

# The Ethical Question of Euthanasia

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## Abstract-

Both the many moral questions raised by the practice and the criteria used to define euthanasia make it a contentious topic. On one extreme of the spectrum of view is the idea that euthanasia—also called physician assisted suicide or medical help in dying—is a compassionate way to terminate one's life. The other side of the argument is that some people consider euthanasia to be a kind of murder.

**Key word:** Euthanasia, letting die, physician assisted suicide.

## Introduction-

The Greek roots of the English word "euthanasia" are "good death" or "gentle and easy death," as the terms "eu" and "thanatos" signify in English. "Mercy killing" is now the common definition of this term. Francis Bacon first used the term "euthanasia" in a medical setting in the 17th century to describe a peaceful, painless, and joyful death, where the duty of the attending physician was to ease the "physical sufferings" of the patient.

## Types of Euthanasia

- 1) **Active or direct euthanasia** involves specific actions used to bring about death (e.g. lethal drugs or injections). It is an act of commission.
- 2) **Passive euthanasia** End-of-life care involves letting a patient die without further therapy or nutrition. Most people think it's okay to do this, and it's done all the time. Not doing it is an act of neglect. Treatment as a means to an end (indirect euthanasia) involves
- 3) as narcotic pain relievers, which may actually speed up the dying process. Assuming murder was not the goal, this is also common and often seen as lawful. "Double effect" is a term that describes this phenomenon.
- 4) **Voluntary euthanasia** is used in cases where the sufferer has made it clear that he or she wishes to die and has requested help to bring this about.
- 5) **Non-voluntary euthanasia** occurs when a person cannot express a wish to die but it is believed to be what they would have wanted (patients in comas, or other those who cannot communicate for other reasons).
- 6) **Involuntary euthanasia** is when a patient is capable of expressing a wish to die but does not, where an individual may distinguish between life and death (this equates to murder).

## Doctor- Assisted Suicide

This usually refers to cases where the persons who are going to die need help to kill themselves and ask for it. It may be something as simple as getting drugs for the person, and putting those drugs within their reach. Proponents of euthanasia base their position on two fundamental principles „mercy“ and „self- determination.“ Patients have the right to dictate the course of their own lives and it is an “unjustifiable encroachment” upon

individual liberty to prevent a competent terminally ill patient and a co-operative doctor from acting upon the patient's desire to end life.

### Human Rights

Those rights which are conferred upon the human beings just because of the fact that they are „human beings“. These rights are also known as inherent rights bestowed upon mankind by the nature.

In simple term, means rights of human.

#### **Article 21 Indian Constitution**

“No person shall be deprived of his life or personal liberty except according to a procedure established by law.”

This article secures two rights:

- 1) Right to life
- 2) Right to personal liberty

From the moment of his birth, a person is clothed with basic human rights. Right to life is one of the basic as well as fundamental right without which all rights cannot be enjoyed. Right to life means a human being has an essential right to live, particularly that such human being has the right not to be killed by another human being.

In 1948, the Universal Declaration of Human Rights proclaimed that „the foundation of freedom, justice and peace in the world“ is the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family.

Every human being has the inherent right to life. This right shall be protected by law.

But .....

Some people claim another right which is simply the opposite, the RIGHT TO DIE. This may include the right of a dying man to die with dignity.

What exactly does this mean?

„Right to Die“ really means is a demand for a right to choose the time and method of death. It is in direct conflict with the right to life.

But the question arises that if a person has a right to live, whether he has a right not to live i.e whether he has a right to die?

While giving this answer, the Indian courts expressed different opinions. The Bombay High Court said that right to life under article 21 of the Indian constitution includes right to die. On the other hand, in State of Punjab, a five member bench said that right to life under article 21 of the Indian constitution does not include Right to die. The right to life is so central to all other rights that it is both inviolable and inalienable. This *means that no one can take it from you, besides you also cannot give it away*. So, a person who chooses to die is essentially violating his own right to life.

The right to a dignified death has been recognized under Universal Declaration of Human Rights. Any terminally ill patient cannot be forced to undergo inhumane treatment and degradation which he never wished for.

### Medical oaths

I will never do harm to anyone... to please no one will I prescribe a deadly drug nor give advice which may cause his death.

### Hippocrates (460 – 370 BCE)

I will listen to patients and respond to their concerns and preferences... [and] respect patients' rights to reach decisions with [me] about their treatment and care.

### General Medical Council (2013)

Quotes If I cannot give consent to my own death, whose body is this? Who owns my Life?

- Sue Rodriguez

To Save A Man's Life Against His Will Is The Same As Killing Him -Horace

### Laws

Laws around the world vary greatly with regard to euthanasia, and are constantly subject to change as cultural values shift and better palliative care, or treatments become available. It is legal in some nations, while in others it may be criminalized. In India only passive euthanasia is permitted under strict guidelines. The Supreme Court ruled that individuals had a right to die with dignity, allowing passive euthanasia with guidelines. The need to change euthanasia laws was triggered by the famous Aruna Shanbaug case. The top court in 2011 had recognized passive euthanasia in Aruna Shanbaug case by which it had permitted withdrawal of life-sustaining treatment from patients not in a position to make an informed decision.

### Religions

Most religions disapprove euthanasia for a number of reasons:

- God has forbidden it (that says „you must not kill“).
- Human life is sacred.
- Human beings are made in God's image.
- God gives people life, so only God has the right to take it away.

### Arguments

#### Against Euthanasia

- The human life is gift of God and taking life is wrong and immoral

human beings cannot be given the right to play the part of God. The one who suffers pain is only due to one's karma. Thus euthanasia devalues human life.

- It is totally against the medical ethics, morals and public policy. Medical ethics call for nursing, care giving and healing and not ending the life of the patient.
- Medical science is advancing at a great pace. Even the most incurable diseases are becoming curable today. Thus instead of encouraging a patient to end his life, the medical practitioners should encourage the patients to lead their painful life with strength.
- Acceptance of euthanasia as an option could exercise a detrimental effect on the doctor patient

relationship. The doctor patient relationship is based on mutual trust, it is feared this trust may be lost if euthanasia is legalised.

- When suicide is not allowed then euthanasia should also not be allowed. A person commits suicide when he goes into a state of depression and has no hope from the life. Similar is the situation when a person asks for euthanasia.
- Miracles do happen in our society especially when it is a matter of life and death, there are examples of patients coming out of coma after years and we should not forget human life is all about hope. For Euthanasia
  - Freedom of choice
  - Dignity
  - Painless death
  - Saves family's money
  - Organs can be put to good use
  - Shorten the grief and suffering of the patient's loved ones.

### Conclusion

The intentional taking of a human life makes euthanasia a contentious practice. Patients with terminal illnesses often endure excruciating agony as their conditions deteriorate over time, and the prospect of death may be so terrifying that they choose suicide.

It is said that the right to one's life is the most basic natural right, upon which all other rights are based. One difficulty with trying to justify euthanasia by using human rights is that it narrowly focuses on one right—the right to live.

When a person is able to live and die with dignity, euthanasia becomes a viable option. Thus, euthanasia's fundamental goal is to facilitate a less painful death for an individual who is inevitably going to pass away after enduring immense agony.

A right to die with respect is an argument in favor of individual autonomy and self-determination. The mere assertion of a desire to die with respect is enough to justify the legalization of euthanasia. It is in one's interest to die by withholding or withdrawing unwanted medical treatment and by providing all necessary comfort and care, even though there is no legal right to die. This is because, once the natural process of death has begun, one has the right to be allowed to die.

So, it is possible to legalize euthanasia, but strict regulations are required. It will be necessary to carefully observe each situation from the perspectives of the patient, their family, and their physicians.

BUT anyway... It remains to be seen whether Indian society has the necessary maturity to confront this critical issue, which might have fatal consequences...

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