ABSTRACT

1 Introduction
Euthanasia defined by Farooq Khan as "a deliberate intervention undertaken with the express intention of ending a life, to relieve intractable suffering"\(^1\). According to the Greeks, "good death." is observed as a tribal Custom. Abandoning life at a certain age or stage of decline of health, was considered a form of, ‘euthanasia'. Ancient classical views around 428 BC-348 BC articulated suicide as wrong. The practice of euthanasia prevalent in the B.C slowly tapered down. Euthanasia declined with the rise of Christianity Greece and Rome considered euthanasia a rational and humane thing to do. French laws more lenient. Nazi “euthanasia” was quite different based on pseudoscientific theory and ruthless economic policy. Influence of Nazi euthanasia was seen in the US. A committee established for Legalizing Voluntary Euthanasia in New York showed declining support. Subsequently later, the concept witnessed a change, patient autonomy, their rights; particularly the right to turn down medical care, and life-sustaining care was recognized and accepted. A progressive step was initiated towards the subject.

1.2 Objectives of the study

1. To analyze the prevalence, patterns and trend of the people where To have a lucid understanding of the theory of Euthanasia.

2. Euthanasia prevails.

3. To conduct a comparative study of countries where Euthanasia is prevalent and legalized, to those where it is considered as a crime.

4. To analyze the arguments for and against euthanasia.

5. To use primary and secondary data to understand and examine whether or not Euthanasia should be legalized.
6. To provide a foundation for execution of further comprehensive studies pertaining to the legal efficacy and the necessity for legislation in our country.

7. To study and evaluate the possibility of its implementation as a law in Indian society.

8. To analyze and evaluate the judicial trend regarding matters of euthanasia.

9. To draw inferences on the subject based on the study material available and data analyzed.

10. To suggest recommendations on this subject.

The ethical debate on Euthanasia thus creates interest in the researcher to study about the topic in detail. The research work is be based on the data collected from libraries, journals, magazines, newspaper, law report, seminars, and conferences. Opinion obtained from experts will form the part of thesis. Interviews of some people those are affected will be a part of research study.

The researcher has made a study of various books, encyclopedia, websites, from rational materials available in the libraries, periodicals. The researcher is also scanning Articles, magazines, journals and daily newspaper published in English, Hindi and Marathi. The researcher has also reviewed few articles in which it has been observed that the authors have analyzed the differences of arguments in and against euthanasia to portray its progressiveness.

1.3 Hypothesis

A lawful methodical, systematical study was done "to establish whether the hypothesis framed is true. In view of the aforesaid, the Researcher has set up the following hypothesis.

1. Exposure to good palliative care results in opposition to legalized Euthanasia.

2. Does religion has an impact on the Government's decision towards legalizing Euthanasia.
3. The concept of Euthanasia is generally known in all society.
4. The concept of Euthanasia is not considered a crime.
5. The Government should resort to measures for legalizing Euthanasia.
6. A standard or parameters of incurable sickness should be decided for administering Euthanasia.
7. Euthanasia has to be voluntary and aided by Dr’s only.
8. Euthanasia must be permitted in extremely rare cases.
9. Euthanasia is a solution to the ailing patients to relieve them from torments of life.

To test the hypothesis, primary data is collected through a structured questionnaire. It was distributed to graduate individuals from different educational backgrounds. Men and women of different age groups coming from the various strata were interviewed in context of the above hypothesis.

1.4 Results of the study
The concept of euthanasia is known to everyone in general in India. There is 100% awareness about the concept in males and 90% in females.

The study also showed that most of the populace does not view it as crime. 28% of the total population states that it is a crime. The ratio of both the male and female respondents is more or less the same who consider it a crime. But the data depicts that majority of the population that is 72% of them state it should not be considered a crime.

The data analyzed also revealed that there has been a overwhelming response for legalization of euthanasia. The researcher observes that, as the attitude of the population to look at it as a crime has diminished there is a pressing demand for euthanasia. It has been observed that 85% of the total population have casted their preferences in favor of legalization of euthanasia. Further it has been observed by the researcher that though most of the population wants legislation they are not ready to implement it generally. It has been detected that they want the implementation of euthanasia is only in the rarest of rare cases that is only when the victim is suffering from an
irretrievable illness or is in a vegetative stage. 77% of the total population recommend its implication exceptionally.

The dissertation also examined the peoples approach about the acceptance of a doctor said at the time of execution of euthanasia. The research also analyzed the approach of people about incurable sickness and whether any parameters should be levied to determine incurable sickness. It was viewed that 82% of the total population feels that euthanasia should be administered to only terminally ill patients, with the aid of a doctor within specified parameters by the legislature.

The researcher also tried to understand whether euthanasia is the only solution to the ailing incurable patients. It was detected that 75% of the populace thought yes it is the only solution.

1.5 Conclusion
The experiential studies have revealed that it has been a multifaceted and complicated problem to arrive at a solution on euthanasia for all the nations around the world. It is because of the tradition, culture, taboo, religion, morality etc. that exists and are suppose to be the influential factors for formulating the views of people on the concept of euthanasia. There exists little agreement about the ethics of the practice of euthanasia within each custom; it can be argued that the practice under certain situations can be compliant with every institution’s ethical and moral structure.

Euthanasia has been illegal in most of the countries all over the world. There are many debates on the issue of legalization of euthanasia. It has been observed that it has been almost impossible to reach a consensus on the subject for mostly all the nations. It has been examined that the concept towards euthanasia in each continent is different. The religious views have a major impact on legislation prevalent in the continents. It has been depicted that amongst the various forms of euthanasia prevalent passive form is the most approved form by many states.
The researcher after evaluating the Indian perspective of euthanasia has arrived at a conclusion that it is the Hindus who are comparatively more liberal in their thinking for the issue as compared to the other religions. The Indian medical fraternity is doubtful about its implementation due to the country’s shaky hold of law and the quintessential economic gap that is systematized here. Humanist, the socialist, the libertarians and the legal fraternity seems to have a progressive and positive approach towards euthanasia. They all propose legalization of euthanasia.

The palliative care treatments available in India are marginal. Hence it is been observed that these progressive treatments should not be an obstacle in legalization of euthanasia.

It can be concluded that there is awareness about the concept of euthanasia amongst the Indian population. Populace is therefore ready to speak and hold discussions related to the subject. This is mainly the result of the Supreme Court’s judgment favoring passive euthanasia. It has been observed that the populace, especially the educated have accepted the issue and are in favor of legislation for euthanasia. They want the legislators to incorporate strict stipulations for its implementation to avoid the possible misuse apprehended by them. The guidelines suggested by Supreme Court and accepted by the Law commission should be implemented. But along with it the researcher suggests to draw evidence from the past behavior of the patient to confirm his or her consent, in case the patient is in a vegetative stage or in coma. It is experienced that the populace wants the doctor’s assistance and psychologist’s verification before implementation.

Hence, the research has rests all the hypothesis drawn by the researcher positively. In India, it cannot be disputed that there is a genuine need to have legislation, which is definite, unbiased and safe.

End Notes:

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