

## LEGITIMACY OF EUTHANASIA(MERCY KILLING): AN ISLAMIC PERSPECTIVES

Dr. Altaf Hussain Langrial\*

Muhammad Muslim\*\*

### *Abstract*

Euthanasia or Mercy killing is one of the most controversial and burning issues of present day. The first section of article is about the introduction, history and types of euthanasia. The second section is about the world current status of legislation about it. Third section is cardinal section of the article and describes about the legitimacy of euthanasia from Islamic perspectives. In 4<sup>th</sup> section the decisions of Islamic consensual colleges of legislation are presented to bring forth the collective decisions of Islamic jurists. The 5<sup>th</sup> section is a brief retort of the proponents of the euthanasia and reveals the hidden realities relating to euthanasia. In last the summary and findings of the research are presented.

### **Introduction**

*Euthanasia* is one of the most debatable issues of our times from medical, ethical and religious point of view. The word *Euthanasia* originates from the *Greek* word *euthanatos* which means an easy death or Good Death and its pronunciation is \,yü-thə- 'nā-zh(ē-)ə\ . It is also known as *Mercy Killing* or *Physician-Assisted Suicide*<sup>(1)</sup>. In Arabic it is called قتل الرحمة / المرحة. Therefore it is defined as "The painless killing of a patient suffering from an incurable and painful disease or in an irreversible coma"<sup>(2)</sup>.

Medically it is defined as: "The act or practice of killing hopelessly sick or injured individuals (as persons or domestic animals) in a relatively painless way for reasons of mercy; also : the act or practice of allowing a

---

\* Director Bahawalnagar Campus/Assistant Professor, Department of Islamic Studies, The Islamia University of Bahawalpur, Bahawalpure Pakistan.

\*\* M.phil Research Scholar Islamic Studies, Department of Islamic Studies, The Islamia University of Bahawalpur, Bahawalpur Pakistan.

hopelessly sick or injured patient to die by taking less than complete medical measures to prolong life—called also *mercy killing*”<sup>(3)</sup>.

With the emergence of materialism and industrial revolution, the debate for the legitimacy of euthanasia started and the materialistic purposes were in guise of humanism and mercy. Being Muslims, before adopting or rejecting it, we have to peep through the Islamic Literature and Islamic history, whether it is legitimate or forbidden and for this purpose we have to reveal pros and cons of euthanasia.

### **Brief history of euthanasia**

According to the proponents of euthanasia, it is not a new debate but it was widely practiced in ancient Greece and Rome and many other regions of the world. For example the use of hemlock plant (a poisonous plant) was common to hasten the death in the Marseilles, isle of Kea, and Athens. In past Euthanasia was considered as a way to hasten the death for hopeless and severely ill patients. Such death was also sported by the ancient philosophers like Plato, Seneca the Elder etc. however Hippocrates opposed it and said: "I will not prescribe a deadly drug to please someone, nor give advice that may cause his death"<sup>(4)</sup>.

*Questel* described several techniques to hasten death of the dying, like sudden removal of a pillow or laying patient on ground (believed to accelerate death) and such things were argued against as they were against the laws of *God* and *Nature*<sup>(5)</sup>. *Euthanasia* also involving the techniques such as bleeding and suffocation. The contemporary *Euthanasia* debate started in 1800s when *John Warren* recommend the use of *morphine* to treat the pain of death in 1848. In the same way *Joseph Bullar* recommended the use of *Chloroform* for the same purpose. First debate on this topic was held by a school teacher *Samuel Williams* in the *Birmingham Speculative Club* in England<sup>(6)</sup>.

### **Types of Euthanasia**

*Euthanasia* can be classified into three main categories<sup>(7)</sup>:

1. **Voluntary euthanasia:** It is directly associated with the so called ‘right to die’. In such cases the patients want to die.
2. **Non-voluntary euthanasia:** In non-voluntary *Euthanasia* the consent of patient is not available. (Perhaps they are unconscious or unable to communicate). Its examples are child *euthanasia*.
3. **Involuntary euthanasia:** When *Euthanasia* is conducted against the will of the patient it is termed as involuntary *euthanasia*. Such

actions are committed by the heirs or medical professionals secretly observing the serious and painful condition of patient.

All the above mentioned types of *Euthanasia* are further divided into the two types

1. **Active euthanasia:** Active *Euthanasia* is performed using lethal substances or forces.

**Passive euthanasia:** In passive *euthanasia*, the common treatment is stopped which is necessary to save a person's life. i.e. Switch off life-support machines, disconnect a feeding tube, etc. Sometimes such drugs are used which have double effect such as painkillers which shorten the life span of a patient<sup>(8)</sup>.

### **Worldwide Current legal position**

In most of the countries including almost all Islamic countries *Euthanasia* is not allowed and is considered as murder. According to 1961 suicide Act, In England any one performing *Euthanasia* or assisting for it is considered a killer and he may be imprisoned for about 14 years<sup>(9)</sup>. However the countries favouring it are also in the world such as, it was legalized in the *Netherlands* in 2001, *Luxembourg* and in *Belgium* in 2002. *Euthanasia* is declared legal with the name of *Mercy Killing* in *Switzerland, Germany, Albania, Colombia* and *Japan*.

In 1997 *Oregon* became the first state in the *U.S.* to decriminalize physician-assisted suicide, later on other states such as *Washington, Vermont, Texas* and *Montana* also adopted it<sup>(10)</sup>.

All the Islamic countries strictly ban this act and in the same way *Vatican City* and *Israel* also ban it, however in *Israel* passive *Euthanasia* is allowed according to the *Israeli Law* not the *Jew Law*<sup>(11)</sup>.

### **Islamic Opinion about Euthanasia**

#### **Sacredness of Life:**

All the religions and social philosophers, except a few purely materialistic philosophers, believe in the sacredness of human life. According to *Islam* human beings are created as the *Khalifat Ullah*, as Allah Subhanahu Wa Ta'la says:

﴿إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً﴾<sup>(12)</sup>

(verily I am going to place a vicegerent On the earth)

and also says:

﴿لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي أَحْسَنِ تَقْوِيمٍ﴾<sup>(13)</sup>

*(We have created man in the best composition.)*

so we should be conscious about the life and death of Humans, therefore Allah says:

﴿مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا

فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا﴾<sup>(14)</sup>

*(whoever kills a person not in retaliation for a person killed, nor (as a punishment) for spreading disorder on the earth, is as if he has killed the whole of humankind, and whoever saves the life of a person is as if he has saved the life of the whole of humankind).*

﴿وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا وَمَنْ يَفْعَلْ ذَلِكَ عُدْوَانًا وَظُلْمًا فَسَوْفَ

نُصَلِّيهِ نَارًا وَكَانَ ذَلِكَ عَلَى اللَّهِ يَسِيرًا﴾<sup>(15)</sup>

*(Do not kill one another. Indeed, Allah has been Very-Merciful to you. Whoever does that out of aggression and injustice, We shall cast him into the Fire. This is an easy thing for Allah).*

Quraan also points out about the Jew Law:

﴿وَإِذْ أَخَذْنَا مِيثَاقَكُمْ لَا تَسْفِكُونَ دِمَاءَكُمْ﴾<sup>(16)</sup>

*(When We took a pledge from you(Jews): You shall not shed the blood of one another).*

In this respect same teachings are presented in Jew and Christian Holy Literature:

*Cursed is the man who accepts money to kill an innocent person*<sup>(17)</sup>.

*One of the sins of Ammon that resulted in God's wrath was killing pre-born children*<sup>(18)</sup>.

According to the *New Testament* the act of killing a person is a satanic action:

*Jesus came to save, restore, and renew life. Satan comes to steal, kill, and destroy*<sup>(19)</sup>.

## Committing Suicide because of Pain

One of the worst type of killing is to kill oneself (suicide) and the Holy Prophet ﷺ has told about a person who committed suicide whether he was severely injured in a battle: *"My slave has caused death on himself hurriedly, so I forbid Paradise for him"*<sup>(20)</sup>.

Holy Prophet ﷺ did not performed his funeral prayer as is narrated by Sayyiduna Samurah (RA):

"أَنَّ رَجُلًا قَتَلَ نَفْسَهُ، فَلَمْ يُصَلِّ عَلَيْهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ"<sup>(21)</sup>.

*(A man killed himself. So, the Prophet ﷺ did not pray his funeral salah).*

According to the teachings of Bible:

*Be not over much wicked, neither be thou foolish: why shouldest thou die before thy time?*<sup>(22)</sup>

## Divine Law about killing a Person

If by committing *Euthanasia* a doctor or any person kills a person the Allah's Law about such a person in this world is about legal revenge:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلِ﴾<sup>(23)</sup>

*(O you who believe, Qisas has been prescribed for you in the case of murdered people).*

And the punishment relating to dooms day is:

﴿وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمَّدًا فَحَرْأُهُ جَهَنَّمَ خَالِدًا فِيهَا وَعَصِيبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ

عَذَابًا عَظِيمًا﴾<sup>(24)</sup>

*(Whoever kills a believer deliberately, his reward is Jahannam (Hell) where he shall remain forever, and Allah shall be angry with him and shall cast curse upon him, and He has prepared for him a mighty punishment).*

According to the Prophet of Islam Hazrat Muhammad ﷺ it is not a sign of civilization or culture but actually it is a symbol of ignorance and afflictions and He ﷺ called it Harj, when *His companions (R.A)* asked about harj, he replied it is murder<sup>(25)</sup>. Holy Prophet ﷺ also declared the murder of a person as a great sin<sup>(26)</sup>.

A doctor, while accepting the task of treatment, accepts the assurance of treatment and has no authority for an unconscious person to kill him for the name of mercy instead of performing his treatment. He has accepted the agreement to do his best to save his life not to take his life.

أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: "مَنْ قَتَلَ مُعَاهِدًا لَمْ يَرِحْ رَائِحَةَ الْجَنَّةِ وَإِنَّ رِيحَهَا تُؤْخَذُ مِنْ مَسِيرَةِ أَرْبَعِينَ عَامًا"<sup>(27)</sup>.

*(The Prophet said, "Whoever killed a person having a treaty with the Muslims, shall not smell the smell of Paradise though its smell is perceived from a distance of forty years).*

If some jurists or law making authorities decide such a brutal law then they will share all the sins resulting from their decision or law, as narrated by *Hazrat Abdullah*:

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "لَا تُقْتَلُ نَفْسٌ ظُلْمًا إِلَّا كَانَ عَلَى ابْنِ آدَمَ الْأَوَّلِ كِفْلٌ مِنْ دِمَهِمَا لِأَنَّهُ أَوَّلُ مَنْ سَنَّ الْقَتْلَ"<sup>(28)</sup>.

*(Rasool ullah ﷺ said, "Whenever a person is murdered unjustly, there is a share from the burden of the crime on the first son of Adam for he was the first to start the tradition of murdering).*

The act of killing in the name of mercy is actually a brutal action and could not be named as so called "Mercy Killing", as in the act of mercy one should try one's best to save life, to provide best treatment, to encourage the patient. It is the real mercy that *Islam* has preached and it leads a person towards the path of *Jannah* and saves his from the fire of *hell*. It is real mercy about which the *Prophet of Allah ﷺ* has told:

"If you show mercy to those who are on the earth, He Who is in the heaven will show mercy to you"<sup>(29)</sup>.

*Islam* gives more importance to the social benefits over the interests of a person, and a demand for *Euthanasia* from a patient or his heirs may be because of someone's escaping tendency and for his own pleasure, but while treating his disease doctors may find new sources for the treatment of other persons and hence personal interests and pleasures

may be sacrificed over the cause of society. It is also an Islamic general rule that

"يَتَحَمَّلُ الضَّرُّرُ الْخَاصُّ لِدَفْعِ ضَرَرِ عَامٍ"<sup>(30)</sup>.

(suffering of specific person should be tolerated for the elimination of general peoples' suffering).

in this way the suffering of a few persons may lead to the discovery of a treatment and thus these persons may cause relief for the rest of human race and thus may share the reward of their good deeds in this world and the world to become. *Euthanasia*, if adopted, may be a great barrier in the way of development of science and medicine.

### **Abundance of Medication from Islamic Perspectives**

*Holy Prophet* ﷺ ordered for medication and to adopt means to cure diseases and said:

"نَدَاوُوا فَإِنَّ اللَّهَ عَزَّ وَجَلَّ لَمْ يَضَعْ دَائِي إِلَّا وَضَعَ لَهُ دَوَائِي غَيْرَ دَائِي وَاحِدٍ الْهَرَمُ"<sup>(31)</sup>

(Make use of medical treatment, for Allah has not made a disease without appointing a remedy for it, with the exception of one disease, namely old age).

Therefore it is consensual matter amongst the Fuqaha that medication is not against trust in Allah, and it should be given priority.

*Holy Prophet* ﷺ explained the real face of trust in Allah:

عن أَنَسِ بْنِ مَالِكٍ يَقُولُ: قَالَ رَجُلٌ: يَا رَسُولَ اللَّهِ! أَعْقِلُهَا وَأَتَوَكَّلُ أَوْ أُطْلِقُهَا وَأَتَوَكَّلُ؟ قَالَ:

"اعْقِلُهَا وَتَوَكَّلْ"<sup>(32)</sup>.

*Hadhrat Anas bin Malik* reported that someone asked, "O Messenger of Allah! shall I tether it and trust in Allah or untie it and place trust in Allah? He said: "Tie it and trust in Allah."

Medication may become compulsory, preferable, abominable, or forbidden depending upon the nature of disease and its method of treatment.<sup>(33)</sup> It is also the opinion of *Imam Ibn e Taimiyya*, further more he adds that medication is not compulsory as eating deceased (Haram) animal to save life<sup>(34)</sup> and he says that medication is not compulsory according to most of the scholars<sup>(35)</sup>. Keeping in view the above stated situations the diseases may be classified into the two types:

1. Diseases that may cause death or a loss of limb.

2. Diseases that may not kill or cause a loss of limb.

In the same way the types of treatment may also be classified into the following categories:

1. Treatment that affirms the benefit.
2. Treatment that is assumed to be beneficial.
3. Treatment having fantasy of benefit.

If it is certain that treatment may benefit the patient otherwise his life may be in danger, or his limb may be lost, the treatment is necessary and the person can't refuse the treatment and he should be compelled for treatment and it is mandatory for the doctor to provide treatment. If the patient abandons the treatment he will commit a great sin. It is agreed decision by all scholars<sup>(36)</sup>.

In the same way, treatment is mandatory when a patient suffers from a contagious disease and the treatment is also available, or the disease is non-contagious but treatment is sure, and the patient is not allowed to refuse the treatment because to stop the treatment is dangerous for himself and others, in such cases treatment may not be stopped at the request of patient or his custodian. Prophet Muhammad ﷺ said:

"لا ضرر ولا ضرار"<sup>(37)</sup>.

*(There should be neither harming nor reciprocating harm).*

and treatment for fearsome diseases is compulsory according to the order of Allah:

﴿وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ﴾<sup>(38)</sup>

*(and do not put yourselves into destruction).*

Keeping in view the above mentioned rules of Islam about treatment, it becomes obvious that until treatment or lifesaving procedure seems to be beneficial for the patient it could not be stopped and hence there is no place for passive Euthanasia in Islamic Sharia.

### **Boundaries of Doctor's Authority**

The duty of a doctor is to save the lives of patients and if he/she acts as a killer he violates his / her duties and such kind of violation may reduce his credential and people may lose interest on his expertise. Islamic Jurisprudents consider such medical official who gives lethal dose to a

patient as unlearned doctor<sup>(39)</sup> and according to Hanafi Fuqaha such doctors should be banned from medical practice<sup>(40)</sup>. However *Fuqaha* allow the doctor to withdraw himself from the treatment of patient if he consciously says this, and also allow the doctor to receive the payment for the period he treated the patient<sup>(41)</sup>.

According to Fuqaha if a patient is at the verge of death and is expected to be saved by the treatment, then doctor is allowed to treat such patient without his permission and if doctor does not provide the patient treatment he is considered sinful because of violating his duty and the matter of legal penalty is contentious amongst the Fuqaha.<sup>42</sup> However if patient is not on the verge of death and is conscious enough then doctor needs his permission for the treatment<sup>(43)</sup>.

It is a consensual matter amongst the Fuqaha that violation is necessary for the legal vengeance in crimes ... and the duty of medical officials is to try to cure the patients not to violate his life<sup>(44)</sup>.

### **Killing a person who is at the verge of death**

If a person attacks a person and he is at the verge of death, and unconsciously moving, the movement of slain, and his eyesight and talking power has finished, then comes another person and attacks violently at the slain, then the real murderer is first person not the second, but if second one attacks before reaching him to the slain movements, then the second one will be considered as the murderer and the first should be liable to the legal revenge of limb or blood money. If first person injures a person that ultimately leads to death, however he was not at the verge of death and his vital force was still in him that may save him, and the second one came and cut off his neck now the murderer is the second one<sup>(45)</sup>. As was in the case of *Hadhrat Umar R.A*, when he was attacked by *Abu Lolo Feroz*, and the physician gave him milk to drink and the milk came out his wound white semi hardened, the doctor said *Hadhrat Umar R.A* to make his last will because he was near to death, so he handed over the matters of *Khilafa* to the *Shura*'(Council), and the Companions of Prophet (*Sahaba*[*R.A*]) promised him and accepted his last will<sup>(46)</sup>.

If the victim is at the verge of death because of a disease not by the killing action, and he is in the suffering before the death, his status is like the status of slaved person, or the patient is killed whether there is no hope

of treatment for him, then vengeance on the murderer is necessary, as this matter was not completely hopeless and there is always a bit chance of recovery, however if the patient is considered medically already dead, then the killing action of the killer becomes void<sup>(47)</sup>.

These statements of Fuqaha show that in any case doctor or any other person can't kill a person and if died with the action of killer then he should be treated as a killer although he killed him for the reason of mercy. As it is a universal Islamic rule that:

"الْيَقِينُ لَا يُزُولُ بِالشَّكِّ"<sup>(48)</sup>.

*(certainty cannot be faded away by doubts).*

and it is also a universal rule that:

"لَا عِبْرَةَ لِلتَّوَهُّمِ"<sup>(49)</sup>.

*( that there is no place for fantasy).*

The matter of providing relief from the suffering of death or disease is doubted as the life of a person does not end with the end of worldly life and there is also a life in the day to come (*Qayama*) and any act that may lead to death to get rid of pain and suffering may cause an endless suffering in *Akhira* as it is narrated in a hadith:

أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: "كَانَ بِرَجُلٍ جِرَاحٌ فَقَتَلَ نَفْسَهُ فَقَالَ اللَّهُ بَدَرَنِي عَبْدِي بِنَفْسِهِ حَزْمْتُ عَلَيْهِ الْجَنَّةَ"<sup>(50)</sup>.

*(A man was inflicted with wounds and he committed suicide, and so Allah said: My slave has caused death on himself hurriedly, so I forbid Paradise for him).*

### **Decision of court for Euthanasia**

The duty of court is to protect the rights of people not to help over the violation of rights. If courts help the violation of rights then society will turn into jungle where the norms of justice vary with the social class. In the name of mercy, courts should not decide merciless decisions of death without committing any crime. Prophet Muhammad ﷺ said in the case of *Fatima Makhzoomia (R.A)* when she committed theft:

*"O people! Those who came before you were only destroyed because when one of their nobles stole, they let him off but when one of the weak people among them stole, they would*

*carry out the punishment on him. By Allah if Fatimah the daughter of Muhammad were to steal, I would cut off her hand”<sup>(51)</sup>.*

### **The Authority of Social agencies**

In the so called civilized society, social agencies are also propagating for the *Euthanasia* and the summary of their arguments is that a person near to death is not beneficial for the society and his family so it is necessary for the patient to get rid of such a useless life that can't provide any kind of material benefit to society or his heirs. Such social agencies think with a materialistic mind and they measure human value with material things and thus are trying to astray the society to the period of former ignorance as was before the advent of Islam. Without the light of revelation and religion such agencies may degenerate the whole world as is described in the Holy Qura'an:

﴿وَإِذَا قِيلَ لَهُمْ لَا تُفْسِدُوا فِي الْأَرْضِ قَالُوا إِنَّمَا نَحْنُ مُصْلِحُونَ ۗ أَلَا إِنَّهُمْ هُمُ الْمُفْسِدُونَ وَلَكِنْ لَا يَشْعُرُونَ﴾<sup>(52)</sup>.

*(When it is said to them, :Do not spread disorder on the earth , they say :We are but reformers. Beware, it is, in fact, they who spread disorder, but they do not appreciate).*

Even for this purpose they have launched their website having web address <http://www.churchofeuthanasia.org/> which aims at the reduction of human population by promoting 4 means (1) suicide (2) abortion (3) cannibalism (human butchering) (4) sodomy. This website also invites the visitors to kill themselves to protect the planet (earth). Their basic motto is to reduce population so that resources may be abundant but the teachings of Quran in this respect are these:

﴿وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا﴾<sup>(53)</sup>

*(Do not kill your children for fear of poverty. We provide sustenance to them and to you, too. Killing them is a great sin indeed).*

It was because of the sacredness of human life that several times Rasool Ullah ﷺ took swear allegiance from His companions not to kill their children<sup>(54)</sup> and not to kill one another<sup>(55)</sup>.

## Euthanasia may serve as a slippery slope

According to a survey held in United States in which about 16% of more than 10,000 physicians admitted that they halted life sustaining therapy on the demand of family although they thought it was premature. In USA 46% physicians also agreed that the physicians assisted suicide<sup>(56)</sup>.

In Turkey Euthanasia is not allowed, however in a survey the oncologists of Turkey 43.8% did not object euthanasia, 33.7% of them were asked for Euthanasia out of which 41.5% performed Euthanasia secretly. 50.6% of the oncologists withdraw themselves from the treatment<sup>(57)</sup>. Considering the human life this figure is very large especially for an Islamic country where Euthanasia is not legal.

## Bearing Pain and Hardships is Always Rewarded

To get rid of pain in case of incurable diseases: whether religious and humanitarian organizations preach to bear pain and sufferings and this will provide them with new spiritual experiences and spiritual promotion. When a patient bears pain and suffering Allah forgives his sins.

قال النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "مَا يُصِيبُ الْمُسْلِمَ، مِنْ نَصَبٍ وَلَا وَصَبٍ، وَلَا هَمٍّ وَلَا حُزْنٍ وَلَا أذى وَلَا غَمٍّ، حَتَّى الشُّوْكَةِ يُشَاكُهَا، إِلَّا كَفَّرَ اللهُ بِهَا مِنْ خَطَايَاهُ"<sup>(58)</sup>.

*(The Prophet said: "No fatigue, nor disease, nor sorrow, nor sadness, nor hurt, nor distress befalls a Muslim, even if it were the prick he receives from a thorn, but that Allah expiates some of his sins for that").*

قال رسول الله صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "مَا مِنْ مُسْلِمٍ يُصِيبُهُ أذى إِلَّا حَاتَّ اللهُ عَنْهُ خَطَايَاهُ، كَمَا تَحَاتُّ وَرَقُ الشَّجَرِ"<sup>(59)</sup>.

*(The Prophet said: "for no Muslim is afflicted with any harm but that Allah will remove his sins as the leaves of a tree fall down").*

قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "مَا مِنْ مُصِيبَةٍ تُصِيبُ الْمُسْلِمَ إِلَّا كَفَّرَ اللهُ بِهَا عَنْهُ، حَتَّى الشُّوْكَةِ يُشَاكُهَا"<sup>(60)</sup>.

*(The Prophet said: "No calamity befalls a Muslim but that Allah expiates some of his sins because of it, even though it were the prick he receives from a thorn").*

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "قَارِبُوا، وَسَدِّدُوا، فَفِي كُلِّ مَا يُصَابُ بِهِ الْمُسْلِمُ كَعَارَةٌ، حَتَّى النَّكْبَةِ يُنْكَبَهَا، أَوْ الشَّوْكََةَ يُشَاكُهَا"<sup>(61)</sup>.

*(Allah's Messenger (peace & blessing be upon him) said: "Be moderate and stand firm in trouble that falls to the lot of a Muslim (as that) is an expiation for him; even stumbling on the path or the pricking of a thorn (are an expiation for him)".*

قال النبي صلى الله عليه وسلم: "لَا تَسِيَّ الْحُمَّى، فَإِنَّهَا تُذْهِبُ خَطَايَا بَنِي آدَمَ، كَمَا يُذْهِبُ الْكَبِيرُ خَبَثَ الْحَدِيدِ"<sup>(62)</sup>.

*(The Holy Prophet said: "Don't curse fever for it expiates the sin of the posterity of Adam just as furnace removes the alloy of iron").*

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "مَا يَزَالُ الْبَلَاءُ بِالْمُؤْمِنِ وَالْمُؤْمِنَةِ فِي نَفْسِهِ وَوَلَدِهِ وَمَالِهِ حَتَّى يَلْقَى اللَّهَ وَمَا عَلَيْهِ خَطِيئَةٌ"<sup>(63)</sup>.

*(Allah's Messenger (SAW) said: "Trials do not cease to afflict the believing men and the believing women in their person, their children and their property till they meet Allah and on them is no sin").*

قال رسول الله صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "مَا مِنْ مُسْلِمٍ يُشَاكُ شَوْكَةً، فَمَا فَوْقَهَا إِلَّا كُتِبَتْ لَهُ بِهَا دَرَجَةٌ، وَمُحِيَّتْ عَنْهُ بِهَا خَطِيئَةٌ"<sup>(64)</sup>.

*(Allah's Messenger (peace & blessing be upon him) said: "If a Muslim runs a thorn or (gets into trouble) severe than this, there is assured for him (a higher) rank and his sins are obliterated").*

## **Legal Status of DNR - Do Not Resuscitate**

It is an order in patient's file in which a doctor is directed not to resuscitate if his heart fails so that he may not suffer from more agony. Moreover the resuscitation techniques have some side effects i.e. broken ribs, other fractures, ruptured spleen, brain damage etc. According to Islamic law the patient can't make the decision of *DNR* and any such decision should be left for the medical expert who may examine him on

this critical eve. Medical experts should keep in view the following rules while making decision about DNR.

The decision of DNR should be made keeping in view all the positive and negative effects of current situation of the patient (at the time when resuscitation is necessary) so that optimum level of benefit may be achieved according to the Fiqhi Maxim

"الضرر الأشد يزال بالضرر الأخف".

(A severe harm, if necessary, should be eliminated by adopting less harm).

and

"الْيَقِينُ لَا يَزُولُ بِالشَّكِّ"<sup>(65)</sup>.

(certainty does not vanish by a doubt).

The intentional pain or fracture (when benefit is not clear) is not allowed in Islamic Law as *Prophet Muhammad(peace & blessing be upon him)* has not allowed it even in the case of deceased person:

عَنْ عَائِشَةَ، قَالَتْ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "كَسْرُ عَظْمِ الْمَيِّتِ

كَكْسَرِهِ حَيًّا"<sup>(66)</sup>.

No person can decide to deprive a person from the right of saving his life even though he is unconscious or severely mentally retarded or damaged brain as the life is bestowed by *Allah*(Subhanahu Wa Taa'la). In Islamic law even the decision of a guardian which is not in favour of patient's life and prosperity is not valid so, parents can't decide death for their new-born child.

### **The doctrine of double effect**

This doctrine is widely used in medical science. According to it if doing something is morally good but has some bad side effects it is ethically acceptable as doing good was intended and side effects were not intended<sup>(67)</sup>. We know every medicine has some side effects and may cause damage. Sometimes our staple diet may cause some severe side effects or allergies. Sometimes doctors have some sources that can benefit the patient to get rid of pain and distress, but on the other hand such sources may cause a potential harm which may shorten the life (medically assumed) of the patient. Many doctors miss use this doctrine and give heavy doses

of *morphine* and other drugs to provide relief to the patient and thus cause early death<sup>(68)</sup>.

The adaptation of such sources may not be allowed if any better soothing treatment is available for the patient so that the doctor may adopt the least severe evil of all the evils.

" يختار أهون الشرين " .

If this doctrine is used only to kill a patient then it may not be allowed as the acts of a person depend on his intention.

" إنما الاعمال بالنيات "<sup>(69)</sup>.

*(The reward of deeds depends upon the intentions).*

The dose of the pain killer medicine should not accede the medically recommended dose for the patient because heavy doses of pain killers may kill the patient and the intention of the doctor may be doubted. A doctor is responsible to monitor the severity of both actions of a drug or medical effect and should be a life saviour after all.

### **Legal Status of a person who kills a person by his permission**

According to *Imam Sarkhasi*, if a person says kill me, and he killed him it will be considered as suicide, according to obvious narration (*Zahir ul Riwayah*)<sup>(70)</sup>. ...and according to the narration of *Imam Hasan*, *Imam Abu Hanifa* says he is liable to pay blood money<sup>(71)</sup>... and according to him his permission is not acceptable<sup>(72)</sup> and has no legal value. According to the narration of *Imam Abu Yousaf*, *Imam Abu Hanifasyas* he is not liable to pay blood money because in the beginning of action permission becomes the forgiveness at the end<sup>(73)</sup>.

According to a famous Faqih *Abu Bakr Ala ud Deen Samar Qandi*, If a person said to the other: "Kill me", and he killed him, intentionally or mistakenly he is liable to pay blood money according to the obvious narration<sup>(74)</sup>. According to *Imam Zuf*, he is liable to legal revenge (*Qisas*)<sup>(75)</sup> and his permission to kill himself can't abolish the right of his heirs and the killer has to pay blood money<sup>(76)</sup>. Same is said by *Al-Babarti*, one saying about legal revenge and one saying about blood money<sup>(77)</sup>

According to *Lisan ul Deen Ibn Eshenna Al-Halbi*, such a person is not liable legal revenge but he is liable to pay blood money<sup>(78)</sup>. *Abu Muhammad Ghanim Al-Hanafi* narrates consensus at the blood money.

According to *Ibn e Rushd*, a person who says to other to kill him, and he kills him, the killer is liable to be killed as legal revenge because the killed forgave such a thing that he has not authority and the authority of forgiving the murderer lies to the heirs<sup>(79)</sup>. However *Muhammad Yousaf bin Abi al Qasim Al-Abdri* imposes penalty of hundred whips and prisons of one year<sup>(80)</sup>. According to *Al-Mawardi* if one said his heir to kill him and he killed him he will not get inheritance<sup>(81)</sup>.

## **Decisions of Consensual Jurisprudence Colleges**

### **The decision of international Islamic convention for medical ethics and health**

The above said convention passed the following resolution about *Euthanasia* under **section 62**:

“Human life is sacred and it is not permitted to squander it except the limits defined by the *Islamic Law* and *Sharia*, and all these matters are out of the boundaries of medical profession. It is not allowed to the medical experts to participate in the process of ending the life of patient although it is in the name of *mercy*. Particularly the following situations that are known as the *mercy killing*:

1. Intentionally killing those who want to end their life with their will and wish.
2. Physician assisted suicide.
3. Killing the infants by their parents having congenital deformities which will limit their life.

### **Section 63:**

The following situations should not be included in *mercy killing* (for Example):

1. To stop the treatment of the patient when a committee of specialized doctors decide that it has no benefit for the patient. i.e. removing exhilaration instruments.
2. Ignoring the beginning of treatment when it seems to have no advantage.
3. Provision of strong treatment to remove severe pain, knowing that it may cause a threat for the life of patient<sup>(82)</sup>,<sup>(83)</sup>.

### **The Decision of European Council of Fatwa and Research**

Euthanasia, direct or indirect, passive or active, or committing suicide or helping patient to commit suicide, all are not allowed from Islamic perspective ... patient has contiguous disease or non-contiguous disease, hopeless or hopeful in any case he could not be killed in the name of mercy. In the same way killing patient himself or killing him the other with his permission is also act of killing and liable to be punished,... however the patient who is medically dead or completely senseless and there is no hope to return him to the senses and is on resuscitation instruments, in such cases medical specialist are allowed to remove such medical instruments and this act is not the act of killing however it may be called the abandonment of treatment<sup>(84)</sup>. According to them removing medical instruments is not act of killing, as the doctor is not actively involved in it and the continuity of treatment is not compulsory for such patients. This action should be called facilitation of death not killing for mercy. For a medical expert it is permissible for the comfort of patient and his family<sup>(85)</sup>.

### **The Decision of Islamic Organization for Medical Sciences, Kuwait**

This organization did not allow the Euthanasia however this committee gave decision about the brain death. In the case of brain death, resuscitation instruments may be removed if a committee of medical specialists declare that the brain stem of the patient is dead and there is no chance to return to the life. In this case the patient is already dead<sup>(86),(87)</sup>. It was also the decision of European Council of Fatwa and Research<sup>(88)</sup>.

### **The Decision of Islamic Fiqh Academy India**

Islamic Sharia lays great stress on the sanctity of human life and therefore it is the duty of oneself and the others to protect life, so:

1. Any intentional action that may cause death to the patient, to provide relief to the patient and his custodians, is forbidden and is matter of obvious killing.
2. Such a patient should not be given lethal drugs and abandoning treatment to hasten death is also not allowed<sup>(89)</sup>.

## The Decisions of Islamic Medical Association of North America

The decision of IMANA is much more balanced and acceptable by the doctor's community. According to IMANA:

1. IMANA does not believe in prolonging the misery of dying patients who are terminally ill or in a persistent vegetative state (PVS<sup>90</sup>).
2. When death becomes inevitable, as determined by a team of physicians, including critical care physicians, the patient should be allowed to die without unnecessary procedures. While all ongoing medical treatments can be continued, no further or new attempts should be made to sustain artificial life support. If the patient is on mechanical support, this can be withdrawn.
3. The patient should be treated with full respect, comfort measures and pain control. No attempt should be made to withhold nutrition and hydration. In such cases, if and when the feeding tube has been withdrawn, it may not be reinserted. The patient should be allowed to die peacefully and comfortably. However, no attempt should be made to enhance the dying process in patients on life support.
4. IMANA is absolutely opposed to euthanasia and assisted suicide in terminally ill patients by healthcare providers or by patient's relatives. Suicide and euthanasia are prohibited in Islam<sup>(91)</sup>.

### What is Under the Cover?

*Muhammad Bin Muhammad Al-Mukhtar Al-Shanqiti* explains the undercover temptations and points out the realities hidden under guise. Answering a query about killing a person who is disappointed about his treatment and says physician to kill him he says that it is not actually *mercy killing* but *Satan* has decorated this brutal action with the name of *Mercy killing* so that humans may adopt it, as said by *Allah*:

﴿وَزَيَّنَ لَهُمُ الشَّيْطَانُ أَعْمَالَهُمْ﴾<sup>(92)</sup>

*(And the Satan had beautified for them their deeds).*

Indeed it is deterioration in the society and the deteriorators believe themselves as reformers as said by *Allah*:

﴿وَإِذَا قِيلَ لَهُمْ لَا تُفْسِدُوا فِي الْأَرْضِ قَالُوا إِنَّمَا نَحْنُ مُصْلِحُونَ﴾<sup>(93)</sup>

*(When it is said to them, Do not spread disorder on the earth, they say :We are but reformers).*

*Al-Shanqiti* declare it as an action of intention killing not the action of mercy and the physician will be considered a killer, and it is violation of the boundaries of Allah and human beings don't have right to change it as sometimes in spite of his knowledge he behaves like ignorant and despotic person as Allah Says:

﴿إِنَّهُ كَانَ ظَلُومًا جَهُولًا﴾<sup>(94)</sup>

(*Indeed, he is unjust (to himself), unaware (of the end)*).

So, Islamic Sharia'h should not allow mercy killing forever because this matter is not an Ijتهadi matter but it is Devine Law as stated in the Holy Texts. The act of killing is also a non-medical matter as the duty of medical professionals is to save life not to kill and they should try their best to explore new medical techniques for treatment. A medical expert should not interfere between the Creator (Allah) and creature, and Allah much more merciful than humans. We should not doubt about His mercy and should not try to make him know about the act of mercy as He says:

﴿فَلِأَن تَعْلَمُونَ اللَّهَ بِدِينِكُمْ﴾<sup>(95)</sup>

(*Say: Would you apprise Allah of your religion*).

The friends of Allah seek pleasure in facing hardships, and diseases and it is the height of contentment from His friends<sup>(96)</sup>.

### Summary of Arguments

1. Religion and human society believes in the sanctity of human life and *Euthanasia* destroys this sanctity.
2. We may assume some peoples, i.e sick and disabled, worthless and may cause their eradication from the society.
3. Human history has no legal evidences of *Euthanasia* for humans, and if it is practiced in previous history, it is severely criticised, and we are discussing about its legitimacy and if unluckily we passed a law for *voluntary Euthanasia* then it may lead to *involuntary Euthanasia* and this will be a great human crisis.
4. *Euthanasia* may lead to the killing of undesirable persons in our society. (in our opinion not in the opinion of (Allah Subha nahu Watala)
5. It may lead to the violence of the rights of other heirs or dependents.

6. We should not spend a lot of money on discussing such an issue rather we should try to find and develop palliative care techniques.
7. Regulating *Euthanasia* is much more difficult as it does not have only a scientific facet but has also a social facet where hidden and intervening variables may also affect such horrible decisions.
8. In many countries the persons who may not afford costly treatment of their disease may accept *Euthanasia* as a “*cheap alternative*”.
9. Doctors and nurses are trained and taught to save lives not to take lives, it is against their nature of job and they should not be de-tracked from their natural duty.
10. Heirs may accept *Euthanasia* for saving cost of treatment and it is totally a materialistic thinking and violation of ethics and human sanctity is obvious.
11. It may make doctors too much powerful to decide “*death sentence*” like judges but without any court trial.
12. This may be associated with the illegal trade of human organs where in the name of *Euthanasia* patients may be killed for the sake of their organs.
13. The patients suffering from severe contagious diseases may be ethically compelled to die by medical or social agencies, so that their infection may be controlled at the spot and may not spread to others whether this infection actually may be treatable.
14. Selfish families (especially in poor areas or countries, where poverty overcomes the ethics) may cast so called “*moral pressure*” on the elders to end their lives for their families.
15. In the same way social agencies may morally pressurize a person to commit *Euthanasia* to free up the medical resources for others.
16. Abandoned patients by their families may also find it the only solution.
17. From a religious point of view life is not our own, but it is a blessing of Allah and we are guardians of life and have to lead a good life under the supervision and guidance of Allah.
18. If such a law is made to regulate *Euthanasia* then like all other laws people will misuse it and may cause killing who don't want to be killed.

## **Results**

Keeping in view the above mentioned facts, it is clear that Islam does not allow mercy killing whether it is voluntary, nor voluntary or involuntary whether it is passive or active. However DNR (Do Not Resuscitate) could be partially followed only if doctor has firm believe that it may not work otherwise DNR order has no value from the side of patient. However patients in persistent vegetative state (PVS) should be allowed to die a painless death without disconnecting due treatment or feeding tube. Treatment of patient can be abandoned only if it is sure that it will improve nothing in the condition of patient and the treatment is painful enough to bear. No attempt should be made to enhance the dying process in patients on life support. Patient ill with terminal diseases should be provided with counselling to face the disease and hardships and the counsellors must be expert psychologists with proper religious training.

## **References**

1. <http://www.merriam-webster.com/dictionary/euthanasia>.

2. "Euthanasia". Oxford Dictionaries. Oxford University Press. April 2010. Retrieved 26 April 2011.
3. <http://www.merriam-webster.com/dictionary/euthanasia>.
4. Stolberg, Michael (2007). Active Euthanasia in Pre-Modern Society, 1500–1800: Learned Debates and Popular Practices, *Social History of Medicine* 20 (2): 206–07.
5. Stolberg, Michael (2007). Active Euthanasia in Pre-Modern Society, 1500–1800: Learned Debates and Popular Practices, *Social History of Medicine* 20 (2): 206–07.
6. Emanuel, Ezekiel (1994). The history of Euthanasia debates in the United States and Britain, *Annals of Internal Medicine* 121 (10): 796.
7. LaFollette, Hugh (2002). *Ethics in practice: an anthology*, Oxford: Blackwell. pp. 25–26. ISBN 0-631-22834-9.
8. James Rachels, 'Active and Passive Euthanasia'. *The New England Journal of Medicine*, Vol. 292, pp 78-80, 1975.
9. <http://www.bbc.co.uk/ethics/euthanasia/>.
10. <http://www.churchofeuthanasia.org/graphics/ranstick.html>.
11. Euthanasia: The Approach of the Courts in Israel and the Application of Jewish Law Principles, Jewish Virtual Library.
12. Surah Al-Baqara, 2: 30.
13. Surah Al-Teen, 95: 04.
14. Surah Al-Maeda, 5 :32.
15. Surah Al-Nisa, 4 : 29-30.
16. Surah Al-Baqarah, 2 : 84.
17. Old Testament, Deuteronomy. 27:25.
18. Old Testament, Amos 1:13.
19. New Testament, John 3:16-17; 8:44; 10:10.
20. Sahih Bukhari, Vol.2, p. 96, Hadith No. 1363.
21. Jami' Tirmizi, Vol. 2, p.371, Hadith No. 1068.
22. Ecclesiastes, 7:17.
23. Al-Baqara, 2 : 178.
24. Al-Nisa, 4 :93.
25. Sahih Bukhari, Vol.1, p28, Hadith No. 85.
26. Sahih Bukhari, Vol.3, p 121, Hadith No. 2653.
27. Sahih Bukhari, Vol.4, p 99, Hadith No. 3166.
28. Sahih Bukhari, Vol.4, p 133, Hadith No. 3335.
29. Abu Dau'd, Sulaiman bin Ash'ath Sajistani(275 A.H.), Sunan Abi Dau'd, Al-Maktabat ul Asriyyah, Sida, Beirut.Vol. 4, p. 285, Hadith No. 4941.
30. Majallah Al-Ahkam Adaliyyah, Vol.1, p.19.
31. Sunan Abi Dau'd, Kitab al-Tibb, Hadith No.3357, Jami' Al-Tirmizi, Kitab al-Tibb, Hadith No. 1961, Sunan Ibn e Majah, Kitab al-Tibb, Hadith No. 3427.
32. Al- Tirmizi, Ch. Sifatil Qiyama, Hadith No. 2517, he added that this Hadith is Gharib(unusual).

33. Nida, Muhammad Naeem, Maut ud Dmagh(Bait ut Tibb wal Islam, Dar ul fikr), p. 197.
34. Ibn Taymiyyah, Taqiuddin Abul Abbad Ahmad Al-Harrani(728A.H.), Al-Fatawa Al-Kubraa'(Dar ul Kutub Al-Ilmiyyah 1408/1987), vol.18, p. 13, vol.24, p. 357.
35. Ibn Taymiyyah, Al-Fatawa Al-Kubraa' vol.24, pp. 272-276. 276-272/24.
36. Mubarak, Qais bin Muhammad A'l Al-Sheikh, Al-Tadavi wal Mas'ooliyyah Al-Taibbiyyah fi Al-Sharia'h Al-Islamiyyah(Mu'ssasat ur Rayyan, 1997), p. 99.
37. Ibn Majjah, Hadith No. 2340-2342 .
38. Surah Al-Baqara, 2:195.
39. Lajnatul Ulema(Scholar's Commettee), Al-Mosu'h Al-Fiqhiyyah Al-Kuwaitiyyah (Wazarat ul Aoaq wa Al-Sho'on Al-Islamiyyah, Darus Salasil, Kuwait), v. 17, p. 101.
40. Ibid.
41. Ibid, v.1, p. 300.
42. Ibn Qadamah, Abu Muhammad Muwaffiq ud Din Al-Muqaddisi (620A.H.), Al-Mughni, (Maktabat ul Cairo), v.5, p. 390.
43. Ibid, and Al-Mosu'h Al-Fiqhiyyah Al-Kuwaitiyyah v.3, p. 154.
44. Ibid, v.16, p. 65.
45. Ibid, v.23, p. 148.
46. Sahih Bukhari v.5, p.65, Hadith No. 3700.
47. Al-Sharbini, Shams ud din, Muhammad bin Ahmad Al-Khatib Al-Sharbini,Al-Shafi' (977 A.H.), Mughnil-Muhtaj, Ila Ma'rifat Ma'ani Alfazil Minhaj, (Darul Kutub Al-Ilmiyyah 1415/1994), v.5, p. 227.
48. Ulema Committee formed by Usmani Caliphate,Majallat ul Ahkam Al- Adaliyyah, (Noor Muhammad Karkhana Tijarat e Kutub, A'ram Bagh, Karachi), v.1, p.16.
49. Ibid, v.1, p. 25.
50. Sahih Bukhari, v2, p 96, Hadith No. 1363.
51. Sunan Ibn e Majjah, V3, p 582, Hadith No. 254.
52. Surah Al- Baqara, 2 : 11-12.
53. Surah Al-Asra, 103 : 31.
54. Sahih Bukhari, vol.1, p.18, Hadith No.18.
55. Ahmad, Abu Abdullah Ahmad bin Muhammad bin Hambal(241 A.H.), (Mu'ssasat ur Risalah 1421/2001), v.37, p. 341, Hadith No. 2668.
56. Leslie Kane, Doctors Struggle With Tougher-Than-Ever Dilemmas: Other Ethical Issues, 11 November 2010.
57. ATILLA SENIH MAYDA, ERDEM ÖZKARA and FUNDA ÇORAPÇIOGLU (2005), Attitudes of oncologists toward Euthanasia in Turkey, Palliative & Supportive Care, 3, pp 221-225.
58. Sahih Bukhari, vol.7, p. 114, Hadith No. 5641.
59. Sahih Bukhari, vol.7, p. 115, Hadith No. 5647.
60. Sahih Bukhari, vol.7, p. 114, Hadith No. 5640.
61. Sahih Muslim, vol. 4, p.1993, Hadith No. 2574.

62. Sahih Muslim, vol. 4, p. 1993, Hadith No. 2575.
63. Al-Tirmizi, Muhammad bin Esa bin Saura(279 A.H.), Sunan Al-Tirmizi, (Darul Gharb Al- Islami, Beirut, 1998), vol. 4, p. 180, Hadith No. 2572.
64. Sahih Muslim, vol. 4., p 1991, Hadith No. 2572.
65. Majallah Al-Ahkam Al-Adaliyyah, vol.1, p.16.
66. Sunan Ibn e Majah, v.1. P. 516, Hadith No. 1616.
- 67 . <http://plato.stanford.edu/entries/double-effect/>.
68. <http://hospicecare.com/about-iahpc/publications/ethical-issues-2/otherpublications/the-double-effect-of-pain-medication-separating-myth-from-reality/>.
69. Sahih Bukhari, v1, p.
70. Al-Sarkhasi, Muhammad bin Ahmad(483 A.H.), Al-Mabsoot(Darul Ma'rifah, 1414/1993), vol. 16, p. 14.
71. Ibid.
72. Ibid.
73. Ibid, vol. 24, p. 91.
74. Al-Samarqandi, Muhammad bin Ahmad bin Abi Ahmad, Abu Bakr Alaudin,Tuh fatul Fuqahaa'(Darul Kutub Al-Ilmiyyah, Beirut, 1414/1994), vol. 3, p. 102.
75. Al-Kasani, Alaudin Abu Bakr bin Mas'ud bin Ahmad Al-Kasani Al-Hanafi (587 A.H.), Badai'us Sanai' fi Tarteebish Sharai',( Darul Kutub Al-Ilmiyyah, 1406/1986), vol.7, p. 236.
76. Al-Zaili'e, Fakhrud din, Usman bin Ali(743 A.H.), Tabyin ul Haqaiq Sharh Kanzud Daqaiq wa Hashiat us shalbi(Al-Matba't ul Kubraa Al-Amiriyyah, Bulaq, Qairo, 1313), vol. 2, p. 65.
77. Al- Baberti, Akmal ud din, Muhammad bin Muhammad bin Mahmood(786 A.H.), Al-'nayah Sharh ul Hidayah,(Darul Fikr), vol. 8, p. 191.
78. Al-Halbi, Ahmad bin Muhammad bin Muhammad(882 A.H.), Lisan ul Hukkam fi Ma'rifat ul Ahkam,(Al-Babi Al-Halbi, Qairo, 1393/1973), vol. 1, p. 390.
79. Ibn Rushd, Abu l Waleed Muhammad bin Ahmad Al-Qurtubi(520 A.H.), Al-Bayan wat Tahsil, wa Sharh wat Taujeehi wat Ta'leel Limasai'lil Mustakhrajah,(Darul Gharb Al-Islami, Beirut, 1408/1988), vol.16, p. 57.
80. Al-Mawardi, Ab ul Hasan Ali bin Muhammad bin Muhammad bin Habib Al-Basari, Al-Shafi'e(450 A.H.), Al-Hawi Al-Kabir fi Fiqh Mazhab Al- Imam Al-Shafi'e,(Dar ul Kutub Al-Ilmiyyah, Beirut, 1419/1999), vol.10, p. 267.
81. Ibid.
- 82 . <http://www.sehha.com/medical/IslamicCodeEthics5b.htm>.
83. Al-Meesaq Al-Islami Al-'alami lil Akhlaqiyyat At Tibbiyyah, Ch. 5, Al-Qadhaya Al-Ijtima'yyah, Taiseer ul Maut Ao Qatl il marhamah, Course.62.
84. Qararat wa Fatawaa Majlis il Urobbi Lil Ifta wal Buhoos,(Aifa Publication, New Dehli, 2008), pp.188-189.
- 85 . Dr. Muhammad Al-Hawari, Euthanasia , European council for Fatwa and Research, Stockholm, 2003, p 21-22.
- 86 . <http://islamset.net/arabic/aioms/injazat.html>(18-08-2013; 12:40 AM).

87. <http://islamset.net/ioms/seminar2.html>(11-09-2013; 10:15 AM).
88. Dr. Muhammad Al-Hawari, Euthanasia , European council for Fatwa and Research, Stockholm,2003, p 21-22.
89. EFA, New problems and the decisions of Islamic Fiqh Academy of India, Islamic Fiqh Academy India, New Delhi, India, 2012, (Urdu Edition),(16th Seminar, Azam Garh, 30 March to 02 April 2007, P 218.
90. PVS is defined as a sub-acute or chronic condition which usually follows severe brain injury and total lack of cognitive function with preserved blood pressure, respiratory control, that persists for more than two months.
- 91 . Shahid Athar, and Hossam E. Fadel, Islamic Medical Ethics: The IMANA Perspective, Imana Ethics Committee, from: [www.imana.org](http://www.imana.org).
- 92 . Surah Al-Ankaboot, 29: 38.
- 93 . Surah Al-Baqara, 2:11.
- 94 . Surah Al-Ahzab,33 : 72.
- 95 . Surah Al-Hujraat, 49: 16.
96. Al-Shanqiti, Muhammad bin Muhammad Al-Mukhtar, Sharh Zad il Mustaqni', Duroos Sautiyyah(Oral Lessons) Published by Al-Shibka Al-Islamiyyah, Lesson No. 348, p. 11.