

Euthanasia and assisted suicide in the modern world

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While the problem of euthanasia is an ancient one[3] it has, in recent years, acquired a new relevance and has increasingly been the subject of public debate, government inquiries, and legislative reform activity [16; 13].

The word «euthanasia» originated in Greece meaning a good death.[4] Request for premature ending of life has contributed to the debate about the role of such practices in contemporary health care. This debate cuts across complex and dynamic aspects such as, legal, ethical, human rights, health, religious, economic, spiritual, social and cultural aspects of the civilised society.

Here we discuss this complex issue from both the supporters and opponents' perspectives, and also attempts to present the plight of the sufferers and their caregivers.[8] Today, however, euthanasia often gets a second meaning, an act or omission designed to hasten death and thus relieve the suffering of a dying or incurably sick patient.[13; 316]

Why do people want euthanasia?

Most people think unbearable pain is the main reason people seek euthanasia, but some surveys in the USA and the Netherlands showed that less than a third of requests for euthanasia were because of severe pain. Terminally ill people can have their quality of life severely damaged by physical conditions such as incontinence, nausea and vomiting, breathlessness, paralysis and difficulty in swallowing. Psychological factors that cause people to think of euthanasia include depression, fearing loss of control or dignity, feeling a burden, or dislike of being dependent.[10]

'Everyone's right to life shall be protected by the law.[12] The right to life is the fundamental human right. If this right is absent, all other rights to liberty, privacy, family life and so on are meaningless. Society may not demand that a human being achieves a set level of intellect or ability to assert that right to life.

Various arguments are commonly cited for and against euthanasia and physician-assisted suicide.

Arguments for:

- It can relieve unbearable suffering of the patient/
- Dignity: Every individual should be able to die with dignity.

- Resources: It makes more sense to channel the resources of highly-skilled staff, equipment, hospital beds, and medications towards life-saving treatments for those who wish to live, rather than those who do not.

- Loved ones: It can help to shorten the grief and suffering of loved ones.[15]

- Encouraging the organ transplantation: Euthanasia for terminally ill patients provides an opportunity to advocate for organ donation. This in turn will help many patients with organ failure waiting for transplantation. Not only euthanasia gives 'Right to die' for the terminally ill, but also 'Right to life' for the organ needy patients.[1]

Arguments against:

- Patients may lose trust in physicians. If a physician could save a life and, on the other hand, could end a life, it would create ambiguity in the duty of the physician. This would undermine the patients' trust in doctors and would in turn erode the medical profession.

- A patient's decision may be affected by pressure from a relative.

- Sanctity of life. From the religious point of view, "nothing and no one can in any way permit the killing of an innocent human being, whether a fetus or an embryo, an infant or an adult, an old person, or one suffering from an incurable disease, or a person who is dying".

- The patient's right to die does not mean the physician's right to kill.[2]

The practice of euthanasia in the world:

- In the Russian Federation, Federal Law "On the Fundamentals of Health Protection in the Russian Federation" Article 45 of the Law 323 prohibits euthanasia of patients, following the legislation of other European countries like Portugal and Greece.[5] According to the law, "euthanasia means the acceleration at the request of the patient's death by any action (or inaction) or facilities, including the cessation of artificial measures to maintain the patient's life".

- In The Netherlands, where the 'great experiment' on euthanasia is now in train, commentators suggest a significant number of patients have their life ended without their express consent. Others express the desire to die but do so out of fear of burdening their families.[6]

- The Belgian parliament legalised euthanasia on 28 May 2002.[9]

A survey published in 2010 reported that those who died from euthanasia (compared with other deaths) were more often younger, male, cancer patients and more often died in their homes. In almost all cases, unbearable physical suffering were reported. Euthanasia for nonterminal patients was rare. There have been about 1,400 cases a year since the law was introduced, and a record 1,807 cases were recorded in 2013.[7]

- Denmark parliament has assigned ethics panels over the years that have advised against legalisation each time[] however it is still not specifically outlawed and a study published in 2003 showed 41% of deaths under medical supervision involved doctors taking "end-of-life"

decisions to help ease their patients' suffering before death (about 1% of which were via prescription drugs).[11]

- Active euthanasia is illegal in the United Kingdom. Any person found to be assisting suicide is breaking the law and can be convicted of assisting suicide or attempting to do so.[14]

The proponents of euthanasia support the practice based on the principle of autonomy of the individual and the ethic of compassion. The autonomy of the individual is thought by some to override all other moral standards. Modern culture views pain and suffering as disgraceful and undignified, and insists the pain and suffering experience be removed by any means.

The target of medicine are health, cure, and care. There is no role for the physician in euthanasia and assisted suicide. The physician must care for the ailing patient with love and compassion, treating physical and emotional pain always with respect, preserving the person's dignity, and never cause any harm. The taking of innocent life is never a moral act.[13]

We agree with the laws of countries where euthanasia is prohibited because the fear is that if euthanasia is allowed, vulnerable people will be put under pressure to end their lives. In this case, there will be new crimes.[17]

References:

1. Article 2(1) of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Available at: https://www.echr.coe.int/Documents/convention_ENg.pdf
2. AUMONIER, N.; BEIGNIER, B.; LETELLIER, P. L' euthanasie. Paris: Presses Universitaires de France, 2012. Available at: <https://b-ok.org/book/857638/a34862>
3. Doctor-assisted euthanasia common in Europe. Available at : http://www.abc.net.au/science/news/health/HealthRepublsh_916856.htm
4. End-of-life decision-making in six European countries. descriptive study. Available at.: <https://www.thelancet.com/pb-assets/Lancet/extras/03art3298web.pdf>
5. Ethics of euthanasia – introduction. Available at: <http://www.bbc.co.uk/ethics/euthanasia/overview/introduction.shtml>
6. Euthanasia and assisted suicide Available at:. <https://www.medicalnewstoday.com/articles/182951.php>
7. Euthanasia and Assisted Suicide: The Physician's Role. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6026994>
8. Euthanasia revisited. Available at: <https://academic.oup.com/fampra/article/19/2/128/490935>

9. Euthanasia: Right to life vs right die. Available at:
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3612319/>
10. Legal Euthanasia in Belgium: Characteristics of All Reported Euthanasia Case. Available at : <https://insights.ovid.com/crossref?an=00005650-201002000-00015>
11. Moniteur Belge - Belgisch Staatsblad. Available at: www.ejustice.just.fgov.be
12. Overview of anti-euthanasia arguments. Available at:
http://www.bbc.co.uk/ethics/euthanasia/against/against_1.shtml#section_10
13. See Mason JK, McCall Smith RA. Law and medical ethics 4th edn. London: Butterworths 1994. Available at: <https://www.lawteacher.net/law-dissertation-topics/medical-law.php>
14. The law and practice of euthanasia in The Netherlands. Law Q Rev 1992; 108. Available at: https://en.wikipedia.org/wiki/Euthanasia_in_the_Netherlands
15. The law and practice of euthanasia in The Netherlands. Law Q Rev 1992; 108:
Lewy G. Assisted suicide in US and Europe. New York: Oxford University Press, Inc; 2011. Available at: http://www.academia.edu/6162797/EUTHANASIA_AND_THE_RIGHT_TO_DIE
16. The Suicide Act 1961 of the Parliament of the United Kingdom. Available at:
https://en.wikipedia.org/wiki/Suicide_Act_1961
17. Voluntary Euthanasia and the Common Law. Contributors: Margaret Otowski - Author. Publisher: Clarendon Press. Place of publication: Oxford. 1997 See Mason JK, McCall Smith RA. Law and medical ethics 4th edn. London: Butterworths 1994. Available at:
<https://www.questia.com/read/37069667/voluntary-euthanasia-and-the-common-law>