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## An Argument in Defense of Voluntary Euthanasia\*



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### **Abstract**

One of the most challenging issues in medical ethics is a permission or prohibition of euthanasia. Is a patient with an incurable disease who has lots of pain permitted to kill oneself or ask others to do that? The main reason advanced by the opponents is the absolute prohibition of murder. Accordingly, the meaning of murder plays a key role in determining the moral judgment of euthanasia. The aim of this paper is to confirm the role of intention in moral judgment of euthanasia and eliminate the name of unjust murder from voluntary euthanasia. The Intention of an agent determines the name of the act and whether it is right or wrong. An important point that does not taken into account in the definitions of murder, killing as well as their ethical judgment is considering the attributes of being unjust and forcible. Killing a human being is neither intrinsically good nor bad, but its ethical judgment depends on the way that happens, i.e. just or unjust. Every killing is neither bad nor unethical except unjust one which is both bad and unethical. The attribute of “unjust” has been mentioned in the definition of murder in Islamic jurisprudence, law, traditions, and Quran. Owing to this argument, on one hand, it is true to state that voluntary euthanasia is not unjust and forcible murder (the test of correct negation), and on the other hand, it is not true to say that voluntary euthanasia is unjust and forcible murder (the test of incorrect predication). It can be concluded that voluntary euthanasia is an independent title other than unjust murder and does not have its judgment.

**Keywords:** Voluntary Euthanasia, Just Killing, Unjust Murder, Justice.

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### **Introduction**

Permission or prohibition of euthanasia is one of the most controversial issues in medical ethics. Is a patient suffering from an incurable illness allowed to kill oneself or ask others to end his/her life? The definition of murder is a significant point which has a key role in determining ethical judgment of euthanasia. From ethical, law, and jurisprudence points of view, there is no doubt that murdering innocent humans is wrong and prohibited, and the murderer has to be punished. This is the main reason of the opponents of active euthanasia (Erickson & Bowers, 1976, p.16). In active euthanasia, a doctor causes the patient to die by infusion of a killing medicine or cutting off the medical instruments that patients need. Accordingly, euthanasia is an instance of murder which is immoral.

The main question of this research is: Is euthanasia actually an instance of immoral and prohibited murder? What is the difference between murder and euthanasia? Is any kind of killing or ending others' life morally wrong? The research hypotheses are: First, any kind of killing or in other word, ending one's life cannot be immoral except unjust killing which is immoral. Second, voluntary euthanasia (active or passive) is not an instance of unjust killing.

The aim of this paper is to confirm the role of intention in moral judgment of euthanasia and eliminate the name of unjust murder from voluntary euthanasia. The intention of the agent is the main element in determining the name of the act and being ethically right or wrong.

The line of reasoning in the current study is: First, an attempt is made to demonstrate that killing and ending one's life in itself does not have the judgment of being right or wrong. It means that the act of killing and taking others' life in itself is neither right (good) nor wrong (bad).

Second, it is assumed that killing (ending others' life) gets its title and technical name based on the aspects that this act happens and then, its ethical judgment is determined.

Being just and unjust are two main aspects that can determine whether killing is right or wrong. Killing cannot be wrong except unjust one that is wrong. The attribute of "unjust" has been mentioned in the definition of murder in Quran, Islamic traditions, jurisprudence, and law.

Third, it is asserted that voluntary euthanasia differs from other kind of killing due to its distinct aspects, including compassion, removing others' sufferings, and accordance with others' will. Voluntary euthanasia is not an instance of unjust killing and does not have the judgment of murder.

The main claim in this paper is that voluntary euthanasia (passive or active) is permissible under some circumstances.

### **1. Definition and Kinds of Euthanasia**

"Euthanasia" is derived from a Greek words '*eu-*' meaning "good" and "*thanatos*" meaning "death" (Keown, 2002, p. 10). Euthanasia has different types. In one

classification, it is divided into active or passive euthanasia and in another, voluntary, non-voluntary, and involuntary euthanasia.

In active euthanasia, doctors or others do something like infusion of a killing medicine in order to end the patient's life and release him/her from great pain and useless suffering. In passive euthanasia, doctors abandon treatment and let patients die of their disease. In this case, the doctors do not actively do anything to kill patients.

Involuntary euthanasia, a patient asks the doctor or someone else to kill him/her because of an incurable disease with great suffering and unbearable useless pain. In this kind of euthanasia, patient voluntarily, willfully, and intentionally wants to end his/her life by either active or passive euthanasia.

Involuntary euthanasia occurs when a patient wants to live his/her life under any circumstances and rejects any kinds of euthanasia while others like his/her family or doctors practice the euthanasia. It will be non-voluntary if the person is in a specific situation, unable to indicate his/her decision about euthanasia like being unconscious, infant or very old and others make a decision behind him/her and choose euthanasia (Tooley, 2005, p. 161).<sup>1</sup>

Some philosophers have classified all kinds of euthanasia without referring to 'involuntary' one, but some others think that it is preferable to keep the two categories distinct for avoiding unnecessary confusion (See: Keown, 2002, p. 9).

Some groups have used the non-voluntary term to refer to euthanasia occurs when people cannot provide their consent (though they may have given permission or requested it an earlier, when they were able) and involuntary euthanasia to refer to the "mercy killing" of competent adults who are suffering but have not requested death (Yount, 2007, p. 4).

## **2. An Argument on Ethical Permission of Voluntary Euthanasia**

As previously mentioned, euthanasia has been a controversial issue in ethics. Most people oppose it since they regard it as murdering and killing a person while some philosophers and physicians defend it owing to human autonomy and their right to die and control their lives (See: Nakaya, 2015, pp. 12-13). Now, a semantic reason is presented by analyzing the meanings of killing, murder, their ethical judgment, and the difference between euthanasia and murder.

Following is an argument that is provided in favor of voluntary euthanasia:

Killing (meaning taking a human's life) in itself is neither right nor wrong.

Killing gains a new title based on the aspects of killing and the situations in which it occurs, and then its ethical judgment (right or wrong) is determined.

Justice and injustice are two main aspects of rightness and wrongness of acts including killing or ending a life. Unjust killing (which is called murder) is deliberate killing of an innocent person out of enmity or robbery is an instance of injustice. Therefore, it is morally wrong and forbidden. Killing out of justice such as capital punishment or killing others due to self-defense is morally right and permitted.

Voluntary euthanasia is an independent title which differs from murder and can be placed in the line with capital punishment and killing due to self-defense which can be considered as an instance of just killing. Voluntary euthanasia is an instance of confession, sympathy, releasing others from pain and suffering, and benevolence.

Voluntary euthanasia is morally right, permitted, and sometimes necessary.

## **2.1. Proving the First Premise:**

### **2.1.1. Terminological Discussion**

“To kill” in English means “to make a person or living thing die”. Killing has many different types including murder, manslaughter, suicide, assassinate, slaughter, etc. (Longman Advanced American Dictionary). “Murder is the crime of unlawful killing of another person without justification or excuse, especially the crime of killing a person with malice aforethought or with recklessness manifesting” (The American Heritage Dictionary; Merriam-Webster). Accordingly, “Kill” is a general word referring to the absolute act of making someone die. Due to certain circumstances and features, "Kill" finds especial titles like murder, manslaughter, suicide, and its ethical and juridical judgment is determined. Killing a person is called murder when it occurs unlawfully through criminal act or omission, with malice aforethought (Curtis, 1910, pp. 639-646). If it happens accidentally without intention to kill, it is called manslaughter. If it is done by a government to punish a criminal, it is capital punishment. Similar to killing, murder is a general word that has different types and aspects like first or second degree whose judgments and penalties vary. The first-degree murder is the most important type which is unlawful malicious premeditated killing of someone (Keedy, 1950, p. 267). The character of “malicious” is important referring to harmful desire and intention of a killer.

In conclusion, it is clear that no one can say killing is absolutely wrong. In fact, the killing has different types some of which are right like capital punishment. Therefore, it could be stated that killing in itself does not have the judgments of being right or wrong but due to the aspects based on killing is occurred, it gets different titles and judgments.

### **2.1.2. Juridical Discussion**

Regarding the definition of murder, Islamic jurisprudents has referred to the characteristics of being unjust and enmity using the word “*odwani*”. This is an Arabic word which literally means "injustice and going out of right". Muhaqiq Hilli has defined the murder as, “taking the life of an innocent person deliberately and maliciously” (Muhaqiq Hilli, 1408, 4/ 971). Explaining the meaning of deliberate murder, Najafi has indicated, “To be deliberately is the intention of a rational mature human to kill unjustly a person by a means which almost is killer (Najafi, 42, p. 11).

Other jurisprudents have also mentioned the qualification of being unjust and enmity in their definitions of murder (Fazel Abi, 1427, 2/592; Shahid Thani, 1410, 10/11).

### **2-2-2. Quranic and Traditional Discussion**

Referring to the Quran and Islamic traditions, it becomes evident that “killing” has not been forbidden except unjust one. In the verse, “Do not take life, which God has made sacred, except by right” (The Holy Quran, Al-Isra/33)<sup>2</sup> killing a person has not been absolutely forbidden, and just killing has been permitted. It can be concluded that unjust killing is forbidden. In another verse of Quran, killing has been permitted in two cases, “On account of [his deed], We decreed to the Children of Israel that if anyone kills a person— unless in retribution for murder or spreading corruption in the land— it is as if he kills all mankind, while if any saves a life it is as if he saves the lives of all mankind” (The Feast/32)<sup>3</sup>. The term “right kill” is inferred from another verse of Quran in which in God’s forbiddance for Muslims has been mentioned, “Say, ‘Come! I will tell you what your Lord has really forbidden you: ... do not take the life God has made sacred, except by right” (Anam/151).

Referring to unjust killing which has been prohibited in the verse, “Do not kill each other, for God is merciful to you. If any of you does these things, out of hostility and injustice, We shall make him suffer Fire: that is easy for God” (Al-Nisa/29-30)<sup>4</sup>, Allama Tabatabaei, one of the greatest Shia commentators, has stated that unjust means to contravene God’s commands and forbiddances (Tabatabaei, 1417: 4/320).

This point has been mentioned in Islamic traditions by Prophet of Islam and Shia Imams. Muhammad, God’s messenger, introduced unjust killing as one of the major sins in a tradition (See Nuri, 1408, 11/361; Kuleyni, 1407, 2/286).

All in all, according to these verses and traditions, it can be concluded that there are two kinds of killing from Islamic point of view, one of which is forbidden and one not, i.e. unjust killing and just (or right) killing. Killing out of retribution or spreading corruption in the land are two instances of right killing. To put in a nutshell, killing someone does not have any judgment, but its judgment is determined by the aspects based on which it occurs. Justice and injustice are two main aspects that determine rightness and wrongness of killing. Killing someone out of justice is right while killing out of injustice is wrong. The instances of just and unjust killing can be found in religion or the mentioned reason.

### **3. Proving the Second Premise: Right and Wrong Aspects of Killing**

According to what mentioned in proving the first premise, it can be understood that killing is neither good nor bad. It does not have any moral judgments in its essence. The moral judgment of killing is determined based on aspects that killing is occurred accordingly. In this premise, the determining aspects of rightness or wrongness of killing are presented.

#### **3.1. The Relationship between Ethical Judgments and the Titles of Acts**

Clearly, ethical judgments like right and wrong or good and bad *firstly per se* are predicted on the titles of acts rather than their external existence. This issue has been

discussed extensively in the history of Islamic theology in the Al-Ash'ari and Mu'tazilite debate on essential goodness and badness of acts (See: Legenhausen, 2015, pp. 21-23). Mu'tazilite's view is defended by some examples in this part. The act of "hitting a child" in itself is neither right nor wrong. At first glance, no one can say it is right/good or wrong/bad without considering the situation. The rightness and wrongness of hitting a child is determined by the aspect that hitting is occurred on and the title that is predicted. If hitting a child is occurred on the aspect of training and teaching good and bad, this act will get the title of training and educating, and its ethical judgment would be right/good. But if hitting is happened on the aspect of aggression and abuse, it will get the title of aggression and child abuse and its judgment would be wrong/bad. Eating an apple and its external existence can be neither right nor wrong. If someone eats an apple which is not him/hers without permission, this act will be titled robbery whose judgment is wrong and bad. On the other hand, if someone eats her/his apple, eating will find the title of eating one's property whose judgment is right/good. In conclusion, ethical judgments belong to the titles of acts like benevolence or malevolence, training or abusing, telling a lie or telling a truth, helping or harming as well as irritating or relieving.

Some people mistakenly believe that the act of killing (oneself or others) essentially is wrong and the wrongness belongs to the external existence of the act which is a kind of taking life. Therefore, they think that killing others is absolutely wrong due to ending one's life. However, this thought is incorrect. The external existence of killing is just an act which finds its ethical judgment after determining its title. Killing others in defense of oneself is right but for stealing others' property is wrong. Ethical judgments belong to the titles of the acts. The external existence of killing in both cases is the same, and there is no difference between them. But the difference is in the aspects that act of killing is occurred. I mean by the aspects of killing the external conditions and situations in which killing is occurred like killing who, for what reason, what end, and by what quality. These aspects of acts determine their titles and subsequently their ethical judgments.

### **3.2. Different Aspects of Killing**

As previously stated, the ethical judgment of killing is determined by its aspects that it is occurred on. In this section, some aspects of killing that make its ethical and legal judgments different are provided. First aspects are justice and injustice. Injustice kind like killing someone in the process of committing a felony like arson, rape, robbery, and burglary is morally wrong. On the other hand, killing on the aspect of justice, such as capital punishment is morally right. Some elements of unjust killing are stated here to shed light on the issue. Unjust killing is killing someone who does not deserve to be killed, unlawfully, against his/her desire or will forcibly. The last two elements are important in discussion of voluntary euthanasia. Killing on aspect of justice is killing lawfully who deserve to be killed because of some committed crimes. Capital punishment is the main case of just killing. Killing murderers and criminals by the order of law is ethically right and permitted.

The second aspect that makes killing someone permitted is self-defense. If someone attacks you intentionally to kill you or cause grievous bodily harm and you cannot release yourself from this situation except by killing him/her, it will be morally right and permitted.

These two cases, just or lawful killing and self-defense, are well-known instances of ethically permitted killing. It should be stated that other items can be added to these cases. The purpose of the current study is adding voluntary euthanasia into these ethically permitted cases.

If the case of self-defense is put under the title of just killing and justice is defined as doing something which is morally and rationally right, there will be two main titles for aspects that make killing right or wrong, i.e. just killing and unjust killing. The terms, right and wrong, killing, can be used instead of them.

#### **4. Proving the Third Premise: Voluntary Euthanasia is an Independent Title of Act**

The main claim of the author in this paper is that voluntary euthanasia is an independent title of act that differs from murdering and unjust killing and it is in the line with capital punishment, killing as self-defense, and other lawful titles of killing. This is an independent title that can be put under the main and original title of just or right killing.

There are some titles that should be cleared. The First title is injustice. Injustice means violation and infringement of others' rights. Injustice is always accompanied by force and dissatisfaction of the victim. If someone forgives others his/her rights, there no injustice against him/her. Accordingly, unjust killing is violating the victim's right to live which is against his/her desire. Murder is an instance of injustice due to this feature, then it is ethically wrong. Murder, particularly first-degree, is violating others' right to live and taking their life without their satisfaction or will. It is time to analyze the quiddity of voluntary euthanasia. Active voluntary euthanasia is taking a patient's life suffering from an incurable illness with his/her satisfaction, will, permission, and request to end his/her useless pain. In other words, the only way to release him/her from that extreme pain and suffering is to end his/her life. This act is done out of benevolence not malevolence in order to help patient to be rescued from intolerable pain. This kind of killing is not violating his/her right to live, without satisfaction and against his/her desire and will.

In conclusion, voluntary euthanasia is not regarded as a murder or unjust killing. It is an independent title which must be called mercy killing not murder. It must be put under the titles like helping others, benevolence, and mercy. Therefore, voluntary euthanasia is an instance of right or just killing besides other instances of just killing such as capital punishment and killing for self-defense. As a result, its ethical judgment is permission and right.

Following reasons are provided in order to prove the mentioned claim.

##### **4.1. Test of Correct/Incorrect Prediction and Negation**

The opponents of euthanasia assume that euthanasia is an instance of murder and unjust killing, and its ethical judgment is to be wrong. They argue, 1) Killing a human being is wrong, 2) Euthanasia is killing a human being, and 3) In conclusion, euthanasia is wrong. The objection to this argument is the fallacy of equivocation. The middle term has not used in same meaning in two premises of this logical argument. The term “killing a human being” in minor premise has not the same meaning as major premise. “Killing a human being” in major premise means murder and unjust killing which is morally wrong, but in minor premise, its meaning is taking a life which is essentially free from the judgment of rightness and wrongness.

Opponents may suppose that “killing human being” in both premises has the same meaning, i.e. unjust killing of a human being. Therefore, the middle term has been repeated, and the reasoning is correct. The real form of the argument is, 1) Unjust killing of a human being is wrong, 2) Euthanasia is unjust killing of a human being, and 3) In conclusion, euthanasia is wrong.

In criticizing this response, it will be demonstrated that voluntary euthanasia is not unjust killing. To this end, a principle in *Ilm Al-Usool*, a branch of Islamic sciences, is used. There are two tests in *Ilm Al-Usool* for recognizing the true meaning of words and distinguishing it from metaphor meaning. These two testes are called correct/incorrect prediction and correct/incorrect negation. According to these tests, the correctness of predicting a meaning on a word and incorrectness of negating that meaning from it, is the sign of true usage of that meaning for that word. Consider the usage of the word “lion” in two meanings of “an animal in jungle” and “the courageous man”. The correctness of predicting the meaning of “an animal in jungle” on the word “lion” in the sentence “lion is an animal in the jungle” and the incorrectness of negating the meaning “an animal in jungle” from the word “lion” in the sentence “lion is not an animal in the jungle” is the sign of that the usage of the word “lion” in the meaning of “an animal in jungle” is true. It means that true meaning of “lion” is “an animal in the jungle”. On the other hand, predicting the meaning of “courageous man” on the word “lion” in the sentence “lion is a courageous man” is incorrect and negating the meaning of “courageous man” from the word “lion” in the sentence “lion is not a courageous man” is correct. These incorrectness of predicting and correctness of negating is the sign of that the usage of “lion” in the meaning of “courageous man” is not true. It might be metaphoric usage (Akhond Khorasani, 1415, pp. 33-34; Muhaqiq Damad, 1382, pp. 47-48).

Now, these tests are used for the word “voluntary euthanasia” and the meaning of “unjust killing”. On one hand, predicting the meaning of “unjust killing” on “voluntary euthanasia” is incorrect in the sentence “voluntary euthanasia (which means taking the life of an incurable patient by his/her request to release him/her from intolerable suffering) is unjust killing”. And, negating the meaning of “unjust killing” from “voluntary euthanasia” and saying that “voluntary euthanasia (with that meaning) is not unjust killing” is correct. Then, these tests show that the usage of “voluntary euthanasia” in the meaning of “unjust killing” is not true and that meaning is not a true meaning for voluntary euthanasia. It might be a metaphoric meaning.



On the other hand, predicting the meaning of “mercy/just killing” on the word “voluntary euthanasia” is correct in the sentence: “voluntary euthanasia (which means taking the life of an incurable patient by his/her request to release him/her from intolerable suffering) is mercy or just killing”. And, negating the meaning of “mercy or just killing” from “voluntary euthanasia” and saying that “voluntary euthanasia (with that meaning) is not mercy or just killing” is incorrect. Then, these tests show that the usage of “voluntary euthanasia” in the meaning of “mercy or just killing” is true usage and those meanings are true for voluntary euthanasia. It might be a metaphoric meaning. One can also test the meaning of “murder” instead of “unjust killing” and observe the incorrectness of predicting “murder” on “voluntary euthanasia” and correctness of its negating. Someone might object that why it is stated that predicting unjust killing on voluntary euthanasia is incorrect and its negating is correct? It might be claimed vice versa. For responding to this objection, the nature of unjust killing and voluntary euthanasia should be analyzed.

#### **4.2. Quiddity of Unjust killing**

In this part, the nature and quiddity of unjust killing is explained, and it is demonstrated that voluntary euthanasia, unlike opponents' assumption, is not an instance of unjust killing. Injustice in ethics has been defined as violating others' rights. One of the main rights of human beings is the right to live. Everybody has the right to live. Then, taking others' life and killing them is injustice. As previously mentioned, taking the life of others and killing others is not absolutely wrong. The wrongness of killing a human being depends on some features and circumstance that will be discussed here. It seems that there are at least two features that make killing a human being wrong and an instance of injustice, 1) killing others forcibly against their desire and will, and 2) Killing someone who does not deserve to be killed, I mean he/she has not committed a crime whose punishment is to be killed lawfully. Murder is an instance of injustice and unjust killing because 1) the victim has a desire to continue his/her life, but the murderer kills him/her forcibly against his/her desire, and 2) the victim does not deserve to be killed but the murderer kills him/her undeservedly and unlawfully.

Now, a question arises, is voluntary euthanasia violating the patient's right to live? There is no doubt that involuntary and non-voluntary euthanasia in which the patients' permission to be killed has not gained are instances of injustice and unjust killing. No one has the right to kill a patient against his/her will to live even for releasing him/her from suffering. But those two features that were mentioned for unjust killing do not exist in voluntary euthanasia. The patient in voluntary euthanasia not only has desire and will to be killed and released from intolerable useless pain but also asks someone to kill him/her. Therefore, the first feature of unjust killing does not exist here. And, the second feature also does not exist based on this analysis. The patient has not committed a crime and is not deserved to be killed as a punishment from this aspect. But he/she is deserved to be killed from helping aspect since he/she has an incurable disease and is suffering every moment. No one can stop his

suffering. Therefore, the patient asks helplessly someone to kill him/her and release him/her from that killing pain. As a human being, something must be done to help him/her and the only thing which can relieve him/her is death. The patient certainly deserves helping and killing him/her is the only help in this situation. As a result, he/she has the right to be killed. In the other word, the right to be killed is not always for committing a crime but sometimes for intolerable suffering and incurable disease in a special situation. Sometimes death can be a blessing. Biological life does not have absolute value to be protected at any cost.

If someone objects according to these criteria, suicide and killing other by their request for releasing them from any kinds of suffering would be permitted because he/she does not have any interest to continue his/her life and his/her killing is on his/her desire. It is worth mentioning that the difference between euthanasia and these two cases is that there is no way for being released from suffering and pain in euthanasia but killing the patient and his/her incurable disease is a clear and objective reason for this claim. In this case, continuing life becomes a problem due to the suffering it creates. The only way for resolving this problem and cutting the pain off is death. But, in case of suicide, there are other ways rather than death to reduce pain and suffering. In this regard, the problem is not living but economic issues like bankruptcy or emotional ones such as failure in love or losing one's hope. Resolving these problems, they can come back hopefully to their normal life. Their problems are resolvable.

## 5. Supplementary Reasons

### 5.1. Critique of the Essential Value of Life

The opponents of euthanasia always emphasize the essential value of life. They believe that life has the ultimate value in people's lives and must be preserved at any cost. Nothing like pain and suffering can permit taking of life. The question is, "What is the reason for this dogmatic claim?" Their ultimate reason for this claim is that it is self-evident, but it is just a claim without reason and cannot be self-evident at all. It seems that saving life at any cost is not reasonable and self-evident. The value of life is related to its end. In *Nicomachean Ethics*, Aristotle states that happiness (Eudaimonia) is the ultimate goal of human beings. Happiness has value in itself and is requested for itself not for anything else. Everything is done to reach happiness. It is the ultimate essential good (Aristotle, 1095a). This is the point that most of the philosophers like Muslim philosopher confirmed.

According to this premise, it must be concluded that life in which there is no hope for happiness, close or far, in midterm or end term, does not have the value. The main cause of the value of life is happiness. A patient who has reached to the end of his/her life and there is no hope theoretically and practically to be rescued from death and suffering in future does not consider any value in living. There is no happiness in his/her life, and the only thing he/she experiences is suffering and torture.

Those who accept these premises, (1) Life is not valuable in itself, but the happiness has essential value, and (2) An incurable patient with intolerable pain and

no hope for treatment in future is not happy in his life, (3) Ending his/her life makes him/her happy due to complying his/her last wish and ending his pain, can conclude that ending this kind of life is rationally permitted.

In another reasoning, it can be stated that if life has essential value in itself, it will never be permitted to kill someone out of punishment or self-defense. If life has essential and ultimate value, ethical virtues like sacrifice and martyrdom will never be good and valuable. Therefore, when there are some acts whose value is more than life which people's lives could be taken for them, voluntary euthanasia can be added to the list.

### **5.2. Useless Pain and Suffering**

This example explains what is meant in this study. Imagine a patient with an incurable illness who is suffering and has lots of pain in every moment of his/her life in every breath he/she takes. No painkiller or medicine could palliate or pacify his pain. There is no hope for his/her treatment. He/she wishes suppliantly death and asks helplessly doctor or his/her family to end his/her life. But the law does not permit euthanasia. The patient dies after one month severe suffering, terrible pain, torment and torture. His/her family, friends, and doctors ask themselves what was the reason and necessity for this one month terrible suffering and pain? What was the reason for this being alive one month to suffer and tolerate pain, when all of us knew that his disease was incurable and he/she would certainly die with severe pain? Was not this pain useless? Did not we have any duty towards him/her when we saw his/her suffering? What kind of happiness and perfection did he/she gain by this one-month-suffering?

Now, a reason is presented, 1) Tolerating useless pain is unreasonable, 2) Preventing voluntary euthanasia causes the incurable painful patient to tolerate great deal of useless pain, and 3) Preventing voluntary euthanasia is unreasonable.

In conclusion, it can be stated that voluntary euthanasia of a pagan person who does not believe in God and does not count suffering from disease as expiation of sins is morally and rationally permissible.

## **6. Conditions for Permitting Voluntary Euthanasia**

It must be noted that this reasoning does not permit suicide or killing a volunteer patient because of pain, but there are some conditions which must be observed for euthanasia.

### **6.1. Being Voluntary Condition**

According to the aforementioned argument, only voluntary euthanasia is permitted and non-voluntary or involuntary euthanasia is prohibited because of violating patient's right to live and being instances of unjust killing. The patient with his/her desire and request to euthanasia makes his/her killing an instance of just killing and doing a favor.

### **6.2. Certainty Condition of Being Incurable Disease**

The second condition for permission of voluntary euthanasia is being incurable. There is no cure for his disease right now, even in near future and pain killer to cut his/her pain off.

### **6.3. Condition of Being Intolerable Pain**

Voluntary euthanasia is permitted in a situation that patient's doctors and family confirm that he/she is under severe and intolerable pain and suffering and his/her life is a torture. Suffering and having pain in itself does not permit euthanasia. The patient's claim of having great pain does not make euthanasia permissible but this claim must be depended on objective evidences and be confirmed by experts. In other words, although pain is a subjective and internal thing, but the claim of being under intolerable pain must be confirmed by objective evidences.

### **6.4. Useless Pain**

Another condition is useless suffering. There is not any kind of happiness, perfection, and hope in patient's life which can reduce his/her suffering. Sometimes the patient has lots of pain and asks doctors to kill him/her, but doctor knows that this suffering is not useless and can be relieved. Some patients have some hopes and wishes which in spite of suffering from incurable disease make them think that being alive is better than death.

### **Conclusion**

In this article, an argument in defense of voluntary euthanasia, active or passive, was presented. According to this paper, the current reasoning against euthanasia which is appealing to the absolute prohibition of killing humans is wrong. Killing or taking a human being's life is not essentially wrong or right and does not have any judgment in itself. The ethical judgment of killing is determined by some aspects that killing is occurred on. Justice and injustice are two main determining aspects. What is morally wrong is unjust killing, but just killing like killing a first degree murderer or killing others as self-defense is morally right. Voluntary euthanasia or mercy killing is an independent title of act other than murder which is an instance of just killing. According to the tests of correctness/ incorrectness of prediction and negation in Islamic Ilm Al-Usoul, the prediction of "unjust killing" on "voluntary euthanasia" is incorrect, but the prediction of "just killing" is right. On the other hand, the negation of "unjust killing" from "voluntary euthanasia" is correct, but the negation of "just killing" is wrong. These tests show that the prediction of "just killing" on "voluntary euthanasia" is a true prediction, but the prediction of "unjust killing" is a metaphor.

Voluntary euthanasia (active or passive), because of benevolence will and being in accordance with patient's desire and request, is not an instance of unjust killing but it is an instance of just killing. Its moral judgment is different from murder. Voluntary euthanasia from rationally and morally point of view is permissible under conditions which were mentioned in the article.

**Notes**

1. Some people have provided reversed definition. See: Paterson, Craig, Assisted suicide and euthanasia: a natural law ethics approach, p. 12.
2. thus the translation of Abdel Haleem. “And do not kill any one whom Allah has forbidden, except for a just cause” is the translation of Mohammad Habib Shakir.
3. The translation of Abdel Haleem.
4. The translation of Abdel Haleem.

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