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# List of Publications

1. EUTHANASIA IN THE CONTEXT OF HUMAN RIGHTS: AN ANALYSIS  
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## **EUTHANASIA IN THE CONTEXT OF HUMAN RIGHTS: AN ANALYSIS"**

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### **ABSTRACT**

**"To deny people their human rights are to challenge their very humanity."1**

Euthanasia is a complex issue encompassing multiple dimensions viz ethical, medico-legal, and religious. There has been a long and ongoing debate over euthanasia with various groups representing multitudes of views, both for and against the issue. It is also relevant from the point of view of human rights involving patients, their family members as well as healthcare providers. Human rights are inalienable rights due to a person which must be protected throughout his or her life right up to the point where life ceases. A person must enjoy not only a right to live with dignity but also a right to die with dignity. Euthanasia may be seen as a means to ensure a dignified death, particularly in patients suffering from terminal illnesses or are in a persistent vegetative state.

In this paper, an attempt has been made to discuss the human rights perspective on the issue of euthanasia and its international recognition because human rights are those inherent rights without which one cannot live as a human being.

**Keywords-** human rights, dignity, passive euthanasia, international perspective.

### **INTRODUCTION**

Euthanasia is a controversial and sensitive issue that is being discussed and debated widely in various fora globally. With the advancement of medical technology, wider availability of high-end treatments, and increased life expectancy, more people are now surviving medical conditions which would have been fatal a few decades earlier. As a result, more people are going into a persistent vegetative state or are living only with the support of life-saving treatments like mechanical



**RIGHT TO DIE WITH DIGNITY IN INDIA: AN ANALYSIS****Kasturi Sharma**

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**INTRODUCTION**

Life is like a scene from a play in which we, as humans, are the only performers whose entry and existence are entirely dependent on the will of the universe's creator, whom we refer to as God. Though it is a harsh fact that life is not always a bed of roses, there is a battle to live in this age of technological growth and globalization, when humans have become the victims of a plethora of mental, psychological, economic, and other critical issues. These factors might sometimes suffocate his hopes, leading him to take the immoral action of ending his life by suicide. It is twisted nature's example and societal aloofness that encourage or rather push a person to condemn his life in order to overcome all of life's misfortunes. The right to life is one of the most fundamental human rights, and it extends from the moment of conception in the mother's womb until the individual's death. Many governments have acknowledged this right and have taken initiatives to relieve and protect the dignity of those who are dying. The life of a human being is the Almighty's highest and most valuable gift. The right to life has been construed in many ways by the Indian Court, and the question of whether a person has the right to die has been debated. In previous judgments, the Supreme Court of India stated that under article 21, the right to life does not include the right to die with dignity because life and death are diametrically opposed, death is contrary to ethics and values, and life is a gift from God that should be protected at all costs. However, people's perceptions have changed over time, and they now accept that life is something that includes both enjoying life and dying with dignity. In a subsequent opinion, the Court found that article 21 contains both the right to die with dignity and the right to live since the right to die should not be considered in isolation but rather as part of India's Constitution's article 21. After a protracted debate and analysis of many facets of euthanasia, the right to die with dignity was inserted in Article 21 of India's Constitution, which is a significant accomplishment.<sup>1</sup>

**MEANING OF EUTHANASIA**

The phrase "euthanasia" carries a lot of baggage. Because a person who undergoes euthanasia typically has an incurable illness from which there is no possibility of recovery. Euthanasia and the right to die are intimately linked. The issue of euthanasia is divisive, and people have been debating it for decades. Euthanasia is the deliberate ending of a sick person's life to relieve him of pain and suffering. It's taken from the Greek word "euthanatos," which means "easy death."<sup>2</sup> The issue of euthanasia is fraught with ethical uncertainty and disagreement. The term believed to have been coined by Francis Bacon in the 17th century to allude to a painless, joyful death in which the physician's role and obligation was to relieve the patient's bodily suffering. According to the House of Lords Select Committee on Medical Ethics, the precise definition of euthanasia is "an intentional intervention conducted with the explicit aim of ending a life, in order to relieve persistent suffering."<sup>3</sup> Euthanasia is defined as the conscious action (intention) of ending or assisting in the termination of another person's life for

<sup>1</sup> <https://blog.ipleaders.in/does-right-to-life-include-right-to-die/>

<sup>2</sup> Lewy Guenter, *Assisted death in Europe and America*. New York: Oxford University Press, Inc; 2011.

<sup>3</sup> The euthanasia debates M Harris 1, <https://pubmed.ncbi.nlm.nih.gov/11766225/>