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In Defense of Euthanasia: A Situational Analysis

Abstract

Nowadays, Euthanasia, peaceful death in peace bed has become a burning ethical issue to be discussed on. The advanced age of technology offers various complexities in our daily life and we want to come out of the critical juncture by hook or crook. At present all the members of our families are habituated to lead busiest life and have no time to spare for the sick like early period. So, both, the patients and the patient parties are seeking ways to get relief from such critical positions. Besides this, the life-saving treatment is getting higher and higher day by day. This is also an important cause of favouring euthanasia.

What actual situation demands, ethics may not support. In other words, there is a difference between the thinking of general people and the thinking of ethicists. Ethics has its own line of thinking to represent the matter. An important and profound ethical question arises here regarding this matter. Is the legalization of euthanasia justifiable? It is the main point of my discussion. After providing the definition and classification of euthanasia I shall show the arguments of euthanasia offered in its against and favour to represent the debate. After the analysis of these arguments the demand of the situation will be offered as conclusion to establish my view putting the debate in to bracket. The continuing debate will play its role to enhance our knowledge and will act as the intellectual exercise with a good and qualitative message without having the capacity of application in our daily life. But this debate has no power to indicate or to address the demand of situation. A situation may arise where we find no other options except the application of euthanasia.

Keyword

Good death = Death in peace bed.

Life- taking dose = A dose that may bring death.

Discrimination = An irrational difference.

Instrumental value = A value imposed by others according to their need

Intrinsic value = A value that does not required any imposition

Palliative care = A homely environment concept in the field of treatment

Slippery slope = A concept taking from animal ethics

Introduction

Nowadays, Euthanasia, peaceful death in peace bed has become a burning ethical issue to be discussed on. The advanced age of technology offers various complexities in our daily life and we want to come out of the critical juncture by hook or crook. At present all the members of our families are habituated to lead busiest life and have no time to spare for the sick like early period. So, both, the patients and the patient parties are seeking ways to get relief from such critical positions. Besides this, the life-saving treatment is getting higher and higher day by day. This is also an important cause of favouring euthanasia.

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Definition

Euthanasia' means 'good death'. The word 'euthanasia' is divided into two parts, i.e. 'eu' and 'thanatos'. 'Eu' means well or good and 'thanatos' means death. So, euthanasia refers to the practice of intentionally ending a life in order to relieve from pain and suffering. According to the British House of Lords select Committee on Medical Ethics, 'euthanasia is a deliberate intervention undertaken with the express intention of ending life, to relieve intractable suffering.'¹ In the Netherlands, euthanasia refers to the termination of life by a doctor at the request of a patient.²

Euthanasia implies four important elements that must be incorporated at the time of giving definition of euthanasia. These basic elements are: a. An agent and a subject; b. An intention; c. A sufficient causal proximity and d. An outcome. An agent and a subject must be there to apply euthanasia. Subject refers to that person on whom the painless death should be applied and it is the duty of an agent to accomplish this method. It must be purely intentional. The motive of the agent should always be accounted for. It must be a good motive insofar as the good of the person killed is concerned. With the good motive sufficient causal ground must be there to justify the procedure. After all, there must be an outcome, i.e. the intended outcome.

Incorporating all these four basic elements regarding euthanasia Heather Draper says, "euthanasia must be defined as death that results from the intention of one person to kill another person, using the most gentle and painless means possible, that is motivated solely by the best interests of the person who dies."³

Classification of euthanasia

Classification of euthanasia is based on the consent of the subject, i.e. the person on whom the mercy killing procedure will be applied. Some times the subject consciously or deliberately insists his or her family members along with the doctor to relieve him or her from pain by allowing him/her to sleep for ever by using medical aids. Such type of euthanasia is called voluntary. On the otherhand, some cases the patient's consent is unavailable. But it is thought by the members of his/her family and doctor/s that the recovery chance is zero and it would be better to allow him to sleep for ever peacefully by withdrawing life supporting treatment. It is termed as non voluntary euthanasia. Lastly, Involuntary euthanasia occurs when euthanasia is performed on a person who is able to provide informed consent, but does not, either because they do not choose to die, or because they were not asked but the situation forces the agent to apply euthanasia on the subject.

So, it is clear that in the basis of giving consent euthanasia is divided into three parts, i.e. a) Voluntary, b) non-Voluntary and c) involuntary .

Euthanasia is also designated as Active and Passive- a) Being convinced by the good motive of

the agent and considering the patient's condition doctor/s may take decision to withhold the life supporting treatment to allow the patient to die peacefully. It is called passive euthanasia. On the otherhand, sometimes it is performed by using some life-taking dose. It is called active euthanasia.

Arguments Against Euthanasia: The following arguments are offered by the opponents against the acceptance/legalization of euthanasia.

- 1. It will weaken society's respect for the life of human being on earth:** It is said that the life of human being has a special status; It has its sanctity and it is our duty to show respect to that sanctity. If euthanasia is accepted and legalized then it will weaken this respect which is shown to the lives from the very beginning of the society.
- 2. It will create a difference between a sick and an able bodied person :** Unexpected situations will arise in the form of discrimination between a sick person and an able-bodied person if euthanasia is accepted. And the sick person may think himself or herself as a burden to his or her family. In this situation he or she will be in state of mental depression and may think as unwanted being who has no right to live and he or she may be insisted to give his/her consent to offer the ultimate gift. i.e. death. This type of discrimination may hamper the family peace and ultimately may bring unwanted results.
- 3. Slippery slope argument :** It is stated by the opponent of euthanasia that voluntary euthanasia also should not be legalized as it will help to start of a slippery slope that will lead to involuntary euthanasia and the killing of people who are thought undesirable. It will open the flood gate to apply euthanasia to the elderly, lonely, sick or distressed people. So, the legalization of voluntary euthanasia must not be permitted.
- 4. Argument from the point of interest :** The application of euthanasia may not be counted as best interest of a patient. Some other factors may act as decisive factors rather than the pain relieving factor. When the advantage of application of euthanasia will be there as choice, no one will be interested in sparing a large amount of money to treat a patient and may try to pressure the doctor/s to declare the patient as terminally ill to exercise euthanasia without counting the interest of the patient. On the other hand, doctors may also insist the patient parties on taking initiation in favour of euthanasia to free up beds for other patients who will be more useful to earn more money. Both the situation will not act as the best interest of the concerned patient and hence it will not be morally justified.
- 5. Against the will of God:** It is demanded by the religious people that the life of a human being is gifted by God. The length of life is pre determined by God. So, we have no right to shorten the length of life by applying euthanasia. This action will go against the will of God.
- 6. Devalues the sanctity of life:** This argument expresses a different view. It says that euthanasia

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is bad because it neglects the sanctity of human life. All human beings have values irrespective of age, sex, race, religion and social status. It is not instrumental value. The value possessed by human beings is designated as intrinsic value. So, human being should not be used as means to an end. The acceptance or legalization of euthanasia will surely devalues the sanctity of human life. Devaluation of the sanctity of life is not ethically justifiable. So, the legalization of euthanasia is not ethically permissible.

7. **Proper palliative care:** It is demanded by the opponent that the existence of palliative care makes euthanasia unnecessary. Palliative care is physical, emotional and spiritual care for a dying person when cure is not possible. It includes compassion and support for family and friends. This care will help to prevent a person feeling any need to contemplate euthanasia.

Arguments for euthanasia

1. The first argument deals with the sanctity of life. It was assumed that acceptance of life. It is assumed that acceptance of euthanasia will lead people to the position where there will be no respect for that sanctity. Sanctity is a word having no definite criteria. If someone want to show respect to human life, he or she will have to do something in favour fit in need. When a terminally ill people suffer a lot without any hope of restoration; it is our duty to relieve his or her pain to show respect to him or her. In that situation it will be the right thing. If we remain only as spectators, we will be treated as cruel and disrespectful to the sanctity of life. So, the argument, euthanasia will weaken society's respect for the sanctity of life has no importance. I think, it will help us to be more respectful to the sanctity of life. After all, the concept of the sanctity of life is never rejected or denied by the supporters of euthanasia, they only want to explain it from a different point of new.
2. The argument, creation of difference between a sick and an able-bodied person has also not any concrete base. It should be kept in mind that euthanasia is a project not to create any kind of discrimination, rather, its aim only to relieve pain and sufferings of the terminally ill people.
3. The argument of slippery slope is offered by the opponent only out of fear. There is no scope to apply euthanasia on the generally sick people. If a proper monitoring system is developed under the suppression of court, the chance of supply slope will remain far behind.
4. The argument from the point of interest is also an weak argument. The word 'interest' has several aspects. Preferential interest is also an important aspect. In the case of the terminally ill people, the application of euthanasia will be guided by the principle of preferential interest.
5. The argument of proper palliative care has its in physical, emotional and spiritual care for a person who is terminally ill. It is also argued that proper

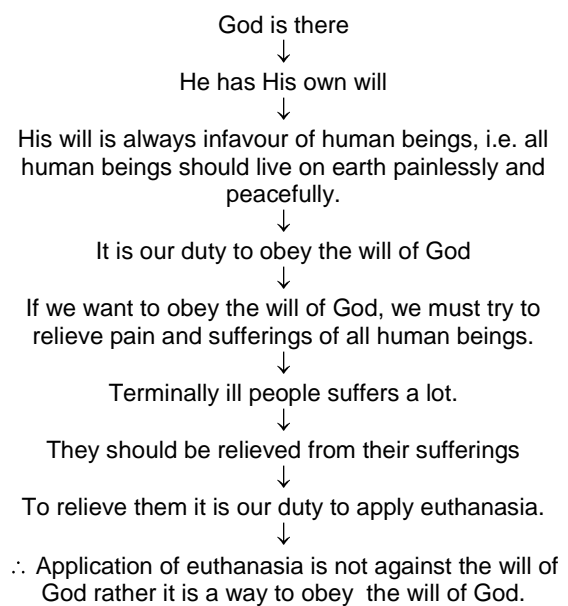
palliative care will show the path not to apply euthanasia on terminally ill people.

There is no doubt that the concept of palliative care is a better concept expressing the higher values of human beings. Palliative care is needed for a dying person lying on death bed to die peacefully. But in actual life, the application, of palliative care is too much difficult for various reasons.

The life style of the people of the today's world kills the possibility of the actualisation of the concept of palliative care. Everyone has his or her own path to drive his or her life. So, they have no time to spare for the others. In this situation the possibility of the actualization of the concept of the palliative care is under scrutiny. There is no doubt that there is a big gap between the two situation and in this situation it is hard to find out any way to bridgeup the gap. Pressure of professional life also a bearer for the actualization of the concept of Palliative care.

The second situation is that the concept of family is now gradually disappearing. The Concept of divorce, the concept of oldage home show the critical situation of today's life. The concept of 'personal life' paves the way of destruction of the concept of 'family life'. The concept of family life is essential for palliative care. Where the concept of family life is in danger, how a terminally ill people can get the proper palliative care? It is impractical and impossible.

6. God's will- is a metaphysical concept having no practical proof. Suppose God is there and He has His won will. Again it can be said that His will always favour human being to live on earth painlessly and peacefully. If this is the case, then it also can be said that God does not want to see any human being to suffer with immeasurable pain. So, it is our duty to relieve pain and let someone to die peacefully, who is terminally ill.



Conclusion

In the concluding part of this discussion, it can be said that the debate will continue in future

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regarding euthanasia. Some people will agree with the arguments in favour of euthanasia, some will not. We all will be able to enrich our knowledge in this field with the help of such debate. But the real picture will remain behind the curtain. A patient, suffering from incurable disease will not be able to enjoy the knowledge extending debate, rather he will prey to God or to his or her doctor to release pain which becomes unbearable and may want to die with dignity. Perhaps, it is his or her right to die with dignity. It is our laws that permit a person to do what they want, as long as they harm none. We should believe in freedom and liberty. If a person finds that his own existence has nothing positive to offer to the world, to his or her near and dear ones, if he/she thinks that his illness will offer him or her nothing but death, then he or she has the right to choose the easy path to be free from pain and sufferings, as he or she knows very well that no one is immortal in this world. Let him or her to die peacefully. It is our duty. It is the situation that demands to respect his or her wish.

I think, not only active euthanasia, but also passive euthanasia be legalized for the same reasons. To support this demand we may consider the case of Aruna Ramchandra Shanbaug who was severely injured by one of the staff of the hospital where she was working as staff nurse. The convict got punishment from the court. He was imprisoned for seven years. After seven years he was set free but Aruna Ramachandra Shanbaug was still remain in the vegetative state for 37 years. I think, and I believe that most people will agree with me that it is the victim, not the convict is enjoyed punishment. As there is no chance of restoration of her life, she must be allowed to die peacefully. At last the supreme court of India, in a path – breaking judgment allowed to let her die by withdrawing life-support medical aids from her.

I think, in such cases even where palliative care is present passive euthanasia may be approved under the supervision of supreme court. It can be designated as moderate view and it can be accepted in this critical juncture to get light. This view holds that euthanasia may be ethically permissible in some critical and incurable cases. But the decision should be taken by the court. Like Aruna Shanbaug case, court can take the final decision and give the path breaking judgment. It is the court who has the right to take final decision after verifying and critically analysing the patient's present situation and if the relevant documents of patient satisfies the court that there is no scope to get back into the normal life then court may give permission to apply euthanasia on the subject. But, it should be kept in mind that such types of verdicts must not be taken as precedence, they should be treated only as the path-breaking judgement.

After considering all the arguments discussed for and against of euthanasia I want to offer my own views regarding this matter. I think that it is the high time to be bold and effective in support of euthanasia. I support euthanasia. Today's world demands it. Most of the people of the present world will agree that euthanasia is one of the byproduct of

the technologically developed world and we have to accept this fruit without any question. If we consider the present situation of the world where each and every person is as busy as a rabbit as the world where each and no one wants to be a burden of his/her near and dear ones, it is preferable to die in peace than to suffer. Today it is not difficult to enjoy best treatment to recover and we are thankful to science for the epoch-making success in this field. But, if the condition of a patient is gradually getting worse day by day and he/she has to suffer a lot without any hope to come out of the trouble, if all the procedure of medical treatment fails, then what to do? If you respect the concerned person, if you respect the law of nature, then you have to support euthanasia.

It is the situation that demands the application of euthanasia to terminally ill life to end the unbearable sufferings. Anyone who loves his near and dear ones, who is in great pain without any hope to recover by applying any kind of treatment can find no objection to support euthanasia to terminally ill life to end the sufferings. In this regard no philosophical arguments or ethical considerations or social rules will get more importance than the choice of ending the life when one hears the screaming of his children, his parents to relieve from the horrors of life, certainly he/she will prefer to support euthanasia putting into bracket all the debate regarding this matter. It does not go to questions asked by the philosophers or by the ethicists or by the social workers, but demands the answers needed by the heart and the soul whipped by the great pain of suffering of their relatives. The matter should not be decided by the opinion developed over the discussion of the course of thousands of years, the decision should be taken on the basis of the feelings by seeing the pain of others.

In support of the legalization of euthanasia some hypothetical situations may be cited here. Suppose, a newborn infant suffers from such serious birth defects that it is not expected to live, even with aggressive and sophisticated medical intervention. In this situation what should be done? If you want to apply all kinds of life-supporting treatments to help the newborn baby to remain alive, you will get no positive results. You will only able to offer a lot of pain and suffering to the newborn baby. He will have to suffer without any hope to overcome the condition. There is no reasonable expectation that he or she will grow up to enjoy an acceptable quality of life. In this situation it would be better to let the child die by withholding the life supporting treatment. It is demanded by the situation. In this case if the child is forced to remain alive with the help of life supporting medical assistance, he or she will have to suffer a lot, which is not permissible ethically:

Again in the case of brain death, or cortical death the demand will be the same. Brain death the death of the whole brain, or the irreversible loss of functioning in the whole brain- may be understood as a criterion of human death that attempts to capture both of these essential dimension of death: the

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irreversible loss of the capacity for consciousness and the irreversible cessation of integrated functioning in the organism as a whole. Thus it has seemed that, when the whole brain dies, both the capacity for consciousness and the integrated function of the organism must disappear and the integrated function of the organism must disappear without possibility of restoration.⁴ The case is similar with connection of cortical death or of vegetative state.

All these situations demand the end of the life of the victims either by withholding life-supporting medical aids or by introducing lethal dose to offer them a painless death. In this situation all the ethical arguments must be put into bracket for future.

Death with dignity or euthanasia or mercy killing or physician assisted suicide may be legalized and its application may be approved after considering the concerned case critically by the expert team under the supervision of court. In this connection reference of the Death with Dignity Act of Oregon, a state of America will be helpful to establish the matter. The application of this act is conditional. There it is clearly stated that to request a prescription for lethal medications following conditions must be fulfilled. These conditions are divided into two parts – one part is for the patient and the other part is for the physicians concerned.

Conditions for the patient

1. The patient must be an adult person, i.e. he/she must be 18 years age older.
2. He or she must be a resident of Oregon.
3. He or she must be capable to make and communicate health care decisions.
4. The patient must make two oral requests to his or her physician, separated by at least 15 days.
5. The patient must provide a written request to his/her physician, signed in the presence of two witnesses.

For the doctors

1. The prescribing physician and a consulting physician must confirm the diagnosis and prognosis.
2. It must be confirmed that after the diagnosis the patient will survive to death within six months.
3. The prescribing physician and a consulting physician must determine whether the patient is capable.
4. If either physician believes the patient's judgment is impaired by a psychiatric or psychological disorder, the patient must be referred for a psychological examination.
5. The prescribing physician must inform the patient of feasible alternatives to assist suicide, including comfort care, hospice care, and pain control.
6. The prescribing physician must request, but may not require, the patient to notify his or her next of kin of the prescription request.⁵
7. These are the guideline made by the Oregon state of America of apply euthanasia or physician assisted suicide. It was also stated that to comply with the law, physician must report to the Department of Human services all prescription for lethal medications.⁶

With the help of these conditions the authority offers justification in favour the legalization of euthanasia. But these are only for those cases where the patient is capable of giving his/her clear consent without any psychological disorder. They say nothing about the patients having no capability of giving consent and it is implied that the patients without capability will not be allowed to enjoy the facility of death with dignity. There is no chance to extend the limit of its application to the patients having no capability but suffering a lot. It is also justifiable to apply euthanasia to the said patients who are terminally ill. They have also the right to death with dignity.

Now the question arises whether the application area can be extended or not. I think it depends solely on the situation. If the situation demands then nothing can be accounted for them to apply euthanasia. There are some examples in favour of this demand. Let examine the case of Aruna Shanbawg of India who was allowed to enjoy the facility of euthanasia by a path breaking judgment of supreme court.

So, it is the high time to take a legal decision in favour of euthanasia putting aside all the debates to find a path to help the terminally ill patients to die with dignity and to die with peace. 'Extend your help in need' is the basic motto of humanity. If the situation demand, it is our duty to help the person by letting him or her die with dignity and to show respect to the wish (in case of active euthanasia) of the dying people. It should not be treated as mercy killing or assisted suicide, it should not be regarded as unethical action, rather it should be regarded as an action to help the patients of terminally ill by extending help in need. It should be designated as the extension of help in need.

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