



## Euthanasia in the Light of Hinduism and Mill's Liberalism

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### ABSTRACT

Euthanasia is a controversial issue and there are arguments for and against it from humanitarian and religious view points. Almost all the religions are against voluntary death, except for Hinduism in which the concept of Samadhi or voluntary death is accepted. Probing deeper, we find that there is nothing in Hinduism that deplores euthanasia. Another defence of euthanasia can be given by analyzing Mill's liberalism from a broader perspective. Though Mill did not directly support euthanasia, but his arguments can be a powerful tool for endorsing euthanasia. Thus, the subject of euthanasia can be looked at from new perspectives in light of Hinduism and Mill's liberalism.

### KEYWORDS

The Supreme Court of India on 16<sup>th</sup> July, 2014 issued a directive to all States and Union territories on plea for legalizing euthanasia, asking for a nation wide debate on euthanasia.

The word euthanasia comes from the Greek word euthantos. Eu means good and thatos means death. Thus in literal sense euthanasia means good death. For death to be good, life should be worse than death. Such a situation can arise in case of incurable, painful disease or comatose. In these circumstances, life becomes unbearable burden. So when doctor ends the unbearable and incurable suffering of the patient by killing him, such a killing is called euthanasia or mercy killing because the doctor here feels mercy for the patient and this is the objective behind killing in euthanasia. On the basis of method we have two types of euthanasia.

1. Active euthanasia means taking a direct action to kill the patient by means of injecting him with some lethal injection or drugs.
2. Passive euthanasia, on the other hand, means withdrawing life support devices so that the person gets killed.

On the basis of nature again we have two types of euthanasia:

- a. Voluntary euthanasia means where the patient has given his consent for being killed.
- b. Involuntary euthanasia means where a person has not or not been able to give consent. This can happen in certain conditions like that of comatose.

The problem of euthanasia is a complex question of law and ethics and a highly controversial topic, more so from moral and ethical perspective. From the legal angle, it is legalized in few countries and is illegal in many countries. The laws are framed for the good of the society. Good and evil are the subjects of ethics. If the ethical dilemma is resolved, it would be easier for the law makers to frame the laws accordingly. Ethics again stem from religion or from the point of view of humanity.

### Euthanasia and religious view points:

From religious view point the arguments against euthanasia stem from the Judeo-Christen-Islamic attitude towards suicide. In biblical world view, suicide is self murder and thus against the commandments of God and so a sin. In Judaism those who committed suicide were buried in a separate cemetery and denied proper burial rights. In Islam, Prophet Muhammad forbade suicide and declined to bless the body of one who had ended his life. As the British established the modern Indian legal system in India, their Christian beliefs manifested when those who attempted suicide were treated as criminals,

rather than with compassion. Before the rise of the Christianity, there was not much negativity regarding suicide or assisted suicide. For instance, the Greeks were not uncomfortable with the idea of consuming hemlock (poison). Japanese turned the practice of suicide into an elaborate ritual called hara-kiri or seppuku which was part of the Bushido code of Samurai warriors. Hindu religion however considers human being as essentially as a spiritual being and human life as one of the many lives and the ultimate aim in Hinduism is moksha or liberation from the cycle of birth and death. Thus, death is an end to human misery and birth is beginning of human life which is full of troubles. So the attitude towards death is not negative. In Mahabharata, Bhishma had boon of Ichamaran, that he could choose death according to his wish. In Ramayana, Lord Rama chose to enter river Sarayu to attain Jal Samadhi. Those who do not share Hindu beliefs may look at Samadhi as a euphemism for voluntary suicide.

Thus we see that while other religions like Islam and Christianity are basically against euthanasia, Hindu beliefs are in consonance with it. India had been a colony of British and thus even after independence the British laws influenced the law making in India. Thus in independent India suicide was made illegal and it was indeed the Christian view point that had in turn influenced the British thinking. Apart from religion, there are arguments for and against euthanasia from humanitarian view point.

### Euthanasia and humanitarian view points:

Certain arguments have been given by philosophers against and for euthanasia from humanitarian view point. According to Yale Kamisar, rational thought is impossible in case of a terminally ill patient who is suffering from acute pain. Patients suffering from intense pain will often give consent to almost anything that will provide relief to them and they prefer death to life. Hence the consent given for death can not be considered for voluntary or rational. In a similar vein, Gay Willim argues, "euthanasia does violence to our dignity. Our dignity comes from seeking our ends. When one of our goals is survival and actions are taken to eliminate that goal, then our natural dignity suffers. Joseph V. Sullivan also speaks against euthanasia. He maintains that those who advocate euthanasia have confused sense of values and choose an evil to attain some aspect of good. According to Wedge principle, if euthanasia is allowed, then the Wedge can widen further and it may include the defective new borns, aged persons and severely crippled. Tom L. Beauchamp says, "proponents of Wedge arguments believe that once killing is allowed, a firm line between justified and unjustified killing cannot be securely drawn..... Our basic principles against killing will be gradually eroded, once some form of killing is legitimized. Similarly, proponents of euthanasia give their arguments in fa-

vour of euthanasia. For instance, James Rachels says, "if a person prefers and even begs for death as the only alternative to lingering on in this kind of torment, only to die anyway after a while, then surely it is not immoral to help this person die sooner. No human being with a spark of pity will let a living thing suffer, to no good end.

Another argument that Rachels gives, is that of golden rule, according to which you should treat others in ways that you would be willing to be treated yourself. Rachels applies these principles to euthanasia. He argues that every one has to die one day but there are two options of death.

1. The first option is to die easily, quietly and peacefully without pain from fatal injection.
2. The second option is to die of an incurable affliction with horrible pain and sufferings for several days before death with family members watching helplessly and going through psychological hell. Rachels contends that when confronted with these two possibilities, no sensible person would choose the second option and anyone would choose the first option.

An American Professor Brandt argues that voluntary euthanasia, both active and passive is permissible in case of defective new born infants. He says that it is mere stupid cruelty to allow the child to languish in the bed to suffer and also let others involved with the child suffer in watching the child suffer. If death is the outcome that will eventually happen, it is far kinder for it to come quickly and painlessly.

However, yet another vital defence for euthanasia can be given if we interpret the thoughts of one of the greatest liberals, J.S.Mill from a broader perspective. Mill has been one of the greatest advocates of individual liberty. In his essay "On Liberty," Mill has tried to divide human actions into two spheres: 1) self regarding and 2) other regarding

According to Mill, in the self regarding sphere man alone is sovereign. In Mill's opinion over oneself and his own body and mind, the individual is sovereign. If we examine Mill's theory it is evident that Mill has emphasized that an individual alone has complete control over his body and mind and so he alone can take decisions regarding his body, mind or life. State in this self regarding sphere has no right to interfere. In other words, state cannot enact a law that violates man personal freedom which affects individual alone. This can be a powerful argument for the support of euthanasia as liberty means complete freedom over one's body and mind. So to keep or destroy one's body is the concern of the individual. Thus by prohibiting euthanasia, state is actually curtailing man's liberty. Also, the society too has no right to condemn an individual if he takes a decision for opting for euthanasia because

Mill considered social conventions and norms also as the enemy of the individual liberty. In this light, voluntary euthanasia can definitely be justified because it involves the decision of an individual to end his life and by this argument both active and passive voluntary euthanasia is justified. James Rachels believes that there is no moral difference between active and passive euthanasia. Rachels argues that once a doctor decides that death would be better for a patient, it does not matter whether he actively injects to kill him or withdraws life supporting devices to let him die.

If we apply Mill's concept of self regarding actions, in case of passive euthanasia the patient has to take the decision and give consent for the withdrawal of life support system and again in the case of active euthanasia, it is the patient who has to take the decision and give consent to the doctor for giving him the lethal injection. The method may vary in active and passive euthanasia but in both the cases, it is the choice and the decision of the patient to end his life, his body and thus both the cases fall in the category of self regarding actions and hence state laws denying euthanasia are actually the denial of space to an individual, which Mill's self regarding sphere extends to a person.

### Conclusion:

Thus it can be concluded that from the humanitarian point of view, there is strong defence for euthanasia but Mill's theory provides another strong liberal endorsement for euthanasia. Mill was a great believer in liberty of person and individualism. Similarly, out of all religions, it is the Hindu religion which really does not take negative view of death. Mill's individualism and Hindu religion may apparently seem to be contradictory to each other because the greatest abode of Hinduism- India is traditional country, where social control is quite greater than western countries and Mill's individualism was the by-product of western liberalism but if we carefully analyze Hindu religion, we see streaks of individualism in it. Gita, the greatest and the most sacred book of Hindus propagates theory of Karma. It is this theory of Karma which other Indian sages and philosophers like Vivekananda have vouched for. The theory of Karma states that every human being alone is responsible for his Karma (or action) and has to reap the direct results of his actions (both good and bad). An individual is thus responsible not for his spiritual advancement but he alone is responsible for his material advancement and destiny. The individual has the freedom to make his choice, which will affect the individual alone. Hindu religion thus teaches an individual to concentrate upon himself, his thoughts, words and action and ultimately for one's own salvation. The traditional Hindu society is making first strides towards individualism. India thus seems to be a perfect place for legalizing voluntary euthanasia and Supreme Court's directive of 16<sup>th</sup> July is a welcome step in this direction.

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