

INTERGENERATIONAL SOLIDARITY, BETWEEN OPPORTUNITIES AND LIMITS FOR SOCIAL POLICIES

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ABSTRACT: *In the context of the demographic, social and economic evolution in Europe in general and in Romania in particular, a new guiding principle in the development of social policies is gradually emerging: intergenerational solidarity. Rather, it is a principle of social law in the making, which acquires its own content and a special place in the architecture of the construction of a sustainable social system. The declared aim is to make intergenerational solidarity a remedy that manages, in the most satisfactory way, a whole range of challenges pertaining to a wide range of fields, from economics to climate change, from social work to cultural interconnectivity. The *sedes materiae* for intergenerational solidarity is represented by art. 3 par. (3) § 2 of the Treaty on European Union, according to which, "the Union shall combat social exclusion and discrimination and promote social justice and protection, equality between women and men, solidarity between generations and the protection of the child's rights", the principle appearing alongside the principle of social cohesion, provided for in the same paragraph. As stated in the European Parliament resolution of 9 September 2015 on the report on the implementation, results and overall assessment of the European Year for Active Ageing and Solidarity between Generations (2017/c 316/15), solidarity between generations is one of the basic principles of a human society but also a key element, a tool, together with active ageing, for achieving the objectives and targets of the Europe 2020 strategy with a view to achieving a competitive, prosperous and inclusive Europe. At the same time, together with equity between young and older people, intergenerational solidarity represents, in the sense given to it by the Green Paper on Ageing entitled *Fostering Solidarity and Responsibility between Generations*, the completion of sustainable solutions for our social protection system. In social policies, the difficulty is twofold, as it is necessary to design policies, programs and measures that go beyond the limited term of a government mandate, but also to adapt them to the legal concept, that tends to include a new variable: generations that currently do not exist in the paradigm of social policies. However, although the principle of intergenerational solidarity has the advantage of responding to contemporary socio-economic realities, in reason of its being claimed by multiple fields, and thus undergoing continuous mutations, it carries within it, the risk of ineffectiveness. That is the very reason why the European Commission is currently carrying out a large consultation to consolidate another - similar - principle, the intergenerational fairness.*

Keywords: *Intergenerational solidarity; social cohesion; active ageing; intergenerational justice; intergenerational fairness.*

Preliminary aspects

In the context of the demographic, social and economic evolution in Europe in general and in Romania in particular, a new guiding principle in the development of social policies is gradually emerging: intergenerational solidarity, the reinterpretation of a sociological concept invented by Bengtson and Roberts (Bengtson & Roberts, 1991). Rather, it is a principle of social law in the making, which acquires its own content and a special place in the architecture of the construction of a sustainable social system. The

declared goal is to make intergenerational solidarity a remedy that manages, in the most satisfactory way, a whole range of challenges.

However, although the principle of intergenerational solidarity has the advantage of responding to contemporary socio-economic realities, by being claimed by multiple fields, being in continuous mutation, it carries the risk of remaining ineffective.

Population projections in most European countries show a decrease in the number of working-age adults and an exponential increase in the number of elderly people (Artus, 2010). Thus,

the age structure of the European Union population is changing, between 2002 and 2022, with the share of the over-65 age group increasing from 16% to 21% of the population, and in 2040 it is expected that there will be 59.7 elderly people per 100 people aged between 15 and 64, and the population aged over 80 will represent 8.78% of the total population, as recalled by the European Economic and Social Committee in its 2024 opinion on promoting European intergenerational solidarity (EESC, C/2024/6869, 2024).

As a consequence of the decline in birth rates and the decline in mortality, the demographic transition is gradually transforming intergenerational relations (Attias-Donfut & Loriaux, 2013) and poses challenges for public policies and access to health and social assistance services, both for the elderly and the young.

A first evolution of intra-family relations, in which older generations were assisted by the family, occurred with the entry into action of the welfare state, which reversed the meaning of solidarities (Attias-Donfut & Loriaux, 2013). The educated younger generation performed gainful activities, assuming its contributory social burden, and the pension system ensured the maintenance of a satisfactory standard of living for the elderly, in a contest of continuous progression of life expectancy (Blanchet, 2010).

In debates on intergenerational solidarity, the sequencing of generations highlights what they have given and received, in terms of contributions and benefits, in their relations with the working environment and the social protection system, but also the so-called contract between generations, that lies at the heart of this system (Attias-Donfut & Loriaux, 2013).

1. The ever-expanding scope of the notion of intergenerational solidarity

The concept is transversal to social policies, and we find it in various documents - if the legal notion appears in the primary law of the European Union, its content is not well defined, or rather it is in continuous mutation, is evoked in informative texts and public opinion consultation papers, issued by the institutions of the European Union.

The legal basis regarding intergenerational solidarity is represented by art. 3 para. (3) § 2 of the Treaty on the European Union, according to

which, “the Union shall combat social exclusion and discrimination and promote social justice and protection, equality between women and men, solidarity between generations and the protection of the rights of the child”, text in which, intergenerational solidarity appears as a complement to social cohesion.

Another basis for intergenerational solidarity is represented by the provisions of art. 25 of the Charter of Fundamental Rights of the European Union, according to which, “the Union recognizes and respects the right of older persons to lead a life of dignity and independence and to participate in social and cultural life”.

According to the European Economic and Social Committee (EESC, 2005/C157/28), which stigmatizes a deficit of insight in public decision-making in the years after the Second World War regarding the consequences of population ageing, relations between generations must be correctly articulated, structured in advance, in order to constitute the framework of policies in the field of health, social protection, solidarity, vocational training, equipment and infrastructure, territorial planning, social dialogue, associative life, etc. At the same time, the 2024 recommendation of the European Economic and Social Committee that intergenerational solidarity be established as a vector for implementing the European Pillar of Social Rights (EESC, C/2024/6869) carries significance.

As is clear from the European Parliament Resolution of 9 September 2015 on the Report on the implementation, results and overall assessment of the European Year for Active Ageing and Solidarity between Generations (European Parliament, 2017), solidarity between generations is one of the basic principles of a human society but also a key element, together with active ageing, for achieving the objectives and targets of the Europe 2020 Strategy in a competitive, prosperous and inclusive Europe, in other words, an instrument. Moreover, in the above-mentioned Resolution, the European Parliament explicitly refers to the quality of active ageing policies as an instrument, part of sustainable social protection systems on the part of the states.

Thus, through the debates that took place within these actions related to the decreeing of 2012 as the European Year of Active Ageing and Solidarity between Generations, a quantitative leap took place, with solidarity between generations becoming a source of law of the

European Union, in the material sense, that of "material condition of existence of society, which gives rise to rules arising from practical necessities that lead to the emergence of legal norms" (Militaru, 2017).

The notion of "intergenerational solidarity" is outlined, from the beginning, as a concrete notion. The term solidarity receives several meanings: in law, solidarity designates the joint nature of an obligation, the state of joint debtors or creditors, and one of the interesting aspects regarding this institution is that, in civil law, solidarity is not presumed. In common language, the fact of being in solidarity designates the relationship between people aware of a community of interests, which entails, for some, the moral obligation not to harm other persons and to provide them with help. Solidarity between several people creates social cohesion. In social security law, solidarity plays a significant role in terms of the contribution of certain members of the national community to the financial and material assistance of other people, through a system of distribution and redistribution. However, the term solidary, from the Latin legal term in solidum, also refers to what is common to several people, so that each is responsible for the whole.

Etymologically, the term generation, whose primary meaning refers to the action of giving birth, designates, by extension, the set of beings that descend from a person at each degree of filiation and, in the sense that interests us here, the time interval that separates each of the degrees of a filiation (estimated at about 30 years), respectively the set of individuals who are approximately the same age (Le Nouveau Petit Robert, 2000).

In many fields of social science research, the term generation refers to different concepts, such as cohorts, age groups, and descendant categories. We can distinguish, with researchers like Marion Navarro, several dimensions of the notion of generation: (i) a genealogical dimension that links generation and filiation (family generation), when we talk about the generation of children, parents and grandparents; (ii) a demographic dimension that refers to an age criterion (age generation): young people, adults, third age (65-74) and fourth age (75-85), to which other works (Voicu, 2024) add longevity (over 85 years); (iii) a sociological dimension that refers to the existence of a group whose members have specific behaviors that distinguish them from others, whether they are

aware of it or not (social generation): the 1968 generation, the fire generation after the 1914 war, etc. (Navarro, 2010).

In this respect, it is more judicious, considers another category of researchers for whom the term "generation" is confusing, that the research be carried out for "birth cohorts" (Chauvel, 2010) in order to simply qualify the raw material of the social generation, defined not by date of birth, but in three sets - economic generations or welfare generations, which are the products of the division of the population into three sets, young people before entering the work environment, adults of working age and retirees, in other words, by their professional trajectories and their retirement situations.

As for the intergenerational character of solidarity, it concerns the relations between generations, intergenerationality being a concept specially created to designate this new trend (Attias-Donfut & Loriaux, 2013).

Solidarity understood as a legal link between generations, refers to the idea of a *de facto* intergenerational social contract, whose expression we find primarily in the materialization of the principle of burden sharing, according to which active generations contribute to finance the pensions of older generations, which creates a solidarity that unites generations, with each individual employment contract signed by employees under legal conditions with the consequence of the collection of the corresponding social contributions (Guégano, 2021). This social contract, which has the character of an adhesion contract, which new adherents cannot modify under its essential conditions, is strengthened if the needs of all generations are addressed, if each generation considers itself well treated by the pension system, in other words, if equity between generations is well respected (Guégano, 2021).

2. The content of the principle of intergenerational solidarity, configured according to contemporary challenges

Although the phenomenon of population aging and the challenges related to the insertion of young people into the labor market call for action by the state institutions and local public authorities through public policies in numerous fields of public action, both local and national

(Dufeu, 2021), intergenerational solidarity tends to go beyond this field.

The notion in itself includes a series of policies, measures and legal provisions, in various fields. Most, however, are at the stage of proposals and ideas subject to public consultations by the European Union institutions.

The aim is to make "intergenerational solidarity" a remedy - concept that best manages a whole range of challenges.

Together with equity between the young and the old, intergenerational solidarity represents, in the sense given to it by the Green Paper on Ageing called Promoting Solidarity and Responsibility between Generations (COM (2021) 50 Final, 2021), the completion of sustainable solutions for the existing social protection system.

From the point of view of social law, another vision emerges according to which, between measures related to social security systems, including social assistance benefits - on the one hand - and solidarity between generations and intergenerational equity - on the other hand, there is a need to establish an "appropriate balance" (COM (2021) 50 final, 2021).

From this perspective, intergenerational solidarity also encompasses aspects that are not related to social benefits but to "mutual support between generations" (Consiliul UE, 2022/C 495/03, 2022). Social solidarity allows the state to find non-financial solutions, or aiming at this, to societal problems resulting from the overturning of the generational pyramid, the state's role being that of stabilizing the imbalances that are likely to occur.

Very early on, research on generational solidarity highlighted the difference between, on the one hand, personal intergenerational relationships, understood as connections between people who know each other according to the model of interactions between family generations, and, on the other hand, institutionalized intergenerational relationships (Sackmann, 2007). Within the latter, an example is generational relationships in pension systems, in which people who contribute to a pension system do not personally know the people who receive the money in the form of a monthly payment, but both groups are linked to each other by institutional rules (Sackmann, 2007).

Therefore, through a well-established institutional architecture, institutionalized intergenerational solidarity is created and

maintained.

Similar intergenerational relations exist in labor law. Here, solidarity must be facilitated by changes in favor of active aging (Plesa, 2012), maintaining seniors' quality as contributors for as long as possible, and equitable distribution of generational burdens. Legislative changes generally aim to preserve jobs for seniors (Moulaert, 2013), salary opportunities, and mobility so that they remain on the labor market (Sackmann, 2007). In parallel, the development of policies, programs and measures is sought to influence the entry of young people into the workforce (EESC, 2014/C 311/01, 2014), and from the perspective of public authorities, the joint conception of the two aspects at the opposite ends of the age axis receives a new point of balance, through the prism of intergenerational solidarity.

The issue of intergenerational relations in the professional environment is generally formulated on two complementary modes (Huyez-Levrat, 2013), on the one hand, that of conflict, tensions and competition and, on the other hand, that of cooperation and transmission (Anders, 2024).

This is why, scholar works in the field highlight ways of intergenerational collaboration, such as tutoring and, in general, the principle of transmitting professional savoir-faire from the oldest to the youngest, as a key action method of a strategy (Gerhardt et al., 2021) for retaining the senior workforce (Huyez-Levrat, 2013). The challenges are not limited to this aspect, but require specific arrangements in labor law norms, with the stimulation of the employability of people over 45 years of age and seniors (Sackmann, 2007).

However, in general, the flexibilization of the labor market through a change in unemployment rules is quite limited, and redirecting public action towards a renovation of general employability standards could be a major goal for achieving intergenerational equity (Sackmann, 2007) and reducing senior and youth unemployment, including by using trends such as flexicurity. The latter has been defined by the European Commission (COM(2007) 359 final, 2007) as an integrated strategy for simultaneously strengthening flexibility and security in the labor market, with the objective of ensuring EU citizens a high level of job security, the possibility of finding a job easily at any stage of their working life and having career development prospects in a

changing economic environment.

In another vein, to respond to the same challenges, intergenerational solidarity motivates a series of actions in the private sector and civil society, for which the state plays the role of facilitator and even creator of ad hoc action mechanisms.

The aging of the population in developed countries raises various questions beyond the issue of financing the pension system, with public authorities and the European Union inciting an increasingly sustained approach to the economics of aging, an opportunity to highlight the diversity of possible exchanges (Solignac, 2010) between the economy and demography.

Intergenerational solidarity is, in this case, an impetus given to the economy of third age. It is well known that the aging of the population attracts a significant increase in medical and non-medical expenses, whether it is about personal services or assistance in residential centers for the elderly. However, specialists have noted that the aging of the population also affects related areas, such as the real estate market, with increased demand for small homes in city centers (Solignac, 2010).

Research often highlights the fact that the demographic transition in its quantitative aspects (increasing life expectancy, decreasing birth rate, reducing the generation gap) is always correlated with qualitative transformations in the nature of intergenerational relations, producing cultural, social and economic mutations that contribute, in turn, to transforming intergenerational relations (Attias-Donfut & Loriaux, 2013), through the coexistence and longer mutual influence between generations.

Empirical findings highlight that, under the effect of economic and/or pandemic crises, there is a certain return to the multigenerational household (adult children cohabiting with parents, adults even retired living with very old parents, roommates of different ages in collective housing, etc.).

The state contributes, in some cases (France, Germany, for example), by creating an ad hoc legal framework to recognize this multigenerational way of living (Garlaud, 2021), through the lens of social experimentation (such as the *toit+moi.eu* platform and partnerships with youth and senior associations, Erasmus Student Network, Cnav, Cohabilis, Solidarios, 1Toit2Ages with European funds). In the field of employment

relations, of relevance are the so-called "senior expert services" (EESC, 2014/C 311/01, 2014), successful in Germany, in which retired people voluntarily share with young people their professional knowledge and experience in various fields, promoting cooperation and respect between generations and fostering social cohesion.

Documents of the European institutions highlight the importance of meaningful intergenerational dialogue in public decision-making processes in all policy areas that equally affect the lives of young and old people (EU Council, 2022/C 495/03).

The hypothesis that receives confirmation is that intergenerational and supportive cohabitation represents an interesting alternative to facilitate the mitigation of the effects of aging, isolation, social rupture and isolation of elderly people, to maintain autonomy at home, while also promoting solidarity between generations.

These non-conflictual societal realities in which affective proximity and reciprocity of exchanges prevail, stimulate communication between generations and, consequently, improve social cohesion. What is interesting to highlight is precisely the fact that they are not based on constraint (Attias-Donfut & Loriaux, 2013).

However, it is worth remembering that solidarity cannot be presumed, it is consented to, at a macro-societal level, with "adherence" to the pension system, or at an interpersonal level, with spontaneous interactions, outside of any constraints.

Moreover, it is interesting to note that intergenerational solidarity is also called upon to establish "immaterial intergenerational transfers" (Lahire, 2010), in the form of intangible heritage, which is not of an economic nature, nor of goods and investments made by one generation for another, but rather of a cultural nature - symbolic goods such as historical testimonies, books, paintings, sculptures, etc. and the entire heritage that characterizes the perennial evolution of a society.

3. Intergenerational solidarity, an organizing principle already outdated?

In the texts that organize public policies, the approach to intergenerationality is made, however, in a dispersed order. More and more often, various concepts are evoked, such as

solidarity, equality, equity, justice, a circumstance that risks, apparently, weakening the intensity with which it is necessary to pursue the achievement of the objective of all generations functioning in synergy and working together for the common good.

For social policies, the difficulty is double, by the imperative to design policies, programs and measures that exceed the limited term of a governing mandate, but also their needed adequacy with the legal concept that tends to include a new variable in the paradigm of social policies, that of generations that do not exist at present.

The tendency that we can see in the creation of the concept of intergenerational solidarity is to combine disparate ideas from different fields, sometimes proposed by the European Commission or other international institutions and abandoned, sometimes resumed in a different form, after years, even decades, before intergenerational solidarity has achieved, in a normative sense, the desiderata it supports.

In order to try to circumscribe these difficulties, it is necessary to analyze the extent of the principle of intergenerational solidarity in correlation with other principles of recent appearance in European law and social policies, which are in their early stages of development, such as intergenerational equality, equity and justice, inspired in particular by the debates specific to the pension system, conducted at national level (in France in particular, but also in other European countries). In this sense, the subtle change that occurs through the evolution of claims, from the civic register of discrimination (ageism), to that of social justice (Lima, 2010) must be precisely understood.

Intergenerational equality is acknowledged by the doctrine with reference to instantaneous transversal equality between age groups, considered at the same time, or equality calculated in terms of the rate of return on contributions for successive generations (Blanchet, 2010).

Instead, intergenerational equity must be a result of corrective actions brought to the lack of equality observed, through changes made to social policies and the creation of normative devices within the traditional stages of the evolution of generational cohorts, from education and training, to work and retirement, which must become less rigid and flexible.

Intergenerational equity must operate the

balance between the set of assets and the tasks that each generation leaves to those that succeed, a legacy that is expressed not so much in directly financial, strictly monetary terms (Ferrari & Mery, 2008) as in intangible assets, in environmental debt (Blanchet, 2021) or in cultural heritage.

The trend of setting the objective of intergenerational equity is a fundamental one, expressed in these terms at the Summit of the Future in September 23, 2024, during which the UN member states unanimously adopted the Pact for the Future and the Declaration on Future Generations, which stipulate the commitment of current generations to respond to the demands of the present in a way that protects the needs and interests of future generations, without leaving anyone behind.

At the level of the European Union, the program document Political Guidelines for the European Commission 2024-2029 (Von der Leyen, 2024), emphasized the importance of ensuring intergenerational equity, aiming to implement the principle according to which decisions adopted today do not harm future generations, but create increased solidarity and commitment between people of different ages. Within the new mandate of the European Commission, a portfolio was even created for a commissioner responsible for Intergenerational Equity, Youth, Culture and Sport, whose mission includes the development of a Strategy on Intergenerational Equity.

The public consultation launched by the European Commission in June 2025, the first of its kind at European level, addresses a wide range of topics, being driven by the desire to bring together specialists in the fields of inclusion, health, long-term care, children's rights, migration, disability, gender inequality, democracy, environmental, social and economic issues, as well as researchers working in social sciences and humanities and in research and innovation policies for inclusion and competitiveness, in order to substantiate European society's adherence to a long-term, people-centred perspective on governance and policy-making.

The Commission's motivation is centred on the belief that "an intergenerational perspective could help address the complex, long-term challenges that our societies already face, including demographic change, environmental sustainability, technological progress, fiscal sustainability, as well as the sustainability of

social protection systems and economic fairness" (Call for Evidence for an Initiative: Strategy on Intergenerational Fairness, 2025), to which are added areas such as social cohesion and combating poverty, peace, preparedness and security, equality and digital inclusion.

Intergenerational justice is the last stage of the legal affirmation of the general imperative of intergenerational social solidarity and refers, this time, to claims motivated by the dilapidation of natural resources and long-term environmental problems (Ferrari & Mery, 2008), motivated by the fact that "intergenerational relations are power relations that concern the distribution of natural wealth" (Gosseries, 2010).

Intergenerational justice has its share of insurmountable aspects, the most important being that, unlike any rule of law, in intergenerational justice there is no third party who can guarantee that the intergenerational rule is effectively respected.

As some authors show (Gosseries, 2010), contemporary cohorts have great difficulties - illustrated in social contract theories - in imposing compliance with restrictive rules, and in the intergenerational universe, compliance with constraints in the name of intergenerational justice becomes impossible to achieve, as generations are generally not in contact with each other.

The aspects of intergenerational justice also lead to particularly interesting ramifications, with commentators evoking, in this sense, "the era of the Declinocene, that new symbolic era that marks the end of the Anthropocene, in which the consumer was convinced, in the name of his domination over other species, that he could use all resources beyond what is reasonable and that he would always find a solution to get it done, which has always been true, between ingenuity and technological revolutions" (Bauer, 2025).

Concluding remarks

Although initially emerged as an ideal organizing principle for social policies, able to provide an optimal response to the challenges of the future, intergenerational solidarity has proven to have a limited impact on public opinion (Galland, 2021). Solidarity, a voluntary approach and ideal civic behavior, thus runs the risk of remaining at a purely discursive level.

However, the tensions created by the needs of the population of all age categories and social conditions give rise to the emergence of socio-legal concepts and principles inspired by the generally valid constitutional principle of equality between citizens: generational solidarity is a conduct of citizens, but around it, are increasingly asserted intergenerational equality, equity and even justice, principles that, through their binding force and the legal aspects to which they refer, can constitute as many legal foundations for public policies in socio-economic matters, including pension systems, health, the insertion of the elderly and young people into the labor market and many others.

Although, apparently, this is a dispersed and unpredictable evolution, the replacement of social solidarity with concepts whose normative content gains in solidity, makes social solidarity appear, with a recoil, as a benevolent, humanist and civic starting point for the social policies of the future, as is foreseen, in many areas of social policies, the possibility of producing negative consequences on the interests of contributors through increasing contributions or decreasing living standards. The voluntary nature of solidarity was not enough to constitute a sufficient legal basis for the abrupt social policies of the future, task which may be accomplished, however, by intergenerational equality, equity and justice.

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