

Right to life with special reference to Abortion and Euthanasia

Dr Mayuri Barman
Associate Professor, Pandu College

Abstract— Morality is an on-going process in the life of human beings from its primitive stage to the present stage. Moral ideas have undergone many changes during long period. This change is reflected concerned with beliefs and actions which are in reflected in two more ideas in contemporary moral philosophy- one is abstract-meta-ethics and other is concrete--Applied ethics. One particular kind of applied ethics that raises distinct concern is Bio- ethics. Bio- ethical issues such as 'abortion', 'euthanasia' etc. often involves beings whose moral standing is much more contentious.

The belief about what is right and what is wrong, what ought to be done and what not to be done is generally defined as moral belief. But, in this age of globalization all human beings with their rapid developments feel insecure in every sphere of life. The problems of bio-ethical issues like Abortion, Euthanasia etc. is especially urgent in the present day. They are rather the problems of human beings in situations in which not only ethical decision is necessary for every moment of our life. Thus, in applied ethics ethical principles are required to be applied to solve practical moral problems. Thus, the present paper focuses three major points

Firstly, it discusses about 'Right to Life'. The principles of right to life would allow both abortion and euthanasia if the situation permits.

Secondly, the problems of bio-ethical issues like abortion and euthanasia have been taken in discussion and Thirdly, arguments for and against 'Abortion' and 'Euthanasia'. Thus, in the end it is about the "Right to life and Right to die". If someone has the 'right to life' than he also has the 'right to die' if situation permits.

Index Terms— Morality, applied ethics, right to life, bio-ethical, abortion, euthanasia.

I. INTRODUCTION

According to Mahatma Gandhi- "Ethics form character, and character defines a person. A person lacking character is merely a body with no more significance than flesh and bones."

In our globalized era, individuals are preoccupied with the pursuit of material comfort and happiness, driven by swift technological progress and the modernization of society; however, despite this, they often feel insecure in various aspects of their lives. Consequently, they struggle to cultivate a meaningful existence, which can be described as the good life. To maintain social harmony and integration, the presence of morality and ethical principles is crucial. Ethics is a philosophical field that examines values related to human behaviour, concerning what is deemed right or wrong in specific actions, as well as the motives and purposes behind those actions. Applied ethics refers to the segment of ethics that entails the examination of specific, controversial moral dilemmas such as abortion and euthanasia. In recent years, issues within applied ethics have been categorized into manageable groups such as medical ethics, business ethics, and environmental ethics. Consequently, applied ethics is an expanding interdisciplinary area that addresses ethical challenges in various sectors of society. Although the term "applied ethics" has become popular only in recent decades, the concept itself is not new. Philosophy has long engaged with questions of personal morality (what actions should I take?) and public morality (what is beneficial for society?). These inquiries are central to applied ethics as well as to ethics in general. It focuses on specific issues and controversies that arise in both private and public life. In the private realm, ethical concerns can pertain to family matters, while in the public domain, applied ethics might involve evaluating policies in light of advancements in biomedical technology and genetics, such as issues of life and death, risk, and ethical considerations, or it may address responsibilities to future generations in the context of environmental challenges. Therefore, applied ethics represents the

practice or study of contemplating moral dilemmas and ethical issues across diverse social settings.

II. BIO-ETHICS

The term "Bioethics" combines "bio," which signifies biological knowledge, and "ethics," which pertains to the understanding of human values. Medical ethics falls under the broader category of bioethics. The widespread adoption of biomedical and other technologies in the latter half of the 20th century has compounded existing issues and introduced new challenges, such as the definition of death, the withdrawal of life-sustaining medical treatments, abortion, and the utilization of human and animal tissue for research purposes. Currently, the ethics of life encompasses a vast array of topics, including surrogacy, abortion, organ transplantation, and cloning. Therefore, addressing bioethical dilemmas is a multifaceted and challenging endeavour.

III. ABORTION: RIGHT TO LIFE

Medical ethics represents a crucial branch of applied ethics, with abortion being a significant topic within it. Abortion is among the most debated moral dilemmas in contemporary society. It relates to human rights because every individual has a right to life. Abortion refers to the removal of a fetus from the womb prior to its development to the point of viability. It can occur spontaneously, known as a miscarriage, or be induced intentionally, referred to as an induced abortion. The topic of abortion is sensitive and demands a great deal of comprehension when it comes to discussing the ethics associated with it. This brings forth the question 'Is abortion morally acceptable?', or 'Under what circumstances is an abortion ethically acceptable?', or 'Can a fetus be considered a person?'. By examining the circumstances surrounding a specific abortion, we can gain insight into the moral allowance or prohibition of abortion.

Right to abortion has been recognised under right to privacy which is a part of right to personal liberty and which emanates from right to life.

Let us take one argument against abortion

First premise: It is wrong to take the life of an innocent human being.

Second premise: An unborn fetus is an innocent human being.

Third premise: Therefore, it is wrong to take the life of a human fetus. (Peter Singer, 2011).

This argument suggests that since a fetus is an innocent human being, it is wrong to terminate its life. However, the question arises: can a fetus be classified as a person? Many advocates for the right to abortion argue that a fetus is not a person but merely a mass of tissue that will become a person at birth. During the early stages of pregnancy, what may be termed a natural miscarriage does not carry the same emotional weight as the loss of a person. A parent grieving the loss of a child endures one of the most profound sorrows filled with unmet hopes and dreams. Yet, a prospective mother does not belong in the same category as one who has lost a child. Furthermore, even societies that prohibit abortion do not necessarily require a complete burial ceremony for a deceased fetus. Thus, a newly fertilized ovum or an early implanted cluster of cells cannot be considered a person in the same manner that an acorn is not an oak tree without maturing into one. (Steven Cahn, 2009). Utilitarianism is an ethical theory that focuses on the consequences of actions, particularly examining abortion through the lens of the principle of utility, which aims to enhance societal welfare. It does not assign absolute value to human life, steering clear of moral debates regarding the beginning of life this is viewed as a significant advantage of utilitarianism when discussing abortion. Given the aforementioned considerations about the permissibility of abortion using the utilitarian consequentialist approach, we can formulate a set of general principles and guidelines that apply to every moral dilemma based on our utilitarian analysis. To start, Bentham's interpretation of utilitarianism, known as 'act utilitarianism', is the most suitable framework as it focuses on the outcomes of individual abortion cases, evaluating each situation independently of others. It emphasizes assessing each unique circumstance on its own merits, which places significant importance on the mother and the potential consequences for her life. This approach allows for consideration of scenarios such as severe fatal abnormalities or cases of rape within a utilitarian context. Consequently, it provides women who have experienced rape the option to decide whether to proceed with the pregnancy, acknowledging that they

might struggle to cope with the emotional burden of raising a child conceived under such distressing conditions. In this manner, the choice to have an abortion could lead to a more fulfilling life for the mother, free from constant reminders of her trauma, while also alleviating the emotional strain on her family. On the other hand, 'rule utilitarianism' diverges from act utilitarianism by asserting that individuals should adhere to societal standards that have been established. It proposes the creation of a rule regarding abortion that applies universally across various situations, suggesting that decisions should be governed by the welfare of society as a whole rather than just individual well-being. A society that upholds a rule allowing women the right to choose abortion is likely to be a happier community than one that does not endorse this rule.

Act Utilitarianism focuses on the principle of utility when assessing or choosing actions. Rule Utilitarianism, on the other hand, applies the principle of utility along with moral norms for the assessment or choice of actions. Given that utilitarianism broadly relies on evidence demonstrating the happiness of many, it is essential to consider the medical and health advantages of abortion, as it contributes to the well-being of a significant portion of the population. Many women face unwanted pregnancies, which can negatively impact the entire family. Mothers with unplanned births tend to experience increased depression and reduced happiness compared to mothers without such experiences. Thus, any scenario that causes widespread depression can be viewed as ethically objectionable from a utilitarian perspective. Consequently, utilitarians argue that abortion may be justified in specific circumstances. Respecting life and honouring individual dignity are two fundamental considerations associated with abortion. A balance between respect for life and individual dignity is essential for the harmonious functioning of society. As a result, within the framework of human rights, it is often necessary to weigh one right against another.

IV. EUTHANASIA

In the 20th century, discussions surrounding ethics focused on the morality of both abortion and euthanasia. Various fields such as philosophy, religion, law, and ethics, in addition to medicine, examine these subjects. The term "euthanasia" is

derived from the Greek words "EU" and "Thanatos." "Thanatos" translates to "death," while "EU" signifies "good" or "noble." Thus, the literal meaning of euthanasia is "a gentle and easy death" or "a good and honourable death" (Nimbalkar, 2007, p.55). Etymologically, euthanasia refers to a peaceful death devoid of severe pain. Consequently, in contemporary society, the term "euthanasia," also known as "mercy killing," describes any actions or methods undertaken to hasten the death of individuals who are gravely ill and suffering, in order to alleviate their distress. To gain a deeper understanding of euthanasia, it is essential to recognize some of its fundamental characteristics.

Below are the characteristics summarized briefly:

- Euthanasia is defined as either an action (commission) or a failure to act (omission) that intentionally leads to death to end suffering.
- The primary intent and objective of euthanasia are to alleviate the patient's suffering.
- An act of euthanasia typically involves at least two individuals.
- Euthanasia operates on the belief that the patient's life is no longer worth living, as the individual is perceived to exist solely as a non-responsive entity, lacking humanity in the conventional sense.
- A patient may request euthanasia if their illness is terminal and they are enduring unbearable pain, as understood by medical professionals. Additionally, the individual is expected to pass away shortly after discontinuing life-sustaining treatment.
- The patient must be capable of expressing their desire for the withdrawal of treatment, either verbally or in writing. If they are unable to provide consent, then a close family member will make the decision on their behalf.
- Prior to proceeding with euthanasia, the patient must consult a second doctor to verify their current condition.

These characteristics of euthanasia demonstrate that it is distinct from other types of death and killing; it does not equate to suicide or murder. It involves the intentional termination of a patient who is nearing the end of life, following specific guidelines and situations where treatment can neither cure them nor provide a

good quality of life. "The concept of euthanasia, originally referring to the act of supporting someone in their dying process, was first introduced by Francis Bacon" (Wikipedia contributors, 2024). Euthanasia refers to the intentional act of ending someone's life to alleviate their pain and suffering, and it manifests in various forms. The debate surrounding euthanasia includes two main types: consent-based and procedural decision-based. Voluntary euthanasia takes place when the patient consents to the act being performed. This involves a request made by the terminally ill patient or their legal representative. The central concern in voluntary euthanasia is obtaining the patient's consent. In contrast, non-voluntary euthanasia occurs when consent from the patient is not attainable. Non-voluntary euthanasia is carried out without the patient's permission being accessible. Euthanasia can be categorized into active and passive based on the procedural choices made. "Passive" euthanasia involves the deliberate choice to refrain from a life-sustaining action. Avoiding routine medications vital for maintaining life, such as antibiotics, represents passive euthanasia. Generally, passive euthanasia is not considered illegal. These procedures are usually performed on patients who are close to death to accelerate the dying process. It may also be executed for individuals in a deep coma who cannot regain awareness, as well as those with severe brain injuries or who are in a permanent vegetative state. On the other hand, "active" euthanasia involves a deliberate action to shorten life expectancy. Active euthanasia consists of ending a person's life effortlessly and compassionately, like when a physician administers a lethal dose of medication. An ideal death occurs when a doctor provides medication or an injection that facilitates a calm passing. This happens in response to an individual's request, thereby leading to their death. Any direct participation in causing death, such as giving a lethal medication or being involved in assisted suicide where a third party supplies the means for the patient to die, is termed "active euthanasia." An ethical dilemma emerges when considering the function of euthanasia in upholding human dignity. Although it may seem straightforward, this is a complex area. Human dignity is paramount and encompasses all other rights, including privacy, the freedom of choice, autonomy, self-determination, and respect, among others. If any of these elements are perceived to be missing, it results

in a breach of the 'Right to Human Dignity'. The claim that the right to personal autonomy or self-determination serves as the strongest rationale for the legalization of voluntary euthanasia is widely supported. In this context, autonomy signifies the capacity to make one's own choices. David Hume argued in his 18th-century article 'On Suicide' that individuals in a free society have the right to choose how they wish to die. Elderly people diagnosed with terminal illnesses must deal with the stress, trauma, and feelings of hopelessness that come with these conditions, often believing they have become financially burdensome and worthless to their families.

V. CONCLUSION

The debate over the morality of abortion will always persist, with individuals forming their own beliefs and rationales about whether it should be permitted or prohibited. Consequently, Utilitarianism strives to achieve the highest level of happiness and the least suffering, ensuring the best outcomes for the largest number of people. Conclusionally, we must recognize that the utilitarian approach to ethical principles aims to provide a universal guideline for all moral choices. Regarding abortion, utilitarianism suggests that any unwanted pregnancies, as well as those that pose physical, mental, emotional, or financial challenges, should be resolved through abortion. Ultimately, what matters most is happiness. This is why Mill would concur that a mother is the most qualified to decide whether to end a pregnancy. Therefore, to address bioethical dilemmas, there should be an equilibrium among several considerations the interests of the fetus, those of the pregnant woman, and the interests of society. Nevertheless, this would lead to an analysis that is highly open-ended.

The concept of respecting life serves as the basis for the "sanctity of life" argument. Albert Schweitzer (1965), an advocate for the 'sanctity-of-life principle,' asserts, "To the truly ethical person, all life is sacred, including forms of life that may appear inferior from the human perspective" (p.47). Within the realm of ethical thought, the idea of ahimsa represents one of India's most significant contributions. The essence of ahimsa, or non-violence, emphasizes refraining from any actions that may lead to the destruction or harm of any living being. This commitment to avoiding harm to all forms of life is aligned with the sanctity of life

principle. Currently, there is also concern regarding whether the sanctity of life principle encompasses all forms of life or solely pertains to human beings. This principle asserts that life possesses intrinsic value and should be safeguarded and defended at all costs. It maintains that the usefulness of life is not a relevant consideration. What truly matters is the absolute prohibition against the taking of any human life. As Luke Gormally, a proponent of this principle, states, "the ethical core of the doctrine of the sanctity of human life is an absolute (i.e. exception less) prohibition on intentionally killing another human being for reasons that are incompatible with justice" (Tännsjö, 2004, p.83). Over the past few decades, the perceived value of human life has drastically diminished. Understanding the meaning of "value" is essential. Value can be categorized into two key types: instrumental and intrinsic. Something that is valuable in itself is said to have intrinsic worth. Conversely, something that has instrumental value is only deemed valuable if it leads to something that holds intrinsic value. The sanctity of life principle claims that all human life is intrinsically valuable. The right to life remains an unfulfilled right in India, making the movement for the right to die particularly challenging. As a result, it is essential to establish suitable and effective regulations regarding the important issues of euthanasia and abortion. A brief discussion cannot adequately cover the justifications for legalizing these subjects due to their complexity. Euthanasia presents both ethical and legal dilemmas. This paper has only attempted to address a few aspects of euthanasia and abortion.

REFERENCES

- [1] Butler, P.T. (1985). *Studies in first Corinthians*. College Press Publishing Company, Joplin, Missouri.
- [2] HAD, W. S. P. P. (2011). Abortion and excommunication. *A Journal of Roman Catholic Tradition*, 34(4),2-43.
- [3] Aramesh, K., & Shadi, H. (2007). Euthanasia: An Islamic ethical perspective. *University of Tehran, Iran*6(5), 35-38.
- [4] Beauchamp, Tom. L, "Euthanasia and Assisted Suicide", *Contemporary Issues in Bioethics*, Tom. L.Beauchamp and LeRoy Walters (eds), Belmont: Wadsworth Publishing Company, USA, 1999, P.275.
- [5] Kant, I. (2017). *Groundwork for the Metaphysic of Morals*. Jonathan Bennett.Lecso, P.A. (1986). *Euthanasia: a Buddhist perspective*. *Journal of Religion and Health* 25(1), 51-57.
- [6] Lee, P. (2010). *Abortion and unborn human life*. (2nd ed). Washington, D.C.: The Catholic University of America Press.
- [7] Nimbalkar, N. (2007). *Euthanasia: The Hindu Perspective*. *National Seminar on Bio Ethics*, 55-58.
- [8] Schweitzer, A. (1965). *The teaching of Reverence for life*. Trans. Richard, Winston. C. New York: Holt, Rinehart and Winston.
- [9] Singer, Peter (1993) *Practical Ethics*. 2nd ed., Cambridge University Press.
- [10] Steven Cahn, (2009), *Exploring Ethics*, Oxford University Press.
- [11] Kamm F, *Creation and Abortion*, Oxford University Press.
- [12] McMahan, J. (2002), *The ethics of killing: Problems at the margins of life*. New York: Oxford University Press.