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Origin and Historical Development of Euthanasia

Euthanasia, the “good death”, and the debates around the idea of a good death are not new. It has deep historical roots that date back to the classical era. The debates over the years are shaped by the prevailing notions of morality, religious beliefs, political ideologies, and ethical considerations in each era. This chapter looks the historical perspectives to understand where we stand currently. The approaches of the major religions practiced in India towards Euthanasia are also discussed briefly in this chapter.

2.1 Euthanasia in Antiquity

The concept of a good death is seen in Greek and Roman mythology. The god of sleep, Hypnos, and the god of death, Thanatos, are brothers in Greek mythology.⁹⁵ To die peacefully in one’s sleep was considered desirable. Ancient Greeks had a very positive attitude towards suicide. There are references to groups of older people who committed suicide by drinking hemlock. It was considered a good way to die which prevented a life of illness, senility and frailty.⁹⁶

The three great dramatists of ancient Greece, namely Aeschylus, Sophocles and Euripides, have dealt with the idea of active euthanasia in their literary works. Eos, a character in the Aeschylian classic drama *Prometheus bound*, preferred to choose death over a life of suffering. In *The Women of Trachis*, Sophocles presented

⁹⁵ Britannica, The Editors of Encyclopedia. "Thanatos". Encyclopedia Britannica, 28 Feb. 2011, <https://www.britannica.com/topic/Thanatos-Greek-mythology>, (last visited on April 8, 2022).

⁹⁶ Kyriaki Mystakidou, Efi Parpa, et. al., “The Evolution of Euthanasia and Its Perceptions in Greek Culture and Civilization” 48(1), *Perspectives in Biology and Medicine*,95-104, (2005).

the moral dilemma concerning assisted euthanasia. Heracles asks his son Hyllus to assist him in taking his own life in this play. Hyllus considers such an act akin to murder and refuses to comply, to which Heracles argues that by assisting in his death, Hyllus would be a healer of his sufferings and not a murderer. In *Iphigeneia in Taurica*, Euripides describes the character Orestes who wishes to end his life of misery by starving himself to death.⁹⁷

Greek philosophers like Plato, Aristotle, Epicurus, and Hippocrates were against active euthanasia. Plato opposed the idea of active euthanasia and even recommended death sentences for physicians who assisted in a patient's suicide. However, he held an empathetic view of the sufferings of people in insurmountable physical or mental agony. Plato referred to Asclepius, the god of healing and medicine, to argue that physicians could refuse life-prolonging treatments for patients who could not lead fruitful lives due to their sufferings. Aristotle considered it an act of cowardice and injustice to oneself to end one's life to escape from suffering. Epicurus considered that one is free to end one's life if there is unbearable pain but considered such an act unreasonable. Hippocrates favoured passive euthanasia by denying treatment to those who are terminally ill but prohibited physicians from giving any lethal drugs to assist someone to take their life.⁹⁸

2.2 Euthanasia in Middle Ages

Euthanasia, in its current interpretation, has not been dealt with in medieval literature. However, suicide has been discussed from a moral standpoint. Suicide was considered immoral and sinful in the Middle Ages derived from the biblical literatures. St Augustine, in his treatise *De civitate Dei contra paganos (Concerning the City of God Against the Pagans)*, written about 413-426 CE in the aftermath of the sacking of Rome by barbarians, prohibits the killing of any human being, be itself or another person.⁹⁹

Thomas Aquinas, in *Summa Theologica (Summery of Theology)*, argued that suicide was morally prohibited as it was against natural law and natural love, against society, and against God and Justice.¹⁰⁰ Such a sinner was condemned with eternal damnation and burial in a Christian cemetery was denied to him. However, killing in

⁹⁷ John D Papadimitriou, Panayiotis Skiadas, et. al., "Euthanasia, and suicide in antiquity: viewpoint of the dramatists and philosophers" 100(1) *Journal of the Royal Society of Medicine*, 25-28, (2007).

⁹⁸ *Ibid.*

⁹⁹ Josef Kure, *Euthanasia, The Good Death Controversy in Humans and Animals*, 12-13 (IntechWeb, 2011).

¹⁰⁰ Jorge J. E. Gracia, Gregory M. Reichberg, et. al., (eds.) *The Classics of Western Philosophy: A Reader's Guide*, 165 (Oxford: Blackwell Publishing, 165, 2003)

“a just war” or as “capital punishment” was allowed as exemptions from the principle of “you shall not kill”.

2.3 Euthanasia in the Modern Era

Thomas More, in *Utopia* (1516), argues in favour of euthanasia. His idea of euthanasia differed from that in antiquity. In antiquity, euthanasia was a desirable act to end one’s life peacefully in a nonviolent way. Thomas More proposed euthanasia as a last option for someone suffering from an incurable disease which was causing intolerable pain and suffering. Such a person wishing for euthanasia had to get approval from both civil and religious authorities.¹⁰¹ However, More’s idea was limited to the fictional island of utopia only.

Francis Bacon (1561-1626) was of the opinion that it was incumbent upon a physician to use the science and arts of medicine to help his patients die an easy and peaceful death. He described this medical art as "euthanasia exterior" (a good death coming from outside). Until the 19th century, Bacon's view of euthanasia as medical assistance in natural death was the dominant concept of euthanasia in medical practise.¹⁰²

The French Renaissance philosopher Michel de Montaigne (1533-1592) claimed that if a person was in such a condition that being alive was worse than being dead, God would allow such a man to take his life.¹⁰³

David Hume (1711-1776) in his famous essay “Of Suicide”, published posthumously in 1783, argued that forcing a person to prolong a miserable existence, be it for old age or illness, to avoid offending God was immoral. He also argued that such a person was a burden on society and if he chooses to end his life, such an act should be commended rather than being condemned.¹⁰⁴

¹⁰¹ Henry Morley (ed.), *Utopia, by Saint Thomas More* (project Gutenberg,2011)
Available at - <http://www.gutenberg.org/> (last visited on August 23, 2022)

¹⁰² Henry Morley (ed.), *The Advancement of learning, by Francis Bacon*, (Cassell & Company, London, Paris & Melbourne.1893).

¹⁰³ William Carew Hazlitt (ed.), *The Essays of Michel De Montaigne*, (Oxford University Press, New York, USA,1946).

¹⁰⁴ Eugene F. Miller (ed.), *David Hume Essays Moral, Political, Literary* (LF ed.),587 1985.

Immanuel Kant (1724-1804) opposed suicide as being against natural law. According to Kant, human beings had a duty to maintain their own life and suicide was a violation of such duty.¹⁰⁵

Friedrich Nietzsche (1844-1900) held that every person is an autonomous being and had the moral right to end his life when it became unbearable. Such an act impacts both the society and the individual positively as the person was not leading a productive life due to his sufferings and was instead being a burden to himself as well as to the society at large.¹⁰⁶

German physician Carl F. H. Marx called upon his colleagues to consider it their duty to assist a patient suffering from an incurable disease in his journey towards a peaceful death. He considered it a cruel deed to prolong such a patient's misery by giving him life-prolonging treatment.¹⁰⁷

The late 19th century saw accelerated progress in medical technologies which significantly affected the idea of a good death. It became possible to extend life using artificial means which were not available previously. However, with the artificial prolongation of life came the prolongation of suffering. Amidst these changing times, Samuel D Williams published an essay entitled "Euthanasia" in 1870. In this essay, Williams advocated that physicians should be aware of the desire for a painless death of a terminally ill person, and should the person request so, the physician should assist in a painless death by administering suitable anaesthetic agents.¹⁰⁸

Many novel technologies were created both during and after the Second World War (e.g., antibiotics, pacemakers, defibrillators, dialysis) as well as newer fields of medicine like organ transplantation and intensive care medicine came about. These developments gave rise to the convention that a physician should do everything possible using all the means available to him to preserve the bodily functions of a

¹⁰⁵ Immanuel Kant, *Fundamental Principles of the Metaphysic of Morals*, (Binker North,1785)

¹⁰⁶ Keith Ansell-Pearson (ed.) *Friedrich Nietzsche: On the Genealogy of Morality*, 35-36(Cambridge University Press,2007).

¹⁰⁷ W Cane, "Medical Euthanasia" 7(4), *Journal of the History of Medicine and Allied Sciences*, 401-416, (1952). First published in Latin in 1826, English translation by W. Cane in 1952; quotation from Vanderpool (2004, p.no. 1425).

¹⁰⁸ Dietrich Von Engelhardt, "Euthanasia in between shortening life and aiding death: past experiences, present challenges" 8(1), *Acta Bioethica*,(2002), Available at-
<https://actabioethica.uchile.cl/index.php/AB/article/view/16863/> (last visited on August 23, 2022)

dying person till the very end. Mere lengthening of life became the hallmark of success rather than the quality of life. More and more patients had to die in a hospital, surrounded by the latest medical equipment instead of the company of their loved ones. Death became a negative outcome after the failure of all medical treatments rather than the final graceful exit from this world. The question of quality of life in the final days of life gathered momentum slowly. As a result, the idea of passive euthanasia came about, wherein, treatment was withheld to a terminally ill patient which allowed him to die without prolonging a painful survival.¹⁰⁹

The discussion about euthanasia in India began in the latter half of the 20th century, and it has recently resurfaced with the Supreme Court of India's legalization of passive euthanasia. Nevertheless, there have long been many connections to euthanasia in Indian philosophical culture in the shape of customs like Sati¹¹⁰, Jauhar¹¹¹, Santhara¹¹², etc. that have similarities to euthanasia. Many of these practices were prohibited by law, while some others disappeared with time. Bhishma had the alternative of a "desired death," or the Ichcha Mrityu¹¹³, in the Mahabharata. In Indian religious epics, dying was never a depressing experience; rather, it was a means of obtaining salvation for the soul and a golden key that unlocked the door to one's proximity to the Almighty God.

2.4 Religious Perceptions About Euthanasia

The researcher has further explored the religious viewpoints on euthanasia in the next part since it is crucial to analyse the subject from all angles. Religion has always impacted how society acts, and frequently, an individual's choices directly result from their religious beliefs. The researcher has thus examined and analysed all the major faiths, including Hinduism, Islam, Christianity, Sikhism, Jainism, and Buddhism, in the following part. It is vital to emphasize not only how the term "death" is understood medically but also how many faiths have viewed it. In India, many

¹⁰⁹ Jeff McMahan, "Killing, letting die, and withdrawing aid" 103(2), *Ethics*, 250–279, (1993).

¹¹⁰ Catherine Weinberger-Thomas, *Ashes of immortality: widow-burning in India* (University of Chicago Press, Chicago, 1999)

¹¹¹ Mary Storm, *Head and Heart: Valour and Self-Sacrifice in the Art of India* (Routledge, London, 2013)

¹¹² Things to know about Santhara, Jains' ritual of death available at- https://www.business-standard.com/article/current-affairs/things-to-know-about-santhara-jains-ritual-of-death-115083100981_1.html (last visited on August 23, 2022)

¹¹³ Satya Vrat Shastri, *Moral Values: Indian Perspective Volume 1* (Shivalik Prakashan, New Delhi, 2021)

different faiths are practised, and religion significantly impacts people's life from conception to death and, in many cases, even after.

2.4.1 Hinduism and Euthanasia

The majority of Indian society is religious. The vast majority of Indians practice and embrace Hinduism. *Karma* is the overall result of a person's good and bad activities in their life, and it influences the characteristics of the next life. The ultimate objective of Hinduism is *moksha*, or freedom from the cycle of reincarnation, which is prevented by the ongoing accumulation of negative karma.¹¹⁴ Hinduism holds that a soul reincarnates on earth repeatedly until it attains perfection and reunites with its Creator. The soul undergoes numerous physical transformations, takes on various forms, and experiences numerous births and deaths during this process. This idea is succinctly explained in the line from the Bhagavad Gita that follows: "*Just as a man discard worn out clothes and puts on new clothes, the soul discards worn out bodies and wears new ones.*" (2.22)¹¹⁵

Ahimsa, or the non-violent treatment of other living things, is a further essential precept. To follow these ideals, one must have a strong respect for the preservation of life and the non-harming of sentient beings. The *ahimsa* principle, which is the conceptual equivalent of the Western idea of the sanctity of life, prohibits actions that are morally detrimental to life.¹¹⁶ Euthanasia, murder, and suicide all obstruct the dead person's journey to emancipation. Because the principle of non-violence was broken, the killer also receives negative karma. The same karma will still be present, so when the soul reincarnates in a different physical body, it will continue to experience the same suffering. According to the karma philosophy, a Hindu makes an effort to live a good life, with no unresolved issues or unhappy moments, before passing away. They attempt to attain the *sannyasin's* state, one in which all attachments have been abandoned. Hindus believe that a conscious death is the ideal, thus any palliative treatments that lessen mental awareness will be

¹¹⁴ Philosophy of Religion, Chapter2. Religions of the World, Section2.Hinduism, available at- https://www.qcc.cuny.edu/socialsciences/ppectorino/phil_of_religion_text/chapter_2_religions/hinduism.htm/ (last visited on August 23, 2022)

¹¹⁵ Hinduism and the Belief in Rebirth, available at- <https://www.hinduwebsite.com/reincarnation.asp/> (last visited on August 23, 2022)

¹¹⁶ Euthanasia, assisted dying, and suicide, available at- <https://www.bbc.co.uk/religion/religions/hinduism/hinduethics/euthanasia.shtml/> (last visited on August 23, 2022)

troublesome. Since one's final thoughts are important to the process of reincarnation, the mental condition that causes a person to choose euthanasia may have an impact on it.¹¹⁷

According to Hindu beliefs, a person fulfils their moral duty by contributing to the end of a painful life. The timing of the cycle of death and rebirth is also upset when someone aids in ending a life, especially one that was filled with pain. This is wrong to do, and those responsible for euthanasia will carry the patient's unresolved issues. The same logic contends that keeping someone on a life support system artificially alive would be wrong. However, using a life support system in an interim effort to recover would not be detrimental. The majority of Hindus would argue that a physician should not grant a patient's request for euthanasia since doing so would result in the soul and body being divided at an unnatural moment. The outcome will harm both the doctor's and the patient's karma. Euthanasia is not permitted, according to some Hindus, because it goes against the ahimsa teachings (doing no harm). Some Hindus, however, claim that doing a good deed and upholding one's moral commitments by aiding in the death of a difficult life fulfil those requirements.¹¹⁸

The same karma will still be there when the soul is reincarnated into a different physical body, thus it will continue to experience the same suffering. The same logic indicates that keeping someone on life support systems artificially alive is likewise wrong. Any palliative measures that diminish mental awareness will be problematic for Hindus since they think that a conscious death is the ideal. The mental state that drives a person to choose euthanasia may affect it since the process of reincarnation depends on one's final thoughts. The Autonomy Argument, put forward by the opposing school of thinking, contends that when a doctor aids in ending a person's difficult existence, he is doing the individual a good deed and upholding his moral duties. These actions are ethically acceptable.¹¹⁹ When people want death for one of two kinds of spiritual reasons—there are two kinds of spiritual reasons—a totally different viewpoint becomes apparent. The first is focused on compassion, and concern for other people's well-being, as one's ability to accept death as a part of life

¹¹⁷ D. Goodall, *Hindu Scripture*, (University of California Press, 1st edn., 1996).

¹¹⁸ Euthanasia, assisted dying, and suicide available at-
<https://www.bbc.co.uk/religion/religions/hinduism/hinduethics/euthanasia.shtml/> (last visited on August 23, 2022)

¹¹⁹ Harold Coward, Julius Lipner, et.al., *Hindu ethics: Purity, Abortion and Euthanasia*, (State University of New York Press, 1988).

is a sign of spiritual awakening. As a result, a person may opt against receiving treatment in order to save their family or friends the stress of providing extensive care. He or she could also discontinue the medical intervention to save loved ones the financial or emotional burden of a prolonged illness. An ethical justification for requesting or hastening death might be recognized in the spiritual aim of freedom. It is acceptable to reduce life expectancy when physical pain impairs judgement and self-control. Both Hindus and Buddhists believe that knowledge and consciousness after death are important to achieve a good rebirth, but they might be hidden by pain or lethargy. The ultimate spiritual aim of emancipation from the material world may not be pursued by someone so devoted to their material life (bodily state) due to extreme suffering.¹²⁰

Hindus can terminate their lives in a manner that is acceptable only under specific conditions, as seen by the custom of Prayopavesa or fasting till death.¹²¹ It exempts Hinduism's prohibition on suicide because it is natural and non-violent. Prayopavesa is not considered suicide and is only permitted for spiritually mature persons under certain situations. When the time is perfect for this existence to end—when the body has fulfilled its purpose and become a burden—it is employed to bring about death. Contrary to suicide, Prayopavesa is a gradual procedure, providing the patient and his community plenty of time to make the last preparations. In contrast to Prayopavesa, which is generally connected with feelings of tranquilly, suicide is sometimes accompanied by frustration, sadness, or wrath. Only those who are content, have no lingering desires or aspirations, and have no obligations in this life left to accomplish may practice prayopavesa. According to BBC Religion & Ethics,¹²² the following illustrates prayopavesa: In November 2001, Hindu leader Satguru Sivaya Subramuniaswami, born in California, committed himself via prayopavesa. After learning that he had incurable intestinal cancer, the Satguru meditated for a few days before declaring that he would only accept painkiller treatment and practise

¹²⁰ Harold Coward, Julius Lipner, et.al., *Hindu ethics: Purity, Abortion and Euthanasia*, (State University of New York Press, 1988).

¹²¹ Frederic P Miller, Agnes F. Vandome, et.al., *Prayopavesa*, (VDM Publishing, 2010).

¹²² BBC Religion & Ethics. "Euthanasia and Suicide: The Hindu View."

prayopavesa, which involves merely drinking water. On the thirty-second day of his self-imposed fast, he passed away.¹²³

In Hinduism, other traditions show the farce of euthanasia, like Sati Pratha¹²⁴, now entirely historical, in which a widow sacrifices herself by sitting atop her deceased husband's funeral pyre. Samadhi and Jal Samaadhi have been attained in different ways by saints, sages, seers, and sadhus. Those who are devout and oriented toward the divine still frequently practice this custom. The beliefs of Ichchha Maran, Daya Maran, and Swachchhand Mrityu all have a connection to upaye, or the act of ending one's life voluntarily. These ideas appear to be closer to the euthanasia ideology promoted by the Hindu way of life. Another branch of Hindu religion and philosophy has a distinct point of view. According to Hindu religious doctrine, a person can only achieve salvation, also known as mukti or moksha, from the cycle of reincarnation if they pass away naturally. When someone passes away naturally, according to the course of events, Shraad is done, and Tarpan is handed to the departed person's soul. Any soul that dies by accident, commits suicide, or has been murdered by someone else is not eligible for tarpan and shraad.¹²⁵ In Hinduism, those who are too ill or too elderly to do their daily dharmic duties are permitted to commit suicide by jumping into water, setting themselves on fire, or just wandering till they pass away.¹²⁶ In Hinduism, the Ramayana and the Mahabharata include references to self-willed death. Sarabhanga is shown as having entered fire in the Ramayana's "Aranyakanda" to achieve celestial joy. " Bhisma was granted the ability to pass away whenever and anywhere he pleased in the Mahabharata. Additionally, Samadhi Marana, a type of dying while in meditation, is found in the "Drona-Parva." And it was discovered that Dronacharya reached Samadhi Marana.¹²⁷ According to Hindu scriptures, a person's body and soul are separate entities.¹²⁸ While the prospect of a

¹²³ Euthanasia, assisted dying, and suicide available at- <https://www.bbc.co.uk/religion/religions/hinduism/hinduethics/euthanasia.shtml/> (last visited on Aug 23, 2022)

¹²⁴ The Practice of Sati (Widow Burning), available at- <https://kashgar.com.au/blogs/history/the-practice-of-sati-widow-burning/> (last visited on August 23, 2022)

¹²⁵ Pankaj Sharma, Shahabuddin Ansari, "Euthanasia in India: A Historical Perspective" 7(1), *Dehradun Law Review*, 13-22, (2015).

¹²⁶ Shirley Firth, "End-of-life: a Hindu view" 366(9486) *The Lancet*, 682-686, (2005).

¹²⁷ *Ibid.*

¹²⁸ Bhagavad Gita, Chapter II Verse 22, whereby Lord Shri Krishna narrates that once a human body is dead, the soul continues to exist and enters into a new body just like how old clothes are shed and new ones are obtained.

human body dying exists, the possibility of a human spirit dying does not. It is thought that even after a person's body has died, their spirit survives eternally and keeps living. Manu smriti and other Hindu texts have also spoken about dying and the process of dying.¹²⁹

2.4.2 Islamic Views on Euthanasia

Muslim religious books and preaching address death, and they hold that both life and death are subject to Allah's will. As a result, Islam forbids taking someone's life and views doing so as going against the will of Allah. No human being should meddle with the almighty's abilities since it is thought that only He can assure the birth and death of all creatures.¹³⁰

Islamic viewpoints on euthanasia may be found in two main places: first, in the fundamental Islamic source, the Holy Quran, which is the most significant and trustworthy source for learning about Islamic perspectives, and second, in religious opinions and rulings (Fatwas) issued by esteemed Muslim scholars known as Mofti Al-Azam in Sunni tradition and Ayatollah Al-Ozma in Shiite tradition. These Fatwas are significant because Islamic cultures view these bioethical issues as having a jurisprudential component. Most Muslims in the Islamic world adhere to these Fatwas as their primary source of legal guidance. Thirdly, there is the Islamic Codes of Medical Ethics, which are the outcome of deliberations and agreements among Muslim academics and specialists in this area.¹³¹ According to the three primary sources, we can classify our findings into three parts: euthanasia in the Holy Quran, Fatwas or religious rulings of Great Muslim scholars, and other texts, including codes, regulations, and scientific articles.¹³²

According to the Holy Quran, verses are classified into two parts. First is the sacredness of life. Here mentioned two verses: “Do not take life, which Allah made sacred, other than in the course of justice.” (Quran 17.33) and “If anyone kills a

¹²⁹ Purushottama Bilimoria, ‘The Bioethics of Euthanasia in India: Past and Present’, University of Chicago Divinity School, (December 2014), available at- <https://divinity.uchicago.edu/sightings/articles/bioethics-euthanasia-india-past-and-present/> (last visited on August 23, 2022)

¹³⁰ Kitab-UI-Qadr, Book Of Destiny, available at- https://www.iium.edu.my/deed/hadith/muslim/033_smt.html (last visited on August 23, 2022)

¹³¹ Kiarash Aramesh., Heydar Shadi, “Euthanasia: An Islamic Ethical Perspective”6, *Iranian Journal of Allergy, Asthma and Immunology*, 35-38, (2007).

¹³² *Ibid.*

person - unless it is for murder or spreading mischief in the land - it would be as if he killed the whole people.” (Quran 5:32). The second one is death is the exclusive action of God, here also mentioned two verses: “When their time comes, they cannot delay it for a single hour nor can they bring it forward by a single hour.” (Qur’an 16:61) “And no person can ever die except by Allah's leave and at an appointed term.” (Quran 3.145)¹³³

According to Saudi Arabia's grand mufti Shaikh Abdul Aziz bin Abdullah bin Baz (Great Muslim Scholars), mercy killing, often known as euthanasia, is prohibited in Islam and entails cutting off a person's life support if they have a terminal illness or are in a coma. According to Sheikh bin Baz, the head of Saudi Arabia's highest court, it is against Sharia to pronounce someone dead before they have passed away. No one's life, he claimed, may be taken from them for any cause.¹³⁴ Sheikh Yusuf al-Qaradawi, a well-known Egyptian scholar, has issued a fatwa, or Islamic decree, equating euthanasia with murder but permitting the withholding of care considered unnecessary.¹³⁵ The Islamic Society of North America's previous president, Dr Muzzami Siddiqi, has penned an article. "If the patient is receiving life-sustaining treatment, it may be acceptable, with sufficient deliberation and care, to opt to turn off the machine and allow nature to heal the patient at its own pace." The head of the Islamic Republic of Iran, Ayatollah Khamanei, is a Shiite Muslim scholar who has also issued a fatwa that forbids euthanasia "in all forms" (haram).¹³⁶ All types of euthanasia are prohibited, according to Shiite Ayatollah Nuri Hamadani.¹³⁷

According to the Islamic Code of Medical Ethics,¹³⁸ published by the Kuwait-based First International Conference on Islamic Medicine in 1981: "The doctor would be wise to be aware of his boundary and not to overstep it. If it is determined scientifically that life cannot be preserved, it would be foolish to employ valiant efforts to retain the patient in a vegetative state or to preserve them through deep

¹³³ Mehran Narimisa, "Euthanasia in Islamic Views" 2, *European Scientific Journal*, Special edn., 170-172, (2014)

¹³⁴ Abdulaziz Sachedina, "End of life: Islamic view" 366(9487), *The Lancet*, 774-779, (2005)

¹³⁵ *Ibid.*

¹³⁶ Seyyed Mohammad Taghi Ayatollahi, "Islamic Medical Jurisprudence, General Aspects and Principles" 7(2), *Medical Journal of Islamic Republic of Iran*, 123-131, (1993).

¹³⁷ *Ibid.*

¹³⁸ Mohammad Manzoor Malik, *Euthanasia: An Islamic Perspective, The Islamic Worldview, Ethics and Civilization: Issues in Contemporary Interdisciplinary Discourse*, 229-250 (IIUM Press, Kuala Lumpur, 2011).

freezing or other artificial means. The doctor's goal is to preserve the process of living, not the process of death." In any event, the doctor must refrain from actively trying to end the patient's life.¹³⁹ Euthanasia and physician-assisted dying are specifically addressed in two articles of the Islamic Code for Medical and Health Ethics. Article 61: "Human life is sacred and should never be wasted, unless sharia and the law specifically permit it. This is a concern that is wholly unrelated to the field of medicine. Even at the patient's guardian's request and regardless of whether the patient has a terrible deformity, an incurable illness, or excruciating pain that cannot be treated with painkillers, a doctor should not actively participate in ending the patient's life. The physician should exhort the patient to persevere and remind him of the value of doing so. In particular, this concerns the following instances of so-called "mercy killing": a. the intentional killing of a person who voluntarily requests the termination of his life; b. physician-assisted suicide; and c. the intentional killing of newborns with birth defects that may or may not endanger their lives. According to Article Sixty-Two, the following situations are instances of what the phrase "mercy killing" does not apply to: a. the cessation of therapy when it is determined by the relevant medical committee to be ineffective, including the use of artificial respirators, to the extent permissible under present laws and regulations; b. refusal to begin a treatment that has been determined to be ineffective; and c. the increased dosage of a potent analgesic to relieve extreme pain."¹⁴⁰

Additionally, at various sessions conducted in Mecca, Jeddah, and Amman, Muslim jurists of different schools declared that life-saving equipment could not be switched off until the doctors were confident about the inevitable death of a patient once invasive treatment had been enhanced to preserve their life. However, in cases of brain death, which results from irreversible brain damage, such as loss of spontaneous respiration, the jurists decided that "if three attending physicians attest to a totally damaged brain that results in an unresponsive coma, apnea, and absent cephalic reflexes, and if the patient can be kept alive only by a respirator, then the person is biologically dead, although legal death can be attested only when the breathing stops

¹³⁹ Abdulaziz Sachedina, "End of life: Islamic view" 366(9487), *The Lancet*, 774-779, (2005)

¹⁴⁰ The Islamic Code for Medical and Health Ethics, Eastern Mediterranean September 2005 Fifty-second Session Original: Arabic, Agenda item 8, Available at <http://www.islamset.com/ioms/Code2004/index.html//> (Last visited on Aug 25,2022)

completely.¹⁴¹ Islam has the stronger and more frequently held belief that euthanasia should not be practised because society believes that it is Allah's responsibility to determine when a person will pass away and that we, as humans, are not in a position to act as Allah and terminate someone's life. Thus, whether people decide to shorten their lives on their own or with the help of others, they are carrying out Allah's will and interfering with the divine plan.¹⁴²

In Islam, medical professionals must take all reasonable measures to prevent early death.¹⁴³ In the holy Quran, Allah says, “All you who believe, seek your help in patience and prayer; surely Allah is with the patient” (Quran 2:153–57). In addition, the prophet Mohammad said: “No fatigue, nor disease, nor sorrow, nor sadness, nor hurt, nor distress befalls a Muslim, even if it were the prick he received from a thorn, but that Allah expiates some of his sins for that.”¹⁴⁴ According to these teachings, Allah will bless those who are suffering if they are patient rather than if they commit suicide.

2.4.3 Christianity and Euthanasia

According to Christian religious beliefs, taking away one's life is considered unholy. Christianity believes in the body's holiness and considers it a temple of the Holy Spirit when it says, “Do you not know that you are God's temple and that God's Spirit dwells in you? If anyone destroys God's temple, God will destroy him. For God's temple is holy, and you are that temple.” (Corinthians 3:16-17). Similarly, “Do you not know that your body is a temple of the Holy Spirit within you, whom you have from God? You are not your own, for you were bought with a price. So, glorify God in your body.” (Corinthians 6:19-20).¹⁴⁵

In addition, Christianity considers it as an act of sickness or foolishness to end life before the time in the following verses, "Be not overly wicked, neither be a fool.

¹⁴¹ Abdulaziz Sachedina, “End of life: Islamic view” 366(9487), *The Lancet*,774-779, (2005)

¹⁴² Arshad Taqi, “Euthanasia: is it really a bad idea” 16(3), *Anesthesia, Pain & Intensive Care*,226-229, (2012).

¹⁴³ R.M Yousuf, Fauzi, A.R Mohammed Fauzi, “Euthanasia, and physician-assisted suicide: a review from Islamic point of view” ,11(1), *International Medical Journal Malaysia*,63-68, (2012).

¹⁴⁴ Maria Kristiansen, Aziz Sheikh, “Understanding faith considerations when caring for bereaved Muslims” 105(12), *Journal of the Royal Society of Medicine*,513-517, (2012).

¹⁴⁵ The Holy Bible, available at- <https://www.openbible.info/topics/euthanasia> (last visited on August 25,2022)

Why should you die before your time? (Ecclesiastes 7:17)"¹⁴⁶ and "For everything, there is a season, and a time for every matter under heaven: a time to be born, and a time to die; a time to plant, and a time to pluck up what is planted. (Ecclesiastes) 3:1-2"¹⁴⁷.

The religion strictly prohibits all kinds of killings. It makes it the biggest sin and an act of wickedness in the following verses, "You shall not murder (Exodus 20:13)", "No man has power to retain the spirit, or power over the day of death. There is no discharge from war, nor will wickedness deliver those who are given to it. (Ecclesiastes 8:8)" and "Whoever sheds the blood of man, by man shall his blood be shed, for God made man in his own image. (Genesis 9:6)"¹⁴⁸.

The religion also emphasizes the importance of suffering and states that all suffering has a reason behind and one should not escape from it, "More than that, we rejoice in our sufferings, knowing that suffering produces endurance, and endurance produces character, and character produces hope, and hope does not put us to shame, because God's love has been poured into our hearts through the Holy Spirit who has been given to us (Romans 5:3-5)", "No temptation has overtaken you that is not common to man. God is faithful, and he will not let you be tempted beyond your ability, but with the temptation, he will also provide the way of escape, that you may be able to endure it (Corinthians 10:13)" and "And just as it is appointed for man to die once, and after that comes judgment (Hebrews 9:27)"¹⁴⁹.

Lastly, it states that Almighty God has a plan for everyone, and one should have faith in his planning and should not interfere in his planning in the following verses, "Many are the plans in the mind of a man, but it is the purpose of the Lord that will stand (Proverbs 19:21)", "Casting all your anxieties on him, because he cares for you (Peter 5:7)"¹⁵⁰ and "A man who is kind benefits himself, but a cruel man hurts himself (Proverbs 11:17)"¹⁵¹.

¹⁴⁶ The Holy Bible, available at- <https://www.openbible.info/topics/euthanasia> (last visited on August 25,2022).

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

According to Pope John Paul II's book *The Gospel of Life*, ending someone's life through euthanasia is not beneficial for either society or the individual. Furthermore, it is said that euthanasia violates civil society standards and promotes disrespect for human life.¹⁵²

Most people give St. Augustine credit for establishing the first formal Christian prohibition against suicide. In his extensive essay *The City of God*, he maintained that the fifth commandment, "Thou shall not kill," pertained to both suicide and homicide. The influential monk St. Thomas Aquinas supported this viewpoint during the Middle Ages. He noted that there are primarily three justifications for why suicide is prohibited. The first argument is that since nature created humans, who are an integral part of the total, it is only natural for each one of them to love themselves above all else and feel a responsibility to preserve their individuality. So, killing oneself is against nature's laws as well. The second justification is that each and every individual human being is a component of the whole and an integral element of society. Therefore, attempting suicide indicates that a person is harming society. The final justification is that people must honour God's gift of life to all living things. If a person interferes with God's plans, that is a sin. It is unacceptable to meddle in God's timetable of life and death, which is His prerogative.¹⁵³

On the other hand, Immanuel Kant wrote, "To annihilate the subject of morality in one's person is to root out the existence of morality itself from the world as far as one can, even though morality is an end in itself. Consequently, disposing of oneself as a mere means to some discretionary end is debasing humanity in one's person."¹⁵⁴

According to the eminent philosophers' views above, suicide has historically been viewed as a sin and a violation of social norms in Christian culture. In addition, committing suicide equates to eradicating morals from the world. If someone dares to

¹⁵² Rev. J. Daniel Mindling, 'John Paul II: Dying with Dignity', United States Conference of Catholic Bishops, available at - <https://www.usccb.org/prolife/john-paul-ii-dying-dignity> (last visited on August 25,2022)

¹⁵³ Derek Humphry, *The Right to Die: Understanding euthanasia*, (The Hemlock Society, Eugene, Oregon, First Hemlock Society edn.,1990).

¹⁵⁴ Woojin Lim, "A Duty to Live: Kant on Suicide" *The Mudd Journal of Ethics*, Harvard University, 21-27, (2020).

treat himself like garbage, they are degrading humanity in their own person, which harms the community and is a sin against God. The researcher can conclude that Christian religious belief does not permit euthanasia. The arguments are typically based on the belief that God created the universe and gave life to humans. Some churches also stress how crucial it is to respect death's natural course. However, nothing in the Bible mandates that we must make every effort to prolong a person's life. Therefore, one is not required to extend the life of a person who is in pain. If a person is suffering greatly from a terminal illness, it is best to provide them with the most comfort possible while they are dying. Death should not be hastened. Instead, one should let death follow its natural path while doing all in one's power to console the suffering.

2.4.4 Sikhism and Euthanasia

Guru Nanak Dev Ji founded Sikhism, and his teachings were subsequently consolidated and expanded by nine Gurus culminating in the Granth Sahib, which, to the Sikhs, represents a living guru. Equality, community service, helping others and remembering God constitute some of the core beliefs of Sikhism.¹⁵⁵ The teachings and traditions of the Sikh faith advise that one should meet challenges with courage and accept them with a sense of surrender to divine power since, in this religion, hardships are also seen as God's blessings.¹⁵⁶

Sikhs primarily draw their moral principles from the Guru Granth Sahib and the Sikh Code of Conduct (The Rehat Maryada). Sikhs hold great regard for life and consider it a gift from God. Suicide, and hence euthanasia, have always been prohibited by the Sikh Gurus because they view them as interfering with God's purpose.¹⁵⁷

Since the time of the first Guru, Sikh tradition has taken care of the poor, the ill, and those in agony by using medication. There is some evidence to suggest that in addition to building hospitals, the Gurus also looked everywhere and stored the most

¹⁵⁵ Mohsin Choudry, Aishah Latif, et.al., "An overview of the spiritual importance of end-of-life care among the five major faiths of the United Kingdom" 18, *Clinical Medicine (Lon)*, 23–31, (2018).

¹⁵⁶ Wazir Singh The Sikh Perspective on Death and Suffering, available at- <https://www.sikhphilosophy.net/threads/the-sikh-perspective-on-death-and-suffering.29179/> (last visited on August 25,2022)

¹⁵⁷ Sikh moral thinking available at- <http://www.bbc.co.uk/religion/religions/sikhism/sikhethics/euthanasias.html> (last visited on August 25,2022)

cutting-edge medications. Sikhism is in favour of medical research. The Sikh tradition includes helping people who are ill and bringing comfort to those who are suffering.¹⁵⁸

Sikhs would agree with Lord Indarjit Singh's position, which he clearly stated as, "In summary, while we should always be on our guard against the notion of individual autonomy trivializing life, we need to recognize that, from an individual's perspective, life can become pretty intolerable and there is an argument for helping to end it in strictly controlled circumstances. The danger is that, if we go down this path, it could itself be a slippery slope to trivializing life, altering the very ethos on which medical care is provided."¹⁵⁹

The Sikh traditions, therefore, encourage caring for the ill with compassion, facing death with courage and accepting one's fate as the will of God. One is encouraged to inculcate scientific temperament and seek medical help in illness. Although active euthanasia is prohibited, it is acceptable if one refuses to continue treatment when diagnosed with a terminal illness.¹⁶⁰

2.4.5 Jainism's Perspective on Euthanasia

Jainism, commonly referred to as Jain Dharma, is a traditional religion practised in India. Through the succession of twenty-four Tirthankaras, Jainism traces its philosophical principles and historical development (supreme preachers of Dharma). Rishabhadeva, the first in the present time cycle, is believed to have lived many millions of years ago. Parshvanatha, the twenty-third Tirthankara, is believed to have lived in the ninth century BCE. Mahavira, the 24th Tirthankara, is believed to have lived approximately 600 BCE. With the Tirthankaras directing each cosmological time cycle, Jainism is seen as an everlasting dharma. Ahimsa (non-violence), anekantavda (non-absolutism), and aparigraha (asceticism) are the three basic tenets of Jainism.¹⁶¹

¹⁵⁸ Sikh moral thinking available at -<http://www.bbc.co.uk/religion/religions/sikhism/sikhethics/euthanasias.html>// (last visited on August 25,2022)

¹⁵⁹ *Ibid.*

¹⁶⁰ Mohsin Choudry, Aishah Latif, et.al., "An overview of the spiritual importance of end-of-life care among the five major faiths of the United Kingdom"18, *Clinical Medicine* (Lon), 23–31, (2018).

¹⁶¹ Kristi L. Wiley, *The A to Z of Jainism* (Vision Books, New Delhi, 2006)

At least seven "tattvas" (basic principles) are posited by Jain philosophy, including Jiva, Ajiva, Asrava (influx), Bandha (bondage), Samvara, Nirjara (gradual detachment), and Mokha (liberation). Svetambara Jains frequently add good karma (punya, merits) and bad karma to the preceding list of facts (papa, negatives).¹⁶² The principles of "Ahimsa" make up the core of Jainism. Ahimsa adheres to the philosophy of "Ahimsa Parmo Dharma," which holds that everyone is responsible for treating others and one's own life with compassion.¹⁶³ Euthanasia and self-harm are thus condemned. In Jainism, the recognition of the spirit, also known as Atma Darshan once it has been released from the grasp of the body's non-soul, is a clear-cut goal of human existence. The main goal of Jainism is to achieve Moksha, which frees a person from their karmic obligations and helps them arrive at Nirvana, which is the state of absolute purity of the soul and where the Jiva is freed from all karmic obligations.¹⁶⁴

The tradition of Sallekhana and Santhara practised by the followers of Jainism are often compared with euthanasia. Although these practices may seem similar to euthanasia, particularly the pre-modern interpretation of euthanasia as a good death, there are very different from each other. In Sallekhana, the person meditates while withholding food and water to weaken the physical body (Dravya Sallekhana) and tame the mind's passions (Bhava Sallekhana). Unlike euthanasia, death is not the ultimate purpose of the practice of Sallekhana. However, if, at the end of Sallekhana, the person dies, then it is known as Santhara.¹⁶⁵

2.4.6 Buddhist Ideology on Euthanasia

Around 300 million people practise Buddhism worldwide. The word's root is buddhi, which means "to awaken." It dates back to over 2,500 years ago, when Siddhartha Gautama, known as the Buddha, at the age of 35, experienced his own awakening (enlightenment).¹⁶⁶ Buddhism is seen by many as more of a philosophy or "way of life" than merely a religion. Because philosophy "means love of wisdom," it qualifies

¹⁶² Kristi L. Wiley, *The A to Z of Jainism* (Vision Books, New Delhi, 2006)

¹⁶³ Bhagvat Gita available at <http://www.bhagavad-gita.org/Gita/verse-08-05.html> (last visited on August 25,2022)

¹⁶⁴ Kristi L. Wiley, *The A to Z of Jainism* (Vision Books, New Delhi, 2006)

¹⁶⁵ Namrata Kothari, "Sallekhana / Santhara: An art of dying is joy" 25(5), *IOSR Journal of Humanities and Social Science*,34-38, (2020).

¹⁶⁶ Buddhism and Euthanasia available at <http://buddhismguide.org/buddhism-and-euthanasia/> , <http://www.buddhanet.net/e-learning/5minbud.htm/> (last visited on August 25,2022)

as a philosophy. A means "to lead a moral life, to be alert and conscious of thoughts and deeds, and to gain knowledge and insight" can be found on the Buddhist path. Buddhism's precepts, of which the primary five are: not to take anything that is alive, not to take anything that is not given freely, not to engage in sexual misbehaviour or excessive sensual behaviour, not to speak falsely, and not to get drunk and lose focus, constitute its moral code¹⁶⁷. Buddhism is founded on the idea that life is valuable and sacred. Buddhism's primary focus is on the threefold nature of human existence—life, suffering, and death—and how to find relief. Buddhism also embraces the concept of karma, or the cause and consequence of one's thoughts, acts, and actions. According to Buddhism, all life is valuable and ought to be protected.¹⁶⁸ The human life is especially precious since it is through this type of existence that one might reach enlightenment and become free of the restrictions of the material world.¹⁶⁹

According to Buddhism, a person who is in a persistent vegetative state is still alive but has suffered a harm to a bodily organ. According to the Buddhist interpretation of the vegetative state, brain injury prohibits sentiency ((viññana), one of its fundamental modes, namely mental awareness (mano- viññana), from functioning. However, when considering the ethics of treatment, irreversible harm to the neocortex is no more serious to Buddhists than harm to any other organ. Buddhists believe that everyone deserves compassion, regardless of their physical condition, and that it would be unfair and arbitrary to deny individuals in a persistent vegetative state the basics of life. Even while unconscious, patients can still be the object of compassion and empathy.¹⁷⁰ Buddhism's first precept forbids killing life since it is so valuable. Therefore, all forms of murder are prohibited in Buddhism. However, it is permissible to take a life when necessary. According to Damien Keown, an emeritus professor of Buddhist Ethics at Goldsmiths College, University of London, this religion is founded on the idea of non-violence and forbids acts of violence like suicide and euthanasia. Buddhism teaches that it is wrong to shorten anyone's life, including one's own, even if the motivation and goal are morally correct. Like all other religions, this one values human life highly. He continued by saying that the sanctity of life is not absolute and does not have to be upheld at all costs. If death

¹⁶⁷ Basic Buddhism available at <http://www.buddhanet.net/e-learning/5minbud.htm//> , (last visited on Aug 25,2022)

¹⁶⁸ *Ibid.*

¹⁶⁹ *Ibid.*

¹⁷⁰ Damien Keown, "End of Life: The Buddhist View" 366, *The Lancet*, 952-955, (2005).

would occur naturally without the aid of medical advancements, there is no reason to prevent it from happening naturally. Even if the sickness is already incurable and difficult to treat, basic care should be provided for humanitarian reasons. However, it does not demand that life must be saved at any cost. Keown concludes that there is no moral issue as long as there is no desire to kill human life.¹⁷¹

The future Buddha, a Bodhisattva, is said to have killed a bandit to save 500 merchants in one of the Jataka stories. Self-defense and, in rare cases, suicide also fall under this exclusion. Self-defense is only appropriate when all other options have been tried. Regardless of the circumstances surrounding a person's life, the precept defends the sanctity of life for all people.¹⁷²

Suicide is often not permitted. Even when one has a difficult and terminal illness or when one's life is unsatisfactory, one should silently and patiently endure it while also making every effort to end the agony and suffering. A Bodhisattva once sacrificed himself to a hungry lioness to prevent her from consuming her own cubs, an example of when taking one's own life for noble purposes is permitted, according to Buddhist texts. Another is to commit suicide to end an incurable condition that prevents one from achieving nirvana.¹⁷³ The views and interpretations of Buddhist monks on the sanctity of life, euthanasia, and self-harm would not be out of place at this point.

According to the Dalai Lama, all life is valuable, hence it is preferable to avoid euthanasia. He went on to say that there are exceptional circumstances, though, and that each case should be assessed individually." This seems to leave room for euthanasia in certain circumstances. According to Thanssaro Bhikkhu, a Buddhist monk and scholar, Gautama Buddha focused on insight into suffering and its resolution rather than attempting to ease the patient's transition to death."¹⁷⁴ Therefore, from the perspective of Gautama Buddha, Thanssaro Bhikkhu, asking a sick person to let go of life or to give up the desire to live would not be regarded as a compassionate deed. He seems to believe that seeing a loved one endure needless

¹⁷¹ Damien Keown, "End of Life: The Buddhist View" 366, *The Lancet*, 952-955, (2005).

¹⁷² Damien Keown 'Euthanasia', in Daniel Cozort, and James Mark Shields (eds), *The Oxford Handbook of Buddhist Ethics*, 611-629 (Oxford University Press, Oxford, 2018), available at- <https://doi.org/10.1093/oxfordhb/9780198746140.013.19>, (last visited on September 28, 2022)

¹⁷³ *Ibid.*

¹⁷⁴ Is Buddhism Against Euthanasia? 2015, available at- <https://yesharabgye.com/is-buddhism-against-euthanasia> (last visited on August 25,2022)

suffering is more compassionate. Another Buddhist monk, Lama Zopa Rinpoche, claims that he was more interested in how the person will fare in their subsequent lives. People believe that carrying out euthanasia is a kind act, but in his opinion, it also needs to be done with prudence. The deed will be good if it results in the person's having more peace and happiness in their next life, but it could also result in them being reborn in a lower realm, where their misery will be significantly worse.¹⁷⁵ Buddhism is a religion that firmly promotes respect for life, but it also acknowledges that respect for death is necessary since it is an essential and fundamental part of existence. Accepting that someone may choose to terminate their life when it has become so painful and devoid of dignity is one way, we may respect life. Respecting death entails recognizing when it is time for it to happen and letting nature take its course. Therefore, from a Buddhist perspective, passive voluntary and passive non-voluntary euthanasia would not violate the First Precept and might even be considered an act of compassion, whereas active euthanasia and physician-assisted suicide might be problematic.

From this discussion on the teachings of various religions on euthanasia, it becomes apparent that active euthanasia is often discouraged, even prohibited, in almost all religions. The matters of life and death are considered the sole prerogative of the creator, and human intervention in these matters, in the form of suicide or active euthanasia, is not accepted. However, the idea that we can allow the natural course of an illness to lead towards death by avoiding life-prolonging treatment is acceptable. Therefore, it can be concluded that all major religions approve of passive euthanasia.

¹⁷⁵ Is Buddhism Against Euthanasia? 2015, available at- <https://yesherabgye.com/is-buddhism-against-euthanasia> (last visited on Aug 25,2022)

