

ETHICS OF EUTHANASIA
A CROSS-CULTURAL PERSPECTIVE

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Ethics of Euthanasia: A Cross-Cultural Perspective

Introduction

"More tears are shed over answered prayers than unanswered ones."
-Saint Teresa

Euthanasia has been called the moral issue of the 1980s. Various forms of euthanasia have been practised for thousands of years, but did not become a major issue of public debate until the twentieth century. Originated in ancient Greece, the term “**euthanasia**” referred to a common practice of voluntary suicide among old or sick people who sought to induce a painless death. There is an important distinction between our current meaning of the word euthanasia and the meaning it had in the ancient Greeks. It altered in the seventeenth century when it took the form of assistance in death. In the mid twentieth century, it acquired a negative connotation because of Nazi program of mass extermination of the mentally ill and physically handicapped people who were designated unfit to live. The focus of this thesis is to explore and understand differences between approaches to euthanasia in the Euro-American and Indian culture.

In the classical tradition, euthanasia referred to literally dying a "**good death**." The contemporary meaning of the term euthanasia is more constricted and act oriented. A more recent extension of the concept has emerged with the advent of medical technology that can keep terminally ill patients alive over longer periods. In the last several decades, euthanasia has come to include the patient's right to refuse medical treatment and is often restricted to mercy killing or active euthanasia while passive euthanasia is labeled as "**rejection of treatment**" or simply "**letting die**".

Definition

“Our word *euthanasia*, is derived from two Greek words *eu thanatos*; “*a quiet and easy death*”. It refers to a death that is deliberately brought for humane reasons. A more accurate term, perhaps, is *mercy killing*”¹. Following is the paradigm case of euthanasia.

- ✓ In euthanasia, a person is suffering from an irreversible, terminal disease or injury with no hope of recovery.
- ✓ The illness is incurable and the person is in great pain.
- ✓ The person request death and the request being rational are made repeatedly over a period of time.
- ✓ Someone accommodates the person in response to his/her own request.
- ✓ The motivation for killing the person is to have mercy on him/her and provide them with a good death.

Other Forms

There are several forms of euthanasia, most relevant being active and passive euthanasia. The phrase *active euthanasia* is used to refer to cases in which the patient is deliberately killed. The phrase *passive euthanasia*, in contrast, refers to cases in which the patient is not killed but rather is deliberately allowed to die. Physicians or caretakers simply refrain from doing anything to keep the patient alive. It is important to note this distinction because many Western people and societies believe that although active euthanasia is immoral, passive euthanasia is acceptable. In the case of passive euthanasia, we refrain ourselves from doing anything that will cure the person rather than killing

¹ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 31

them ourselves, which makes passive euthanasia relatively acceptable, on subconscious grounds. It is also important to bear in mind, the differences among voluntary, non-voluntary and involuntary euthanasia. *Voluntary euthanasia* occurs whenever the person, while in a rational frame of mind, request death and the request is fulfilled. *Non-Voluntary euthanasia* occurs when the patient is unable to form or express a judgment in the matter, but is killed deliberately or allowed to die. On the other hand *Involuntary euthanasia* occurs when a conscious but terminally ill person says that he or she does not want to die but is killed anyway (see page 32).

In this thesis, I shall not be concerned with non-voluntary or involuntary euthanasia but instead on voluntary euthanasia particularly in its active form. I mention them here only to distinguish them from each other. Recovery of the classical Indian view helps us better understand the history of the phenomenon of active euthanasia in India and how it differs from the views of the West, which most importantly, is the main focus of the thesis.

Attention will be focused primarily on the arguments opposing and supporting the morality of active euthanasia from a cross-cultural point of view. Authors like Tom Regan, S Crawford and Coward/Lipner/Young are my major sources of information for my thesis.

Historical Perspectives

We cannot say that any practice is morally right or wrong simply because of people's beliefs. In order to place our convictions in context, it is useful to reflect on the historical sketch of those beliefs and to compare them with the people who live, or who have lived, in societies different from our own. If we consider the experience of other

cultures, we see some striking differences and perhaps a few revealing similarities. While the developing Western cultures were opposing active euthanasia, most Eastern cultures were comfortable accepting it.

Greco Roman Tradition

Euthanasia's etymology indicates Greek derivation. Ancient Greeks commonly practiced infanticide in the cases of defective children. They had an attitude toward human life that was quite different from the rest of the world. In both, Sparta and Athens, for example it was required by law that deformed infants be put to death, which was considered better than an unhappy life for them and their parents. Famous philosophers like Pythagoras, Aristotle and Plato all rejected infanticide as a cowardly act of avoiding life's hardships and one's duties to self and others, yet when it came to the issue of euthanasia, they were more sympathetically disposed, considering it appropriate when a person was afflicted with an incurable disease which rendered them unfit to the service of others. It is worth remembering that Greek society produced some of history's finest literature, art and philosophy. Consequently, classical acceptance of euthanasia cannot be regarded as simply a callous and barbaric tradition not subject to intellectual scrutiny.

The Jewish Tradition

Letting nature take its course appealed to the Jews, who saw the workings of God principally in history. Medical intervention to save lives was counted not as a social service but a divine obligation. The Jewish tradition differs from the Greek-Roman tradition in terms of both sources and authoritative interpreters. "Whereas professional medical groups have had the propensity to turn to the profession itself to interpret moral

imperatives, Judaism turns to rabbinical authorities and Jewish councils"². The Jewish view differs from the Greeks in regard to moral norms. "In particular, there is a rigorous commitment to the sacredness of life and the duty to preserve it, a duty that is much more emphatic than in Greek, Christian or secular traditions"³.

As a part of the created order, the human being does not possess ultimate rights over his or her life. In the Jewish tradition, physicians are mandated to render the best possible service to the deformed child or to a person who has only moments to live, even if saving of human life violates holy laws. The Jewish tradition does not emphasize patient autonomy and does not require acceding to the patient's wishes in matters of dying, the patient does not own his or her own body, making a case for a right to very problematic. Thus in the Jewish tradition, the question of euthanasia as administered by a physician is categorically negative. According to Torah " One must not engage in any intervention that would even slightly hasten a person's death, such as closing the eyes of a dying person. A sputtering candle is easily extinguished upon the faintest touch"⁴.

Early Christian View

Christianity represents the coming together of the two distinctive streams of Greco-Roman and Jewish thought. Its Jewish inheritance invests in it an uncompromising belief in the sanctity of innocent life, based on the doctrine of creation as the handiwork of a personal God. God, who alone can give and take life away, was the belief. What mattered at the end was not peace or dignity, but bowing to the will of God.

The early church rejected euthanasia in every context, with some exceptions. Infanticide was prohibited, because all who are born, no matter what their physical

² Dilemmas of Life and Death: Hindu Ethics in a North American Context-Page 86

structure was, had souls. Suicide was forbidden because one's life was viewed as a trust from God and only God had the right to take it. The Christian view until the sixteenth century was, "suffering, no matter how horrible or seemingly pointless, was considered a burden imposed by God himself, for purposes best known to Him, which men and women must bear until natural end"⁵. Christian transmutation of suffering meant that there could be no justification for the killing of the person who was dying in pain. A lot of positions were subsequently modified regarding suicide and capital punishment but the church's opposition to euthanasia continued throughout the middle ages. Nevertheless, conflict exists among many groups and ethnicities today relating to the morality of euthanasia.

Modern Secular Traditions

During the seventeenth and the eighteenth centuries, western philosophers began to move away from the idea that morality requires a religious foundation. Nevertheless, these "post-Christian" thinkers continued to operate with an essential Christian worldview in which life continued to be fused to the doctrine of an immortal soul for each individual. Although God played a prominent role in their understanding of the universe, they did not think that right or wrong solely consisted in following God's commandments. Church was not considered a primary source of moral guidance. Human reason and the individual conscience was regarded as the truest sources of moral insight. Although they expressed a desire to bring forth a revolution based on the ideas concerning the sources of morality, they were not so radical in their moral opinions. The most famous philosophers like Kant (1724-1804) and Hegel (1770-1831) believed that,

³ Euthanasia: The Moral Issues-Page 126

“Truths are known through the use of reason alone.”⁶ When they exercised their reason on matters like euthanasia, they discovered that The Church had been following the moral principles that were congruent to their own beliefs. A notable exception to this way of thinking was the famous British philosopher; David Hume (1711-1776) who argued vigorously that one has the right to end one’s life when he or she pleases. He particularly tried to refute the theological arguments to the contrary, and succeeded quite admirably as we shall see.

In spite of the growing secularization of philosophical thought in the seventeenth and the eighteenth centuries, it appeared that ethical issues were very much tied to people’s respective religions. Jeremy Bentham (1748-1832), a member of the Utilitarian philosophical movement in nineteenth century argued, “the purpose of morality is not the service of God or obedience to abstract moral rules but the promotion of the greatest possible happiness for creatures on earth”⁷. This thought not only captured the imagination of philosophers but transformed popular thinking as well. As John Stuart Mill (1806-1873) puts it “the individual is sovereign to his or her own body and mind, where one’s own interest are concerned, there is no other authority”⁸. Because of this Utilitarian outlook, more and more people have come to favor euthanasia. Advocacy of active euthanasia is no longer confined to a few figures on the fringes of academic thought. It is publicly supported by thousands of doctors, scientists, lawyers and philosophers.

⁴ Dilemmas of Life and Death: Hindu Ethics in a North American Context-Page 88

⁵ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 35

⁶ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 37

⁷ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 37

Euthanasia in American Society

Euthanasia was not a major subject of debate in the United States until the twentieth century. Before the 1940s, public debate on euthanasia was only temporarily incited by specific well-publicized cases. While the public was generally supportive of euthanasia for terminally ill adults and even severely handicapped infants, but most Americans were unwilling to legalize the practice. Seeking to promote such legislation, the "*Euthanasia Society of America*" was founded in 1937. An organized opposition did not emerge until much later. By 1960s' with an increasing number of patients diagnosed as being in a persistent vegetative state, discussion began to focus on patient rights as well as physician's responsibility. Before 1960, euthanasia was mainly of interest to people in religion, medicine, ethics and law. After 1960, it became a subject of popular debate. A "*The Right to Die*" movement gained popularity while an organized opposition movement finally emerged when different groups added euthanasia to their agendas in America.

In 1980, The Federal Government undertook its first attempts to formally address the problem of euthanasia by establishing the U.S Presidential Commission for the Study of Ethical Problems in Medicine, Biomedicine and Behavioral Research specific to euthanasia issues. "Because new medical technology is constantly increasing our ability to maintain life thus challenging current definitions of what constitutes life, euthanasia is an issue that does not promise to be resolved in the near future"⁹. As America's age population grows, the need for resolution increases on these issues and further intensifies.

⁸ How We Die: reflections on life's final chapter-Page 94

⁹ The End of Life: Euthanasia and Morality-Page 221

There are many interrelated reasons for this. The number of reported cases for active euthanasia increased dramatically since the 1980s, which made it an issue that could not be ignored. The number of older people outnumbers the younger people. This “**Graying of America**”, is one important reason for the increased interest in resolving the legal and moral status of euthanasia. “Elderly Americans constitute a growing proportion of the population and most cases of euthanasia occur among older people. Not surprisingly, research also shows that religiosity has a significant impact on how Americans view euthanasia.”¹⁰ A decision on the morality of euthanasia will always be based on the conceptions of the value of life and who has the right to control it.

Arguments Supporting the Morality of Active Euthanasia in the US

In this section, I will address various arguments that have been use to support the call for active euthanasia in the United States.

The Argument for Mercy

Active voluntary euthanasia refers to mercy killing that takes place with the explicit and voluntary consent of the patient, either verbally or in a written document such as a living will. Terminally ill patients frequently must endure extreme pain and seemingly torturous medical procedures. Simply stated, “euthanasia is justified because it provides an end to *that*”¹¹. One high profile case may help in understanding this argument. The great Irish writer, Jonathan Swift who took eight years to die. “At times the pain in his blinded eyes was so intense he had to be restrained from tearing them out with his own hands. Knives and other potential instruments of suicide had to be kept from him. For the last three years of his life, he could do nothing but sit and drool. And when

¹⁰ The Churches Speak On: Euthanasia-Page xxi

he finally died it was only after convulsions that lasted 36 hours.”¹² We should take into consideration the torture that the patient goes through. As Stewart Alosp, a respected journalist puts it “If a person prefers and even begs for death as the only alternative to lingering on this kind of torment, only to die anyways after a while, then surely it is not immoral to help this person die sooner. No human being with a spark of pity could let a living thing suffer so, to no god end.”¹³

The Utilitarian Version of Mercy Killing Argument

Utilitarian philosophy means that actions and social policies should be judged right or wrong exclusively according to whether or not, they cause an increase or decrease in overall they cause happiness. A more formal utilitarian version of this argument is that active euthanasia is morally permissible if it produces the greatest happiness for the individual and all concerned. Conversely, an action is morally impermissible if it serves to decrease happiness or increase misery. This basic utilitarian assumption has incurred many objections from other philosophers. Today it is thought that the "*Principle of Utility*" is wrong because promotion of happiness and the avoidance of misery are certainly not the only factors that are supposed to be taken into consideration. “People might be happier if there were no freedom or religion, for if everyone adhered to the same religion beliefs, there would be greater harmony among people. Thus happiness would be increased.”¹⁴ Increase and decrease in happiness is surely not the only factor present. Even if happiness could be increased this way, it is not right to deny people the freedom of religion because people have the right to make their

¹¹ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 45

¹² Euthanasia: The Moral Issues-Page 77

¹³ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 46

¹⁴ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 47

own choices. Therefore, the first premise of the "*Principle of Utility*" is strongly contradicted, making this view weaker.

One more example which also makes the Utilitarian view weaker, is that a person maybe "leading a miserable life full of unhappiness but at the same he or she does not want to die."¹⁵ Its evident from the above saying that no matter how much the misery and unhappiness that person has in his or her life, killing the person to decrease the amount of misery and unhappiness "in the world" would be a plain and unjustifiable murder. Yet it is sometimes hard to decipher how, based on utilitarian grounds then, it could be wrong. In my view, the "*Principle of Utility*" alone is not sufficient to determine whether active euthanasia is right or wrong. Nevertheless, it is based on a sound idea. Even if the promotion of happiness and avoidance of misery are not the only important things, they still are important and even necessary considerations. So it follows that when an action or a social policy would decrease misery or increase happiness, it is morally desirable. We observe that great suffering is eliminated, and if the patient requests death, there is no violation of individual rights, regardless of the other difficulties related to "*Principle of Utility*".

In summary, Utilitarian position can be posed in the following syllogism:

- a) If an action promotes the best interest of everyone concerned and violates no one's rights, then the action is morally acceptable.
- b) In at least some cases, active euthanasia promotes the best interests of everyone Concerned and violates no one's rights.
- c) Therefore in at least some cases, active euthanasia is morally acceptable.

¹⁵ Hindu Ethics: Purity, Abortion and Euthanasia-Page 56

How can active euthanasia be wrong, provided they are restricted to the above-mentioned situations only? The proponents of active euthanasia asks “how can it be wrong to do an action that is merciful, that benefits everybody concerned, and that violates no one’s rights?”¹⁶

The Argument from the Golden Rule

The great German Philosopher Immanuel Kant (1724-1804) held one supreme principle of morality, which Kant called the Categorical Imperative or “*The Golden Rule*”. It states, “ We should act only on the rules which we are willing to have applied universally; that is, we should behave as we would be willing to have everyone.”¹⁷ The basic idea behind the Golden Rule is that moral rules apply impartially to everyone alike therefore, you cannot say that you are justified in treating someone else in a certain way unless you are willing to admit that person would also be justified in treating you in that way if your position were reversed. This rule really helps to decide whether we ought to do a certain action or not.

Let us consider an example of active euthanasia in this context. Given the physical pain a person is undergoing, one has to choose either to die without a period of prolonged pain and suffering or choose to die a death so tormenting that we are reduced to begging for death. Our family stands by helplessly, trying to comfort us but also going through their own psychological pain. It is almost impossible for anybody to choose the second option, if both the options are given to the patients. If we would be in the same situation and would want to die, we should make active euthanasia available to others

¹⁶ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 47

¹⁷ How We Die: Reflections on Life’s Final Chapter-Page 133

too. Moreover, if we do not want to exclude the possibility of euthanasia for ourselves, then we should not deny others either. The Golden Rule supports active euthanasia as far as we would want others to “put us out of our misery” if we were in a similar situation. The Golden Rule thus supports active euthanasia since no one would willfully universalize a rule, which condemns people to unbearable pain before death. It is ironic that Kant, as we have already noted, was personally opposed to active euthanasia, yet his own Categorical Imperative seems to endorse it. If Golden Rule is a supreme principle of morality, than how can active euthanasia be wrong?

Arguments Opposing the Morality of Active Euthanasia in the US

In this section, I will address various arguments that have been use to criticize the call for active euthanasia in the United States.

Arguments from the Wrongness of Killing

Some religions pose it an absolute (e.g. Judaism) “sanctity” of life and people agree that human lie is a precious gift from god is to be protected. To kill is wrong raises an obvious and immediate objection for active euthanasia, yet the rule against killing is seldom absolute. Nearly everyone would agree that it is permissible to kill in self-defense and sometimes-even capital punishment is accepted in order to deal with vicious murderers. Many Americans believe that even abortion is morally right in some cases so we can conclude from the above that, even though killing is *usually* wrong, it is not *always* wrong. Consequently, active euthanasia cannot be rules out emphatically on these grounds unless one is willing to defend the claim that all killing is wrong. Killing is objectionable only because, in normal cases, the person who is killed loses life, which is a

precious thing. “In being deprived of life, the person is harmed.”¹⁸ However, when it comes to active euthanasia, both of these reasons become unacceptable. Active euthanasia does not harm any moral values or the person by putting the person’s misery to an end by killing him. In addition, because a person asks to be killed, killing that person is still not objectionable because such form of killing is not a violation of individual rights.

Religious Arguments

Religious people often oppose euthanasia and claim that it is immoral, but there is often nothing particularly religious about the arguments they use. The following are three such arguments based on theological assumptions:

- a) **What God Forbids:** sometimes active euthanasia neither is nor viewed as morally wrong because god forbids it, by the authority of either scriptures or church traditions. One-eighteenth century religionist priest wrote that in the case of aged and infirm animals, euthanasia should not be considered. “ If thy father, thy brother or thy child should suffer the utmost pains of a long and agonizing sickness, though his groans should pierce through the heart, and with strong crying and tears he should beg thy relief, yet thou must be deaf unto him; he must wait for his appointed time till it comes, till he sinks and is crushed with the weight of his own misery.”¹⁹ When this argument is advanced, it is usually said in great confidence as though it were obvious that God requires it. However, if we look in the Bible for a direct condemnation of euthanasia, we cannot find it, but we do find numerous affirmations on the sanctity of human life and of the

¹⁸ Hindu Ethics: Purity, Abortion and Euthanasia-Page 71

fatherhood of God, and some theologians have tried to infer a prohibition of euthanasia from these precepts. We do find a clear condemnation of active euthanasia in Church traditions regardless of whether or not there is scriptural authority for it. It should be emphasized that however it is a matter of history. Today many religious leaders favor active euthanasia. Thus, it cannot be claimed that contemporary religious forces uniformly oppose the use of active euthanasia.

- b) **God's Dominion:** Our second theological argument starts from the principle, "The life of man is solely under the dominion of God. It is for God alone to decide when people shall live and when they shall die, therefore we have no right to play God."²⁰ One remarkable point concerning this argument is that people still believe it today, even though British philosopher David Hume decisively refuted it over 200 years ago. He made the simple but devastating point, "If it is God alone to decide when we shall live and when we shall die, then we *"play God"* just as much when we cure people as when we kill them. What it means is that if taking one's life is to be forbidden on the grounds that only God has the right to take it away, then saving the life of the person should also be prohibited on the same grounds"²¹. That would certainly lead us to abolish medicine, which seems highly improbable. Therefore, it is not appropriate to prohibit active euthanasia on the grounds that only God has the right to determine how long a life shall last.
- c) **Suffering and God's Plan:** This is the last religious argument we will be considering. What it literally means is that suffering is a part of life. God has ordained that we must suffer as part of his divine plan. Bishop Joseph Sullivan

¹⁹ The Origins of Nazi Genocide: from Euthanasia to the Final Solution-Page 56

²⁰ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 53

expresses this argument in his essay "*The Immorality of Euthanasia*": If the suffering patient is of sound mind and capable of making an act of divine resignation, then his sufferings become a great means of merit whereby he can gain reward for himself and also win great favors like for "the souls in purgatory, perhaps even release them from their suffering"²². If this argument were sound, it would lead to condemnation of active euthanasia to reduce suffering. If that is the case, then we are surely obstructing God's plan to give or take any kind of medicine.

The three arguments mentioned above greatly depend on religious assumptions. They are bad arguments but I am not criticizing them simply because of rejecting their religious presuppositions. Even religious people should think before accepting these arguments. Last but not the least, these are arguments that are based on assumptions.

The Possibility of Unexpected Cures

From the above-mentioned points, we can conclude that active euthanasia cannot be proved immoral based on the argument that killing is always wrong, and that most popular religious arguments against it are unsound. However, active euthanasia may be opposed because we cannot really tell when the patient's condition is hopeless. People have recovered even after the doctors had given up hope in many cases. If those patients had been killed, it would not have been good because we would have deprived somebody from living. Consequently, it could be argued that active euthanasia is immoral because we never know for certain that the patient's situation is hopeless and some may defy the odds and recover. Those who advocate this idea usually make it an opposing force for

²¹ Hindu Ethics: Purity, Abortion and Euthanasia-Page 80

active euthanasia rather than passive. We should notice that if this argument was sound, it would rule out passive euthanasia as well. For example, “ we disconnect the artificial life-support systems that are necessary to maintain life. It may be that, if we had continued the treatment, the patient would have eventually recovered”²³. Therefore, we cannot appeal to the possibility of unexpected recovery as an objection to active euthanasia without also objecting to passive euthanasia on the same grounds.

There may be some cases where euthanasia should not be considered under any circumstances. For instance, some patients are in irreversible coma. Sometimes there is a doubt whether the patient can ever wake up. However, in other cases there is no doubt, because of extensive brain damage that makes waking impossible. Some of the best minds in the medical profession have argued that, in carefully defined cases, persons in irreversible coma should be regarded as dead.

This argument surely concludes that extreme care should be taken so as to avoid other mistakes and we may perhaps conclude too that in any case where there is even the slightest doubt, active euthanasia should not be considered. But at the same time, it is wrong to assume that doctors never know when a case is hopeless. Sadly enough, we know that in some cases, there is no hope at all and, so in those specific cases, the possibility of miraculously unexpected cure cannot be held out as an objection to active euthanasia.

²² Dilemmas of Life and Death: Hindu Ethics in a North American Context-Page 112

²³ Matters of Life and Death: New Introductory Essays in Moral Philosophy-Page 54

Euthanasia in the Indian Society

The history of the concept of euthanasia in India is closely related to the human dilemmas involved in advanced old age and severe illness. The ancient view of euthanasia in India was close to suicide, in that it was generally voluntary and self-imposed although it may have been abetted, especially through the provision of poison. When we think of euthanasia in classical India, euthanasia meant “*freedom to leave*” based on religious foundations, which permitted the sick to terminate their lives. An alternative working definition for this historical study is self-willed death in response to extreme debilitation of advanced old age and or seemingly terminal nature of a disease. Utilizing these definitions, we have a lot of scope to discover what were the analogies in classical India to response to with that seen in the United States.

When one approaches the topic of death in the classical Indian context, one encounters three basic types of death: natural, unnatural and self-willed. With reference to natural death, we find that there was a strong Brahmanical (Hindu) prescription to live for a hundred years or at least to the end of the natural life span. “Those men who died naturally became the ancestors who were sustained through the offerings, ostensibly until they were reborn, as a part of the process, thereby creating a double buffer against the idea of death as annihilation”²⁴. Unnatural death by being killed in battle, by murder or by accident was viewed as violent and not to be marked by *sraddha* (self-willingly). The category of “self-willed” included three types:

Suicide: Suicide, which was prohibited, was self-willed death promoted by passion, depression or uncontrollable circumstances.

²⁴ Hindu Ethics: Purity, Abortion and Euthanasia -Page 76

Mors voluntaria herioca: We shall term this as heroic and voluntary death. It was found mainly in the milieu of the warriors in the ancient times:

- (1) A way to avoid calamity, as when a warrior avoided capture and a woman avoided rape or slavery by a conqueror through self-willed death;
- (2) A substitute for heroic death in battle that resulted in heaven;

Mors voluntaria religiosa: This type of death emphasized the religious dimensions, which were heaven, liberation and *dharma* (duty and social order based on religious principles). This type of death was found outside the warrior milieu, though it drew from this context. It was carefully distinguished from suicide that is passionate, self-willed death for reasons neither heroic nor religious. We can term this as more religious, self-willed death.

Different historical periods had very different understandings of the importance of the natural life span and the acceptability of heroic, voluntary death and religious, self-willed death. To illuminate these historical vicissitudes with the specific reference to the topic of euthanasia in India, five general observations can be made after looking at the different views of euthanasia in India:

- a) Much sympathy was expressed in classical India for euthanasia, similar to suicide, one suffering from a seemingly incurable disease or by one facing the problems related with advanced old age.
- b) Accordingly, euthanasia belonged to the category of self-willed death and was formally viewed as mercy killing of another person. Once there was a formal public declaration of the intent to perform self-willed death, helping the person was allowed. The individual's choice and will power to implement it was

therefore mandatory when euthanasia was accepted in the pre-modern Indian context.

- c) The phenomenon of euthanasia was intimately related to a large category of heroic and religious self-willed death. This in turn was related to a broader context of violence and nonviolence in Indian society and religion.
- d) Although there was a positive evolution of euthanasia in classical Hinduism, strong criticism developed in the 10th century which suggested that abuse occurred either out of euthanasia proper or of other forms of heroic and religious, self-willed death which was closely associated, despite attempts to define the parameters.
- e) The Indian Penal Code, based on the British Law at the time of the *Raj* (period of British rule in India) views suicide as a criminal act. Because suicide has been interpreted as inclusive of all the forms of self-willed death, euthanasia became illegal with the advent of British Law in India.

Hindu ethics can be divided into two schools of thought, one of them think that they have the correct answer to the question of the moral justifiability of active voluntary euthanasia. Hindu traditions, in reality do not cast a clear vote on active euthanasia. “Its unitive philosophy and consequent reverence for life invest it with prima facie bias on the side of protecting and preserving life in all circumstances. As such, it condemns all acts that destroy life. At the same time, Hindu ethics display a certain tolerance and flexibility in the context of individual intentions, motives and circumstances.”²⁵

²⁵ Denial of the Soul: Spiritual and medical Perspectives on Euthanasia and Morality-Page 212

Arguments Opposing the Morality of Active Euthanasia in India

From widespread and ancient practice of assisted suicide, Indian society can make a moral argument for active euthanasia because, according to Indian Hindu ethics, the two practices are essentially one. “The only difference between assisted suicide and active voluntary euthanasia is that in the case of the latter the decisive deed is performed by another.”²⁶ On the level of intention, attitude and outcome, both forms of participation are virtually the same. In practice, assisted suicides as practiced by the ancient Indians and active euthanasia are only instrumentally different, but are one in terms of ends and consequences. By active euthanasia, we mean the intentional ending of the life of a terminally ill or dying person who is enduring intractable pain and who wishes a merciful end to life. The two main objections against the morality of active euthanasia are based on the doctrines of *Karma* (Deeds) and *ahimsa* (Non-violence).

Karma:

In the fall of 1988, the magazine *Hinduism Today* (a major religious magazine in India) published a three-part series on euthanasia featuring “*The Swamis (Religious Priests) Views*”. According to this article, “Life has been brought to this world by god, and this life should naturally go, but not by artificial means. We should try to minimize the sufferings. Apart from this, nothing should be done. Life does not end at the body’s death. Just because a law to give lethal injection is passed in the United States that does not make it right. A Hindu doctor should not do that.”²⁷ It is not advisable to request a lethal injection because it is believed that it is a form of suicide, which will affect their process of reincarnation.

²⁶ The Dilemmas of Euthanasia-Page 107

REINCARNATION: THE WHEEL OF REBIRTH

This vast universe is a wheel. Upon it are all creatures that are subject to birth, death, and rebirth. According to the doctrine of karma, for every morally determinate thought, word, or action, there will be corresponding karmic compensation, if not in this life, then in some future life.

Our examination of the functioning of the law of karma has shown that, within the traditional schools, it is granted that enlightened actions have effects in one's life and indeed they will eliminate the accumulated karmas, both of the past and the present which have not come to fruition. Euthanasia ensures a merciful death because a person can leave this life with consciousness unclouded by the stupor of drugs. However, any form of suicide, like lethal injection, would plunge them back into mortal existence because of some unexhausted karmas. The strength of karma depends on the intention of doing it, the action itself, and most importantly, its completion. The way it affects the process of reincarnation is that if the person was not allowed to die or was not permitted for active euthanasia in the first place, there would not have been any unexhausted karmas, which in-turn would not have plunged them back into the cycle of rebirth.

A religious leader in India comments that "a lethal injection severs the astral '*silver cord*' connecting the astral body to the physical. Those involved then take on the remaining karmas of the patient"²⁷. The wish of the patients demanding active euthanasia should not be fulfilled because the suffering, which they are undergoing can be healing and cleansing. It is encouraged that every soul should live in the physical body as long as

²⁷ Religious Sayings on Hinduism and Euthanasia-Page 56

²⁸ Hindu Ethics: Purity, Abortion and Euthanasia-Page 91

it naturally lasts, to experience all karmas, good, bad and mixed, so that these karmas will not be carried into the next reincarnation.

Traditionally two types of karmas have been distinguished: *anarabdha*-Karma and *prarabdha*-Karma. The first type of Karma refers to that which has not begun to bear fruit; and the second type refers to karma that has already come to fruition. The latent Karma of the first type could either refer to our accumulated karma from the past lives (*sancita-Krama*), or the karma generated in the present (*vartamana*-karma). The tradition also states that activity arising from selfish motives produces good/bad karma. Disinterested actions performed in the present not only are free of binding consequences but also can help to dissipate Karma from prior incarnations. “Only the results of Karma that has begun to exfoliate cannot be avoided, and must be endured until fully depleted”²⁹. Thus even with the traditional view of karma, there is room for action which can undo the effects of the past as well as the present. With the proper motives, the person has it in their power to turn back the past and transform the present. According to Hindu ethics, the law of *karma* can be disastrous when it comes to the performance of social service. Based on its deterministic logic one should not render service to some sufferer in fulfilling their demand of active euthanasia. Our actions might be interfering with the suffering of the individual, which they earned to their credit for some past or present deeds.

Ayurvedic Philosophy of Caraka:

Caraka is ‘**common sense eclecticism**’, which means a person is said to reap the fruit of actions performed in a previous lifetime, along with the consequences of deeds

²⁹ Dilemmas of Life and Death: Hindu Ethics in a North American Context-Page 119

that are excessively good or bad and that the ripened fruits of deeds performed in the present existence set the pattern of future birth, its duration and types of experiences. In Caraka, only the fruits of extreme evil cannot be arrested by good deeds. Caraka allows room for human efforts to cover the effects of ordinary immoral actions by the use of intelligence, wisdom, balanced conduct and recourse to medicine. Only the fruits of immensely good or bad moral actions cannot be averted by these means. When it comes to *Karma*, some groups of people believe that karmic ties to the past can be severed by the power of will, whereas some groups of people hold the opinion that our deeds are our destiny, fixing the nature of our birth, our life span and other experiences. Caraka avoids these extremes, grounding the position of karma theory in the science of medicine.

Ahimsa (Non-violence): The second objection to active euthanasia from within the Hindu Tradition states that it is a violation of *Ahimsa*. Hindu cults revere *Ahimsa* as a cardinal virtue. In the Upanishads, *Ahimsa* is associated with “austerity, alms-giving, uprightness...truthfulness as one’s gifts from the priests.”³⁰ *Ahimsa* is the key concept for understanding Hinduism’s view of the sacredness of life. With such a virtue, how can one morally justify the taking of a life, even when that is done upon the request of the individual itself?

Mahatma Gandhi, (man who’s made *Ahimsa* synonymous with Hinduism) said, “It can be defined as utmost selflessness. It means complete freedom from a regard for one’s body. *Ahimsa* does not simply mean non-killing. *Himsa*, which I the antonym of *Ahimsa*, means causing pain and killing any life out of anger, from a selfish purpose, or with the intention of injuring it. Refraining from so doing is *Ahimsa*”³¹. Thus, by looking

³⁰ The Aspects of Hindu Morality-Page 78

³¹ Hindu Ethics: Purity, Abortion and Euthanasia-Page 85

at Gandhi's analysis, we do not violate the principle of *Ahimsa* in the context of the benevolent taking of life, where the well being of the victim is our sole motivating force.

Arguments Supporting the Morality of Active Euthanasia in India

In this section, I will address various arguments that have been used to support the call for active euthanasia in India.

Arguments from the Meaning of Death

In Vedic times, life in this world was seen as good: to be lived vigorously and to be lived long. The concern for an abundant life before death is celebrated in Hindu mythology, where the magical restoration of youth is conceived through various means. With the popularization of the notion of *Karma*, the evils encountered in life were counted as retribution for the past deeds, giving or spreading a deceptive view over the previous exuberance of life and living. Together these elements shaped the Hindu concept of reincarnation.

Popular Hinduism has placed less faith in good works and in rituals, and has preferred to rely on the grace of chosen deities-*Shiva, Vishnu, Krishna*. "It also relies on the attainment of celestial bliss by concentrating on a religious thought at the moment of death, and the most auspicious death is the one that takes place in the holy city of **Benares**, where the ashes of one's mortal remains can be hallowed by the waters of the river Ganges"³². Throughout history, Indians have drawn on these beliefs in the hope of a heavenly destiny and the avoidance of suffering in some hellish afterlife. People have also cherished another tradition, rooted in the Upanishads, which sees "human existence

³² Dilemmas of Life and Death: Hindu Ethics in a North American Context-Page 120

as devoid of ultimate meaning and as the scene of suffering”³³. Our good or bad deeds are directly proportional to our reincarnate legacy. By enlightenment, a person can discover the true self, and thereby end the cycle of rebirths. “During the past 2500 years, the most authoritative and esteem sages and thinkers in Classical India have viewed death... as a pervasive fact of cosmic existence in which men are imprisoned. But these same sages and thinkers have also stated that death, when viewed from a slightly different point of view, may serve as paradigm for a truly soteriological (The theological doctrine of salvation as effected by Jesus) experience of Release; it is at the point of death, they noted, that the soul which has been dragged into the cycle of transmigration gains, for a very brief moment, a certain separation from the grosser elements of psyche and body that hold it in bondage. Thus, at this most profound level of Indian thought, death comes to serve as a pre-figuration and model for various meditations and disciplines through which the ties that binds a man’s self to cosmic impermanence can be completely broken, and thought which the ultimate soteriological goals of immortality and freedom can be finally and definitely gained. True bliss is therefore discovery of oneness with the One. That is the Life of life and the death of Death.”³⁴

In a nutshell, a “*good death*” is a spiritual death. The individual is in a psychologically balanced state of mind, composed and in control. His heart and mind are free without the wish to either live or die. To ensure such a death, Hindu ethics permits the purposive shortening of a person’s life.

³³ The Aspects of Hindu Morality-Page 83

³⁴ Dilemmas of Life and Death: Hindu Ethics in a North American Context-Page 116

Arguments from the Meaning of Life

My chief source concerning this will be the *Samnyasa Upanishad*. It tells us that, “Essentially the experience of freedom through realization of one’s true self, and this experience transcends not only the concerns and questions of ritual but also of ethics. Liberation is metaritual and metaethics.”³⁵

The chief characteristic of renunciation is detachment. A person’s life is so internally self-sufficient that he does not have to attach himself to anyone or anything on earth or in heaven to know permanent bliss. Only when indifference towards all things has arisen in their minds do they seek renunciation. Its applications to euthanasia are many, but I will mention the most salient ones.

First, the followers of Hinduism would agree that physical suffering can surely drive a person to the point of asking that life should be ended. Nevertheless, a greater concern is that physical suffering is existential suffering, which keeps one fettered to many such lives. Yet, physical suffering can impede the self-possession that makes deliverance from the cycle of rebirths possible. In the event of intractable pain, a self-realized being, who has already stopped the ‘wheel’ of life, may mercifully have someone break the momentum of his limited moments. Spiritually he has left this world and is considered dead. By analogy, the physical deed brings down the curtain on a magic show that is already over.

Second, the overwhelming emphasis that Hinduism places on spirituality makes it diametrically opposed to a doctrine of what it means to be human. “The question the Hindu tradition asks in the context of active euthanasia is: Is *human* life adequately represented by mere biological functioning, or is something else needed to qualify as a

human life? It is a question of *personhood* while still being alive”³⁶. The answer that Hinduism gives to this question is that *living* is more than being alive. This places Hinduism squarely on the side of those who argue for active euthanasia on the grounds of the quality of life over the claims of vital existence.

Third, in the Hindu tradition, the person who has conquered all attachments is at the apogee of renounce. Detachment is the necessary condition for renunciation, especially detachment from the body. As the composite of matter, the body is impermanent and therefore to relate it as permanent is gross ignorance.

In this light, Hinduism sees the state of American medicine as a crisis of faith and theology. “ A positivist style of heroic medicine finds itself technologically difficult to detach itself from the delusions of immortality. Attachment to the regimen of tenacious maintenance of life makes it hard to distinguish between the prolongation of living and the prolongation of dying”³⁷. Hinduism says that agonizing moments sometimes arises when the drive for self-preservation must halt and even Ahimsa must yield to the request to end it all.

Arguments from the Golden Rule

Hinduism’s strong sense of the sacredness of life expresses itself in diverse forms, including the Golden Rule. There are various instances in the epic literature of India. The Mahabharata first exhorts the norm of self- similitude. “ Good people do not injure living beings; in joy and sorrow, pleasure and pain, one should act towards others as one would have them act towards them”³⁸. The basic idea behind the Golden Rule is, as Kant

³⁵ Hindu Ethics: Purity, Abortion and Euthanasia-Page 90

³⁶ Denial of the Soul: Spiritual and medical Perspectives on Euthanasia and Morality-Page 131

³⁷ Dilemmas of Life and Death: Hindu Ethics in a North American Context-Page 123

³⁸ The Aspects of Hindu Morality-Page 101

suggested in the West, that a person should act only on those rules he or she would have willingly applied universally.

The ethical principle on which Kant and other philosophers are making their arguments is the principle of “*universalization*”. In Hindu ethics, this principle is embodied in the quality of *daya* or compassion. It does supply a moral motive, but that does not necessarily justify some of its outcomes. In Hinduism, the justification of compassion comes not from its nobility as a virtue but from its universalizing source, which finds identity with the whole human race. If we want active euthanasia under extreme circumstances to apply to us, then it ontologically follows that we must want the same rule to apply to others. In other words, we should act in the manner in which we would want others to act with us, especially in the case of active euthanasia.

Conclusion

In my knowledge, Hindu societies vary in a wide range of different attitudes towards active euthanasia when different religions and cross-cultural views are taken into consideration. Hindu ethics are not passive in the face of suffering. Karma does not give us the right to keep people alive and in pain when all they want is a peaceful death. If there is suffering because of some sin, it is no less a sin to let them suffer.

Now the question, which I would like to address is: What can India today learn from the modern Western debate in the light of India’s own history on this topic, and what can the West learn from the traditional Indian views on euthanasia?

It must be remembered that the West, for centuries, has had a supposition that individuals are to live out their natural life span. This does not mean that people in the West should take this supposition for granted. For humane reasons, a strict legal

definition of withdrawal of treatment is now viewed as acceptable, and the west should be aware of the freedom to permit 'self-willed death' under any circumstances. The ancient Hindus too had the supposition of a long life. After the Vedic age, this began to erode, and at times was abused on account of growing popularity of religious, self-willed and sociological factors that may have pressured the individual to will his/her own death. I would like to share the lesson I learnt from this study of active euthanasia with my readers. In the ancient Hindu context, it is extremely difficult to limit self-willed death to certain contexts and to prevent abuse even when there is a strong religious disposition to live up to the natural life span.

Any perspective that contributes pessimism at the level of decisiveness relating euthanasia must be re-evaluated. "It maybe far easier to erode life affirmation than to build it anew out of a pervasive pessimism. The danger lies in that, what starts out as a justification for an exception, such as euthanasia in special circumstances, may pave the way to core general acceptance of self-willed death so that individuals take the matter into their own hands and bypass legal restrictions"³⁹. It maybe said that there are good reasons for all cultures to be sensitive to the human dilemmas involved in the dying process. In my view, this issue involves not only the individual but also the family and society. History, religion, and law must all inform today's reflection on active euthanasia. It is hoped that the present study contributes to the ongoing discussion on a cross-cultural basis. To maximize the respect for and support of life, active euthanasia should be limited legally to cases of extreme terminal illnesses. Precaution must be taken to ensure that, the individual, given any difficult situation, does not make the decision for self-willed death all by themselves. This is because they may not be in a proper state of mind, while

making the decision of self-willed death. I sincerely hope that active euthanasia is like a beautiful plant, which can thrive in both soils, eastern and western. I conclude my thesis with this painful thought:

“The hour of departure has arrived and we go our ways,
I to die and you to live, which is better only the God knows”
-Helen Rose

³⁹ Hindu Ethics: Purity, Abortion and Euthanasia-Page 120

Table-I

	Voluntary	In-Voluntary	Non-Voluntary
Active	1) Asks for death 2) Administers the means of death, and A's death ensues	1) Makes no request for death or may express a wish to live 2) Administers the means of death, and A's death ensues	1) Patient is unable to form or express a judgment in the matter. 2) Administers the means of death, and A's death ensues
Passive	1) Asks for death 2) Withholds or withdraws life-supporting drugs or mechanisms and A's death ensues	1) Makes no request for death or may express a wish to live 2) Withholds or withdraws life-supporting drugs or mechanisms and A's death ensues	1) Patient is unable to form or express a judgment in the matter. 2) Withholds or withdraws life-supporting drugs or mechanisms and A's death ensues

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