

Topic of the week for discussion: 21st to 27th May 2015

Topic: Euthanasia is right to die?

The recent death of terminally ill nurse Aruna Shanbaug has once again ignited the debate on a very sensitive topic called Euthanasia, also called Mercy Killing.

Euthanasia is described as the deliberate and intentional killing of a person for the benefit of that person in order to relieve him from pain and suffering. The term 'Euthanasia' is derived from the Greek words which literally means "good death" (Eu= Good; Thanatos=Death)

The other terminologies used for either same or similar meaning concept are Physician Assisted Suicides (PAS), Right to Die, Aid in Dying, Death by Dignity, etc.

Though with Aruna's case, passive euthanasia is legalised in India. As of 2015, euthanasia is legal only in the Netherlands, Belgium, Colombia and Luxembourg. Assisted suicide is legal in Switzerland, Germany, Japan, and Albania and in the US states of Washington, Oregon, Vermont, New Mexico and Montana. Euthanasia was criminalized in Mexico, Thailand, and the Northern Territory of Australia

Unveiling of the Concept:

The difference between voluntary/ active euthanasia and passive euthanasia is exactly the difference between Act vs Omission. Whereas the former one is assisted, the latter one is defined as the physician's abiding by the rational valid refusal of life-sustaining treatment of a patient or his surrogate decision-maker.

While the discussion is fiercely going on nationally all these years, it is often overlooked that patients have the common law right to refuse any medical treatment. A doctor who treats a patient against his or her express wishes can be charged with assault. It would be wise to educate people as to their right to refuse treatment. There is no need to convert this well-established legal principle into legislation.

The concern, however, remains that regardless of the intention of "right to die" or "aid in dying" laws, they could very easily open the door to active euthanasia.

What if the doctor puts the patient to death and claims it to be euthanasia?

What if the legal heirs do the same for their ulterior motives?



Topic
Introduction

On the contrary, one also wonders about the over burdening of medical fraternity and infrastructure with these terminally ill patients and argues that these facilities can be shifted to the more needy ones. Moreover, one also argues of the prolonged pain and suffering of the patient on vegetative state. Also, the question of dignity to die haunts one.

But there is thin line between the patient's right to refuse medical treatment and forced death. The following example will throw some light on the paradox.

Holland is widely regarded as one of the world's most civilized countries. Active euthanasia is legal there, but for the past decade the government has not prosecuted doctors who report having assisted their patients to commit suicide.

A recent Dutch government investigation of euthanasia has come up with some disturbing findings.

- In 1990, 1,030 Dutch patients were killed without their consent.
- And of 22,500 deaths due to withdrawal of life support,
- 63% (14,175 patients) were denied medical treatment without their consent.
- Twelve per-cent (1,701 patients) were mentally competent but were not consulted

These findings were widely publicized before the November 1991 referendum in Washington State, and contributed to the defeat of the proposition to legalize lethal injections and assisted suicide.

These all legal and moral angles to the issue jeopardizes our opinion and makes make the entire concept so ironic, because the decision maker is no sufferer and the sufferer is no decision maker.

But, the alternatives that can be pondered upon are appropriate medical care - including 1) the withdrawal of treatment upon patient request, or if that treatment serves no therapeutic purpose; and 2) dispensing drugs as necessary to control pain. No doctors, laws, or organizations oppose ceasing care when the time to die has arrived.

Read further:

<http://medind.nic.in/jbc/t14/i1/jbct14i1p59.pdf>

<http://www.managementparadise.com/forums/hot-debates-big-fight/171478-should-euthanasia-mercy-killing-legalized-india.html>

<http://www.firstpost.com/living/the-unbearable-agony-of-being-aruna-shanbaug-a-great-injustice-331622.html>