

EUTHANASIA: AN ISLAMIC ETHICAL PERSPECTIVE

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Abstract

The popular Egyptian scholar Sheikh Yusuf al-Qaradawi, recently issued a fatwa, or religious ruling, equating euthanasia with murder, but allowing the withholding of treatment that is deemed useless. Egypt Sharia courts and qadis are run and licensed by the Ministry of Justice. The personal status law that regulates matters such as marriage, divorce and child custody is governed by Sharia. In a family court, a woman's testimony is worth half of a man's testimony.

One of the most important factors which determines society's attitude towards euthanasia is religion. As there are various sects and tariqas (manner, creeds) in Islam that cause significant differences, it is important to begin with an overall review of Islamic approach to euthanasia. But there are important differences between Islamic countries. The first group contains the countries which are governed by Islamic rules. These countries accept sharia (the code of law derived from the Quran and from the teachings and example of Prophet Mohammed) as their legal and administrative code, like Iran and Saudi Arabia. In Iran Shia Muslims and in Saudi Arabia Sunni Muslims as sects of Islam, rule the State. The second group consists of countries which have secularly governed states, but their laws are based on sharia, like Egypt. Today, many social institutions especially the mass media severely criticize physicians' attitudes in Turkey. Sometimes these criticisms turn out to be unfair attacks on medicine.

Keywords: Euthanasia, Shia, Koran

Introduction

This is the result of corruption in the myth of "little god" physician, and social disappointment about that. The associations of medical professionals try very hard to avoid any harm to medicine as a social institution while passing through this chaotic period. They try to re-establish confidentiality in physician-patient relationships on a stronger basis like the "informed consent doctrine". The foundation of the associations for specialized doctors of medicine is one of the main positive steps in realizing this purpose.

One of the most important factors which determines society's attitude towards euthanasia is religion. 90% of the Turkish population are Muslims. As there are various sects and tariqas that cause significant differences, it is important to begin with an overall review of Islamic approach to euthanasia. There are important differences between Islamic countries. The first group contains the countries which are governed by Islamic rules. These countries accept sharia as their legal and administrative code, like Iran and Saudi Arabia. In Iran Shia Muslims and in Saudi Arabia Sunni Muslims as sects of Islam, rule the State. The second group consists of countries which have secularly governed states, but their laws are based on sharia, like Egypt and Algeria. Actually this is the largest Turkish Health Professional's Attitudes Towards Euthanasia group.

Ayatollah Khamanei leader of Islamic Republic of Iran, as a Shiite Muslim scholar, also has issued a fatwa considering euthanasia “in all forms” forbidden(haram) Ayatollah Nuri Hamadani another Shiite Ayatollah also regards all forms of euthanasia as haram.

Islamic Code of Medical Ethic:

If it is scientifically certain that life cannot be restored, then it is futile to diligently keep the patient in a vegetative state by heroic means or to preserve the patient by deep freezing or other artificial methods. It is the process of life that the doctor aims to maintain and not the process of dying. In any case, the doctor shall not take a positive measure to terminate the patient's life."

“Human life is sacred, and it should never be wasted except in the cases specified by shari’a and the law. This is a question that lies completely outside the scope of the medical profession. A physician should not take an active part in terminating the life of a patient, even if it is at his or her guardian’s request, and even if the reason is severe deformity; a hopeless, incurable disease; or severe, unbearable pain that cannot be alleviated by the usual pain killers. The physician should urge his patient to endure and remind him of the reward of those who tolerate their suffering. This particularly applies to the following cases of what is known as mercy killing:

A. the deliberate killing of a person who voluntarily asks for his life to be ended;

B. physician-assisted suicide; and

C. the deliberate killing of newly born infants with deformities that mayor may not threaten their lives. “The following cases are examples of what is not covered by the term “mercy killing:” The termination of a treatment when its continuation is confirmed, by the medical committee concerned, to be useless, and this includes artificial respirators, in as much as allowed by existing laws and regulations; declining to begin a treatment that is confirmed to be useless; and The intensified administration of a strong medication to stop a severe pain, although it is known that this medication might ultimately end the patient’s life”.

Materials

In the past few years, different European countries have drafted laws to govern euthanasia and these laws have been subject to many controversies and pro and con arguments. Islamic views, however, on this subject are clear and based on Quran verses. Ethical issues are among Islam's foremost concerns, and the essential core of Islamic teachings is the perfection of ethical conduct of a person. Prophet Mohammad (PBUH) has said "I have been appointed as prophet of God to complete and perfect moral ethics." Since almost all the medical ethical issues that become the subjects of controversies and arguments in some way or another deal with the human life, it is necessary to seek the religious and philosophical views regarding these issues. In Islam the preservation of life and the welfare of a human being are in second place after the preservation of religion. In Quran there are many verses regarding the issue of life and death. These verses teach the believers that life is a gift from God and therefore sacred. As was pointed out in Iran, Sheria, or Islamic codes, is the legal and administrative code. Islam's approach to subject of death and dying are quite clear. As God is the giver of life, he alone can take the life away. Euthanasia and assisted suicide are therefore illegal and subject to criminal investigation. At the present neither the lay community nor the medical profession has been exposed to the international debate on these issues, but Shiite Moslem scholars have had rulings about these matters. In this article, the view points of Shiite sect of Islam are discussed and compared with the modern medical ethics views regarding euthanasia.

Shia (Shiite) is a branch of Islam with the vast majority of its followers living in the Middle Eastern countries of Iran, Iraq, and Lebanon. The distinctive institution of Shia Islam

is the Imamate - a much more exalted position than the Sunni Imam, who is primarily a prayer leader. In contrast to Sunni Muslims, who view the caliph only as a temporal leader and who lack a hereditary view of Muslim leadership, Shia Muslims believe the Prophet Muhammad designated Ali to be his successor as Imam, exercising both spiritual and temporal leadership.

Shia as the official religion of Islamic Republic of Iran has had many Fatwas (religious opinions about whether an action is permissible or not) from its scholars regarding bioethical issues such as organ transplantation, abortion and genetic research, some of which have been implemented into law by the parliament of Iran in recent years. But the subject of Euthanasia is a clear matter that all the branches of Islam have had a unified opinion on. In an Islamic setting the issue of euthanasia is dismissed as religiously unlawful, therefore the specifications for taking a life are clear. From Islamic perspective sanctity of life is of supreme value, so killing a person out of mercy and in order to relieve him of pain and suffering is not only sinful, but a threat to the moral fabric of society. Islam states that to kill one's self or to get someone else to do it, is actually denying God, and of course to deny God's rights over our lives is to deny him altogether and this is the clear example of blasphemy. Islam teaches its followers that a person in any profession needs to be honest, show sound performance and be God conscious. This rule for the physicians is of course of more value because they touch on the human soul as well as his body. A physician is expected to maintain a typical, ethical performance at all costs. In this sense, controversial issues such as euthanasia have drawn the medical profession into the fields of ethics, philosophy, and religion.

Life and death from Islamic perspective

Islamic jurisprudence has four main sources, and all the Muslims rely on these sources to get answers for their questions. The primary source of Islamic law is the holy Quran. The second source is the Sunnah which is the teachings, sayings and the life style of the Prophet of Islam. The third source is Ijma', (meaning consensus or acceptance of a matter by a specified group of people) , and the last one is Aghl or reason. Based on these sources Islamic laws and regulations are established and governed. To answer the question of Euthanasia, we will only rely on the primary source which is the holy Quran.

After creating Adam, the Almighty congratulates himself for creating the best of the creations: "so blessed be Allah, the best of the creators ". Allah gave this creation the best position: "certainly we created man in the best make ". But this great creation is also doomed, and in the end death awaits him: "then after that you will most surely die" and " every soul shall taste of death, and you shall only be paid fully your reward on the resurrection day; then whoever is removed far away from the fire and is made to enter the garden he indeed has attained the object; and the life of this world is nothing but a provision of vanities ". Islam emphasizes that man has not created himself; therefore he has no right over his body. Our lives are not our lives for us to do with as we see fit, this life was entrusted to us for care, nurture and safe keep: "surely Allah's is the kingdom of the heavens and the earth; he brings to life and causes to die; and there is not for you besides allah any guardian or helper" Imam Ali, the first Imam of the shia muslims, says that God is the owner and giver of life and his rights in giving and in taking are not to be violated: " He who gives life is he who is the owner of life and he who is taker of live"

In Islam the sanctuary of human life is a basic value as decreed by God. The gift of life is so valuable that the holy Quran states that saving of one life is the same as saving all the lives: " for this reason did we prescribe to the children of Israel that whoever slays a soul, unless it be for manslaughter or for mischief in the land, it is as though he slew all men; and whoever keeps it alive, it is as though he kept alive all men; and certainly our messengers came to them with clear arguments, but even after that many of them certainly act extravagantly in the land " Killing a person is a great sin. The holy Quran clearly points out this issue in the following verses: " and do not kill any one whom Allah has forbidden, except

for a just cause, and whoever is slain unjustly, we have indeed given to his heir authority, so let him not exceed the just limits in slaying; surely he is aided "

In these and other verses related to the unforgivable act of killing, Allah states a social and educational fact. If a person kills one person, he would be able to kill others too without having any remorse. Therefore it can clearly be concluded that based on the Shiite doctrine, as well as other sects of Islam, suicide or euthanasia have no place. Attempting to kill oneself or others is a crime in Islam as well as a grave sin. The prophet of Islam (PBUH) has repeatedly warned those who attempt to kill themselves that they will be doomed in the eternity. This religion has listed and specified the indications for taking life (i.e., the exceptions to the general rule of sanctity of human life) and none of these include mercy killing or making allowance for it. Human life is to be respected unconditionally, irrespective of other circumstances. To kill a patient in order to relieve him of pain and suffering has no justification or provision in Islam. Furthermore, Islam has also put value on the suffering itself. In Quran, the Almighty states that Human beings were created to experience difficulties and hardship: "certainly we have created man to be in distress"

Another dimension to the question of pain and suffering is the issue of patience and endurance, which are highly valued in Islam: "And bear in patience whatever (ill) may befall you: this, behold, is something to set one's heart upon." Suffering and pain are seen as forgiveness for the past sins. A person who is patient and endures the hardships will be rewarded, and his reward will be the easier life in the other world: "with difficulty is surely ease "A believer knows that when he is afflicted with pain, if the means of alleviating this pain has fallen short, he could turn to spiritual dimension of his life and stand the pain patiently to be rewarded hereafter. A believer also knows that life does not end in this world and in fact after this life, eternity is awaiting him, which has eternal pain and suffering for the non-believers and happiness and joy for those who have endured the hardships, and safe guarded their belief in God: " But they who disbelieve, and deny Our revelations, such are rightful Peoples of the Fire. They will abide therein". "And those who believe and do good works: such are

Right owners of the Garden. They will abide therein." A believer knows that the hardships and joys of this world are incomparable to the hardships and joys of the other world. Although seeking medical treatments for an ill person is mandatory in Islam, illness and diseases in fact are viewed as tests for both patients and their families. Illness and specifically pain are not only a warning for the body that something is not right, but also a lesson in endurance for the people and that is to be thankful in times of health and patient in times of sickness. Islam does not look at the disease as just some physical ailments, but as tools for reaching spiritual values. In this regard both sickness and health can be tools for the faithful to get closer to the God. In an Islamic setting a patient must receive every possible psychological support and compassion from family and friends, including the patient's spiritual resources. So, futile or artificial means of keeping a dying patient alive is not also favored in Islam. The Islamic code of ethics states: "In his defense of Life, however, the Doctor is well advised to realize his limit and not transgress it. If it is scientifically certain that life cannot be restored, then it is futile to diligently keep on the vegetative state of the patient by heroic means of animation or preserve him by deep-freezing or other artificial methods. It is the process of life that the Doctor aims to maintain and not the process of dying. ". Islam emphasizes that the process of life must be maintained and not the process of dying. To make these points more clear, the following passages are questions that a student news agency has put forward to different Shiite Islamic scholars regarding Euthanasia. The question put forward is this: "euthanasia has been interpreted in Persian as mercy killing or killing a patient out of mercy in order to shorten his pain and suffering knowing that based on the current medical science there is no cure or treatment available for him. What is your ruling regarding

this type of killing? Can a parent or relative ask the doctor to commit this kind of act? If a physician, based on the patient's request, commits euthanasia, is he reliable?

In regard to this question, Ayatollah Khamanei the supreme leader of Islamic Republic of Iran, a distinguished Shiite Muslim scholar, as well as other well known and respected Shiite scholars including Ayatollah Safi Golpaigani, Noori Hamedani, Makarem Shirazi, Fazel Lankarani, and Bahjat have considered all types of euthanasia including fatal drug injection and physician assisted suicide as haram (forbidden) and a type of murder.

Ayatollah Makarem Shirazi rules out that killing a human being is in no way acceptable even out of mercy or with the patient' consent or fear of treatment. The reason for this is first the holy verses of Quran and narratives of Imams, secondly the necessity of saving life. The philosophy behind this could be that granting this license could lead to abuses and killing people with the excuse of mercy and help. The people who want to commit suicide would also use this method. Also medical matters are not always certain and we've seen dying people that medicine was discouraged about their healing but miraculously have survived. These scholars have also ruled that the physicians who act in these cases are in the end culpable.

Ayatollah Safi Golpaigani, another shiite Moslem scholar, states that act of killing the person in this case, is the same as murder. Giving drugs, with the patients request, in order to accelerate his death is no license for killing, and the physician is responsible.

Ayatollah Sanei has ruled that euthanasia is strictly forbidden and the same as killing all the society and subject to retribution. He states that adherence to emotions in a case of murder and killing has dangerous consequences for the society, besides having a severe punishment in the hereafter world. Patient's consent, he states, is no license for killing, as this is in fact consent for committing sin and murder.

Euthanasia, a Challenge in Western World

Euthanasia has found many supporters as well as opponents in the western countries. Even though the Catholic Church as well as WMA have adamantly rejected it as unethical and immoral, the supporters were able to persuade the Holland government to legalize euthanasia under certain circumstances. The state of Oregon in the United States also announced physician assisted suicide as a legal practice in 1997. In 1996 northern state of Australia also legalized voluntary euthanasia while a year later the federal government overturned this law. Also the legalization of euthanasia was put to action in 2002 in Belgium. It has been reported that in 1990, 9% of all deaths in the Netherlands were a result of physician assisted suicide or euthanasia. In these societies, physicians are considered as the most appropriate instruments of death since they have the medical knowledge and access to the appropriate drugs for ensuring a quick and painless death. Supporters of euthanasia believe that autonomy, individuality, and self-determination are the highest values, and that every person has the right to value the quality of his life and therefore choose when and how to die. A person may choose when his life is not worth living anymore and end it in any way he wishes. Human dignity, they contend, is a fundamental right of any human being, which means a dignified, planned and peaceful death far out weights a long life with a debilitating disease and pain and suffering. These supporters also contend that doctors assist in suicides or attempt euthanasia out of mercy for their patients, and these are compassionate acts not actual killing in a sense that we know it. These arguments could have been drawn from one of the four principles of the modern medical ethics which says that we must respect the patient's autonomy. In this principle, as World Medical Association (WMA), states, a patient has the right to decide on her own medical treatment. Some conclude that a person can decide on the manner and time of his death too.

While euthanasia has many supporters in the western countries, the number of opponents is also on the rise. Opponents besides, the religious arguments which clearly reject

euthanasia, have many reasons for considering euthanasia as an evil act which will be destructive to the values of any society. They say that euthanasia will desensitize people towards death and in the end result in devaluation of human life. Another argument against euthanasia is the belief that the duty of a doctor is to keep his patient alive at all costs. Physicians are generally introduced to people as angels of life, but by attempting euthanasia they become angels of death, and this in itself dishonors the profession which draws its dignity by being a profession which is committed to the task of preserving human life. Besides the religious views, some non-religious opponents consider euthanasia unethical because of the sanctity of human life. They believe that all human beings are to be valued and respected. The inherent value of life does not depend on anything else, and deliberate taking of human life to relieve it of pain and suffering is to disrespect the inherent worth of human beings. The most important reason against euthanasia is the fact that opponents believe drafting laws will not solve the ethical issues regarding euthanasia. They also contend that for many reasons it is impossible to draft laws and guidelines that will prevent the abuse of euthanasia. The possible abuses besides the possibility of wrong diagnosis include the fact that the prognosis could also be wrong and the patient may live longer than the doctors have anticipated or patients are forced to opt for euthanasia because of the high costs of medical treatments and the possible pressure from their families. Other reasons cited for opting for euthanasia have been depression, loneliness or confusion. Recent studies have reported that about 70% of actual decisions to end a life by euthanasia have been hasty and irrational, and contrary to general perceptions, depression and loneliness rather than pain and suffering seem to be the primary factors motivating patients' interest in euthanasia. Also patients can be strongly influenced by doctors as the sole source of their information about illness, prognosis and possible interventions, so despair can easily be communicated to both the patient and family by a doctor expressing pessimism about a prognosis.

The Slippery slope

Many people are also afraid that voluntary euthanasia might lead to involuntary euthanasia and in effect "the slippery slope" argument states that if we change the law and accept voluntary euthanasia, we will not be able to keep it under control, and a seemingly harmless decision may start a trend that might result in something unthinkable to become acceptable in the future. This argument also states that high costs of medical treatments for the elderly or the terminally ill patients might drive doctors and care givers to start practicing euthanasia just to save money or free up hospital beds. In Iran there is a great difference between the level of medical technology and the physician-patient relationship regarding the contemporary norms. Paternalistic attitudes are common and this also suits the expectations of society. Physicians rarely inform their patients about their diagnosis and treatment, even when it is not a fatal or hopeless situation. Therefore patients put their faith in the hands of the doctors and trust them to make the best decisions for them. So if for any reason or under any circumstances euthanasia gains support, this could bring about major mistrust and misuse of medical treatment.

Conclusion

Euthanasia is an irreversible act, therefore it is necessary for the medical caregivers to attend to the possibility of depression and other psychological stressors before they act on the requests of the terminally ill patients to end their lives. A recent study in the USA indicated that although a significant majority of terminally ill patients supported euthanasia, only a small minority of them actually considered it for themselves and a very small minority of them actually took concrete action to request euthanasia and discussed it with their physicians. Another study indicated that the higher the costs of medical treatments get, the more patients become desperate and ask for euthanasia. Based on the divine teachings of Islam, Christianity

and Judaism, euthanasia is condemned. In all these religions there is a value seen in suffering. Pope John Paul II states that: "it is suffering more than anything else, which clears the way for the grace which transforms human souls". Christianity and Islam also believe that relieving someone's suffering is good, as long as it does not intentionally cause death. Eastern religions look at the issue of life and death differently. They believe that a person lives many lives, and the quality of each life is set by the way he/she has lived his previous life. Generally, doctors within the Shiite societies are very conservative and strictly opposed to euthanasia and assisted suicide. This being the case, there is a strong need to identify and treat depression in terminally ill patients and to provide social support to patients and their families through comprehensive programs run by multidisciplinary teams.

References:

The Holy Quran

Hojati, M. (2000). Law Analysis of Euthanasia, Justice Mag., No. 30.

Ghamami, S. M. M. (2005). Calm Death, Govah season letter, No.s 2 & 3, 79 p.

Taheri, H. (2006). Law papers set, Sadr Qom press, 1st edition.

Moein, M. (2007). Farsi Dictionari, Zarrin third edition.

Dehkhoda. (2007). Farsi Dictionari, Zarrin fifth edition.

Ganzini L, Goy ER, Dobscha SK. (2009). Oregonians' reasons for requesting physician aid in dying. Archives of Internal Medicine, 169:489–492.

Dickenson DL. Can medical criteria settle priority-setting debates? The need for ethical analysis. Health Care Analysis, 1999, 7:131–137.

Illingworth P, Bursztajn H. (2000). Death with dignity or life with health care rationing. Psychology, Public Policy, and Law, 6:314–321.

Kuhse H, Singer P, Baume P, Clark M, Richard M. (1997). End-of-life decisions in Australian medical practice. Medical Journal of Australia;166:191-6.

.13 Kissane DW, Street A, Nitschke P. Seven deaths in Darwin: case studies under the Rights of the Terminally Ill Act, Northern Territory, Australia. Lancet 1998;352:1097-102.

.14 Emanuel EJ, Fairclough DL, (2000;). Emanuel LL. „Attitudes and desires related to euthanasia and physician assisted suicide among terminally ill patients and their care givers" JAMA. 284(19):2460-2468.

<http://www.emro.who.int/rpc/Bioethics.htm>

www.eslamonline.com