

RIGHT TO PEACEFUL DEATH

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Context:

A recent article contrasts end-of-life care in India and the West, emphasizing the need for a dignified passing for all.

Background:

It calls for a rational system to ensure peaceful deaths and highlights the Right to Peaceful Death.

Key takeaways:

1. The Right to Peaceful Death refers to the right of individuals to pass away with dignity and without unnecessary suffering.
2. Although it is not explicitly mentioned in the Indian Constitution, the Supreme Court of India has recognized the right to die with dignity as a fundamental aspect of the right to life under Article 21.
3. This recognition came in the landmark case of Common Cause (A Regd. Society) v. Union of India (2018), where the court upheld the legality of passive euthanasia and the right to make advance directives for medical treatment.

Euthanasia in India:

1. The law in India distinguishes between active and passive euthanasia.
2. Active Euthanasia: This involves intentionally administering lethal compounds to end a person's life. It remains illegal in India.
3. Passive Euthanasia: This refers to withholding or withdrawing life support, allowing a terminally ill or vegetative patient to pass away naturally. Passive euthanasia has been legalized in specific circumstances.

