provided by an alimony agreement—strengthens the beneficiary's stability and prevents old age from being reduced to a mere calculation of assets [36].

In Peru, Bill No. 04319/2022-CR, introduced to the Congress of the Republic, proposes incorporating the alimony agreement into Book VII of the Civil Code to establish a specific framework that addresses the needs of the senior population [39]. This type of proposal reveals a desire to modernize regulations to consolidate a care model more aligned with the principles of justice and intergenerational solidarity. However, its current text maintains a predominantly asset-focused orientation and lacks mechanisms to ensure the monitoring of compliance with care-related obligations, the guarantee of emotional support, and the community integration of older adults.

For its part, the reality in Peru shows that old age remains a period of high vulnerability given the absence of a comprehensive regulatory framework ensuring protection across all its dimensions. Despite legal provisions aimed at economic security such as Law No. 30,490, the Law of Older Persons [40], and Law No. 30,741 on reverse mortgage [35], they are insufficient to meet the affective and social demands of older adults, whose satisfaction depends mainly on increasingly fragile family structures [28].

Such normative deficit translates into concrete isolation and neglect risks, conditions that negatively affect the quality of life of this population. In this regard, the gap between the actual needs of seniors and the prevailing institutional response reinforces a state of vulnerability incompatible with the principles of social justice. Literature shows that a lack of support networks and social isolation directly impact mental and physical health, increasing the prevalence of depressive states and accelerating cognitive decline [7]. In addition to compromising quality of life, this also places a burden on public health systems [22].

Consequently, a normative framework reformulation must harmoniously articulate the material and affective dimensions. A comprehensive legal system establishing the alimony agreement as an institution of the law—incorporating verifiable obligations for companionship, social interaction, and community integration—would prevent old age from becoming a stage of abandonment [25]. Mismatches between international obligations and the fragility of the national legal framework underscores the need to turn to bioethical principles as a basis for translating universal values into concrete legal obligations, thereby ensuring comprehensive and coherent protection for older adults.

Bioethical principles as a normative foundation

By articulating principles such as dignity, justice, autonomy, and intergenerational solidarity, bioethics establishes parameters that must be translated into concrete legal obligations, particularly in configuring alimony agreements as an instrument for comprehensive protection. Autonomy, beneficence, non-maleficence and justice—principles canonically formulated by biomedical principlism [16]—have been progressively applied to gerontological contexts, in which older adults' vulnerability requires special consideration for each of these principles [41]. In contexts of rapid aging and weakening of family networks, lawmakers must structure a normative framework that ensures comprehensive protection.

As a principle, dignity requires that older adults be recognized as individuals with full rights and, consequently, that the legal instruments designed to protect them go beyond mere financial support. Under the terms of an alimony agreement, this translates into the obligor's obligation to provide conditions for coexistence,

support, and social recognition, since dignity cannot be satisfied by a monthly income alone when the person remains isolated. The dignity of the older person, as a constitutional and conventional value, entails the construction of what legal doctrine has termed the 'right to old age'—understood as a fundamental model that frames old age within each specific context and recognizes the individual's sense of belonging to society [27,42].

In turn, the principle of justice requires the remediation of structural inequalities that affect old age. Regarding alimony, distributive justice requires that the agreement incorporate state supervision mechanisms to prevent property abuses against seniors, and budgetary allocations for monitoring its compliance. Additionally, progressive realization [18,43] prohibits regressive reforms that reduce the standards of protection already achieved. However, the gaps between normative mandates and concrete practices generate inequities that disproportionately affect the older population [44].

Autonomy requires that legislation recognize older adults as agents capable of making decisions regarding their lives, their care, and use of their assets. Under the terms of an alimony agreement, this implies that old persons provide informed consent to the terms of the agreement, including the nature of care obligations, the scope of the asset transfer, and the resolution mechanisms in the event of non-compliance. Legislation regarding advance directives and care mandates complements this requirement [45]. Likewise, the institutionalization of clear protocols regarding advance directives strengthens respect for the dignity of old persons [46].

Intergenerational solidarity, though generally conceived as a social value, must take on a normative form in state and contractual obligations. Under the terms of an alimony agreement, this is expressed in the obligor's duty to integrate the old adult into community life, promoting their participation in social, cultural, and leisure activities. Solidarity, in its bioethical dimension, requires accompanying and supporting seniors in facing the challenges of old age, ensuring an environment that promotes their participation and dignity [47]. By regulating these measures, lawmakers strengthen social ties weakened by migration and job precariousness [32,33].

Translating these principles into the contractual obligations of an alimony agreement meets internal requirements for ethical coherence and international commitments, such as the Inter-American Convention on Protecting the Human Rights of Older Persons [14] and the interpretations of the Committee on Economic, Social and Cultural Rights [18,19]. Consequently, lawmakers cannot define this agreement as a strictly patrimonial arrangement; that is, as an economic support devoid of obligations of care; rather, it must be defined as an instrument establishing the minimum level of protection owed to older adults.

In short, bioethical reflection offers lawmakers a repertoire of principles whose normative potential is indispensable for structuring the alimony agreement as an institution of the law regarding older adults—one that honors the complexity of aging and meets the demands of a rapidly aging society.

Final considerations

Our analysis of the social fragmentation and deterioration of support networks among Peruvian seniors underscores a core theoretical intervention: old age cannot be understood only as a stage of material survival; rather, it constitutes a reality in which dignity, autonomy, and social recognition are inalienable legal assets. Recognizing this premise implies a necessary shift from focusing on economic provision to a comprehensive normative framework that articulates the material, affective, and community dimensions in line with international human rights commitments.

Conceptually, this article contributes by linking bioethics with social justice as normative foundations to rethink the protection of older adults, and in identifying the alimony agreement as the appropriate legal instrument for putting this link into practice. By using vulnerability as a starting point, bioethics requires that legislation recognize care as a legal duty. In turn, social justice requires addressing the structural inequalities that affect those facing the final stage of life by

incorporating principles of dignity, autonomy, and intergenerational solidarity into the institutional framework.

In practical terms, this reflection suggest that national lawmakers should structure alimony agreements to include obligations that go beyond financial compensation, incorporating verifiable duties regarding emotional support, community integration, and specialized health care. Although a useful financial tool, reverse mortgage is insufficient as a solution to loneliness and isolation, since it operates on a logic that disregards the social nature of human beings and the need for meaningful connections in old age. Comparative experience evinces the possibility of incorporating flexibility clauses, supervision mechanisms and co-responsibility programs between family, State and community into civil landmarks.

Future research should further explore how to translate bioethical principles into specific provisions in alimony agreements applicable to the Latin American context, particularly in Peru. This involves examining the scope of the Inter-American Convention on Protecting the Human Rights of Older Persons and other international instruments, assessing how to balance them with domestic law. Additionally, further in-depth empirical studies on the real living conditions of Peruvian seniors are necessary to develop evidence-based public policies and normative frameworks.

Legislating on behalf of older adults is an ethical and political challenge of the highest order. Rather than a phase of decline, old age should be viewed as a period of fulfillment that requires greater protection. An alimony agreement reimagined from a bioethical perspective becomes a humanizing tool that places care at the center of legal and social life. Only said transformation will enable us to build a society that recognizes older adults as a source of memory, dignity, and shared justice.

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Contribution of the authors

Andherson Jhordan Aguirre-Lanegra: study design; research; methodology; formal analysis; manuscript – writing and final review. Fernando Ramos: supervision; validation; methodology; critical review of the content; approval of the final version.

Use of generative artificial intelligence

In preparing this article, the GPT-5 large-scale language model, developed by OpenAI, was used as an auxiliary tool in the tasks of grammar revision, style correction and writing support. All the responses generated were critically reviewed by the authors, who incorporated only suggestions compatible with the argumentative structure and the original intention of the manuscript. The authors assume full intellectual responsibility for the content, interpretations and conclusions.

Data availability: All data used or generated in this study are described and presented in full in the body of the article.

Editor in charge: Dilza Teresinha Ambrós Ribeiro

Received: 10.3.2025
Revised: 4.9.2026
Approved: 4.17.2026

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