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The compatibility between Shiite and Kantian approach to passive voluntary euthanasia

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Abstract

Euthanasia is one of the controversial topics in current medical ethics. Among the six well-known types of euthanasia, passive voluntary euthanasia (PVE) seems to be more plausible in comparison with other types, from the moral point of view.

According to the Kantian framework, ethical features come from 'reason'. Maxims are formulated as categorical imperative which has three different versions. Moreover, the second version of categorical imperative which is dubbed 'principle of ends' is associated with human dignity. It follows from this that human dignity has an indisputable role in the Kantian story.

On the other hand, there are two main theological schools in Islamic tradition which are called: Ash'arite and Mu'tazilite. Moreover, there are two main Islamic branches: Shiite and Sunni. From the theological point of view, Shiite's theoretical framework is similar to the Mu'tazilite one.

According to Shiite and Mu'tazilite perspectives, moral goodness and badness can be discovered by reason, on its own. Accordingly, bioethical judgments can be made based on the very concept of human dignity rather than merely resorting to the Holy Scripture or religious jurisprudential deliberations.

As far as PVE is concerned, the majority of Shiite scholars do not recognize a person's right to die voluntarily. Similarly, on the basis of Kantian ethical themes, PVE is immoral, categorically speaking. According to Shiite framework, however, PVE could be moral in some ethical contexts. In other words, in such contexts, the way in which Shiite scholars deal with PVE is more similar to Rossian ethics rather than the Kantian one.

Keywords: *Kantian ethics, Shiite ethics, Euthanasia*

Introduction

Euthanasia is one of the most controversial topics in current medical ethics. Euthanasia which means mercy killing, "involves someone doing something to bring about someone else's death-in particular, killing or letting die-with the intention

that the person die because the death is in the best interests of the person who will die"(1). There are six types of euthanasia which have to be distinguished from each other as follows: active voluntary, passive voluntary, active non-voluntary, passive

non-voluntary, active involuntary and passive involuntary (2).

Considering the distinction between killing (active euthanasia) and letting die (passive euthanasia), it seems that the latter is less challenging in comparison with the former, intuitively speaking. In fact, the willful act of killing is absent in the latter. Moreover, voluntary euthanasia seems more plausible in comparison with the involuntary and non-voluntary ones, as it is in accordance with the principle of respect for autonomy. Therefore, we are inclined to conclude that passive voluntary euthanasia (PVE) is more plausible in comparison with other types.

In this paper, we are going to compare the Mu'tazilite and Kantian approach to PVE. The structure of the paper is as follows: the Mu'tazilite theological approach and its similarity with the Shiite framework are discussed. Then, the main themes of Kantian ethics are talked about and the similarities and differences between Shiite-Mu'tazilite approach and Kantian perspective, as far as PVE is concerned, are explored. Finally, some implications of the mentioned comparison are explained.

Shiite and mutazilite theological frameworks

Many people in all over the world look for the answers of their fundamental questions with regard to life and death, in their believed religion. This is true in Islamic countries as well. One of the fundamental issues, brought about by modern medical technologies, is euthanasia. The exact approach of Islam towards this very issue has a crucial role in the life and death of many people in such countries.

The Islamic world can be divided into two main branches: *Shiite and Sunni*, each with similarities and differences in religious jurisprudential, theological and ethical school(s). While the majority of the Muslims (about 90%) are *Sunni*, the majority of Iranians (again, about 90%), on the other hand, are *Shiite*. Moreover, the Shiite Islam shapes the majority of the populations in Azerbaijan, Bahrain and Iraq, as well as considerable minorities in other Muslim countries such as Lebanon, Kuwait, Afghanistan and Pakistan.

Shiite Muslims, like other Muslims, follow *Qur'an* and the teachings of the prophet *Muhammad*. Nevertheless, in contrast to other Muslims, they believe that the prophet's family (*Ahl al-Bait*), including a certain chain of his descendants known as Imams, have special spiritual rule over the community.

Likewise, there are two main theological schools in the Islamic tradition which are called: *Ash'arite* and *Mu'tazilite*. From the theological point of view, Shiite theoretical framework is similar to the *Mu'tazilite* one (3).

According to *Ash'ariyyah* thoughts, there is no such thing as intrinsic and essential moral goodness and badness, because reason and its products cannot stand on their own feet in a way that they have not epistemic justification at all. Rather, they should be taken into account in the light of scripture and the prophetic tradition in order to grasp their own epistemological value. On the other hand, according to the *Shiite-Mu'tazilite* perspective, moral goodness and badness can be revealed by reason, on its own. Hence, bioethical judgments can be made based on reasoning rather than purely resorting to the Holy Scripture or jurisprudential deliberations. Of course, today, the mainstream of *Shiite* scholars believe that reason has a hermeneutical role, according to which one has to do his best to understand the exact meaning and the implications of the scripture, the prophetic tradition and the Imams' one. Furthermore, they rely on reason, on its own, in the cases in which reason arrives at decisive conclusions (Ghat'). Thus, according to *Shiite* ethical and jurisprudential framework, ethical judgments should be made based on both the Holy Scripture and reason. Moreover, nowadays, a movement which can be dubbed 'reviving *Mu'tazilite* thought' emphasizes on the indisputable role of reason in arriving at justified religious jurisprudential and ethical judgments (4).

Kantian ethical framework

Kantian ethics is the most influential and controversial version of classical deontologism. According to this deontologistic account, there is no such thing as moral value in the phenomenal world. However, it does not follow from this that we cannot give a plausible account of the way in which we arrive at justified moral judgments, from the philosophical viewpoint. Rather, the idea of categorical imperatives and good will which are associated with the idea of Noumen in the Kantian sense gives an account of morality. It follows from this that Kantian ethics is non-empirical and a priori.

According to Kant, to the extent that moral subject exercises his freedom; the idea of normativity which we are looking for in the realm of morality emerges. Moreover, categorical imperatives and its different versions which are the product of the exercising of good will is what has to be taken into account in order to arrive at justified moral judgment. In other words, several moral properties like goodness, badness, and moral principles such as: 'thou shall not lie', 'thou shall not kill' which are not taken from the external world, could be gleaned from three different formulations of categorical imperatives. In fact, moral principles which are categorical, have to be applied in

different ethical contexts in order to arrive at tenable moral judgments (5).

Let us see different versions of categorical imperatives in details at this stage. According to the first formulation, one has to treat others in a way that he requires others to treat him. This formulation is dubbed 'Universalizability' thesis. Second formulation deals with human dignity and emphasizes that one has to take into account others in the realm of morality not only as means but also as ends. This formulation is dubbed 'Principle of Ends'. The third formulation talks about the way in which moral agents have to be engaged in the process of legislating in a community. In fact, what is issued by an autonomous moral agent in different ethical contexts would be justified and tenable. This formulation is categorized as 'Kingdom of Ends' (6).

Furthermore, we have to bear in mind that Kantian ethics is a substantive rather than a formal one. In fact, as far as normative ethics is concerned, Kant does not say anything straightforwardly. Rather, formulations of categorical imperatives have to be concretized in different contexts in order to arriving at tenable moral judgments. Moreover, these three formulations of categorical imperatives talk about one thing, though from different perspectives.

Shiite/ Kantian approaches to PVE

There are three main schools which are discussed in current normative ethics: deontological ethics, consequentialistic ethics and virtue ethics. It seems that these thoughts can be found within the Islamic tradition as well (7). Let us make the point clearer at this stage. The way in which eternal reward and punishment is categorized in several verses of Qur'an is associated with the consequences of acting or avoiding to do something which is morally relevant. For instance, 'telling lie' is forbidden, since the one who lies will receive punishment in his eternal life. In contrast, 'truth-telling' is morally justified, as a result of which, one will receive reward in her eternal life. Moreover, this account which covers the ethical attitude of the majority of Muslims is not the only way of reading the tradition, from the moral point of view. Moreover, as far as Islamic philosophical tradition is concerned, virtue ethics' thoughts are more justified and plausible. The ultimate purpose of being engaged in morality is arriving at virtuous person who acts morally without any reservation.

On the other hand, the way in which moral conscience is discussed in Islamic scripture in a way is similar to that in the deontological account (8). As we have seen the very idea of duty and moral obligation is elaborated in a transcendental and non-empirical sense in the Kantian ethics, nevertheless this notion does not have the same

metaphysical background in Islamic ethics. Rather, it is said that 'conscience' is internalized in human beings by God. However, the deontological ethicists and their counterpart proponents in Islamic tradition are similar in saying that in order to arriving at tenable moral judgment we have to disregard the consequences of the supposed action and just go ahead according to moral codes which are the requirements of our conscience .

As we have in the above, the second version of the Kantian ethics which is dubbed 'Principle of Ends' is associated with human dignity. Bear in mind those moral maxims which originates from Categorical Imperatives in the Kantian story are a-priori. It follows from this that the idea of human dignity has to be understood in the transcendental and non-empirical sense. Moreover, it is only related with practical reason in the Kantian sense which, on its own, issues moral maxims, regardless of God and His commands which are revealed in the scriptures.

On the other hand, human dignity is emphasized and talked about in the Holy Qur'an. For example:

"We have honored the sons of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors, above a great part of Our creation" (17:70). Human dignity is fundamental in understanding the tradition's key bioethical concepts such as: distributive justice, common good, right to life and right to health care.

According to the Mu'tazilite framework, one can use human dignity as a reliable basis which is emphasized by the scripture; therefore, it can shed light on debatable bioethical issues in the Islamic world such as euthanasia in general, and PVE in particular. In such a way, the plausibility of human dignity not only can be grasped through the reason, by its own, but also it is rooted in the God's will which makes it more reliable and acceptable by Muslim communities.

Having considered both the Kantian and the Shiite-Mu'tazilite notions of human dignity, at this stage, let us utilize these approaches in order to see whether or not PVE is justified.

It can be said that in both Kantian and Shiite ethical perspectives, self-destruction is immoral, as it originates from disregarding human dignity. Moreover, PVE is an example of self-destruction as one willingly refuses to accept life-saving interventions. Therefore, generally, PVE is immoral in both approaches.

However, the absoluteness of immorality of PVE, in both approaches is challengeable. Ross tried to rehabilitate the Kantian deontological ethics by introducing the notions of 'prima facie duty' and 'actual duty' in twentieth century. According to him, the way in which Kant formulates his categorical imperatives is counter-

intuitive, as it is not compatible with our common-sensual moral intuitions. In fact, in the Rossian story, *prima facie* duties have ontological merits while actual duties have the epistemological one and are action-guiding. In ethical cases in which different *prima facie* duties come into conflict, we have to use our intuition in order to arrive at the more stringent *prima facie* duty which makes our actual duty (9). For instance, imagine cases in which we are confronted with two patients with cardiac arrest, both of them need life-saving treatments. However, because of the limited resources (only one ventilator is available); we are obliged to choose between them. In this case, a patient is an old man with cancer who has been in persistent vegetative state for a couple of years, and the other one is a young girl who is victim of an accident and otherwise healthy. At the first glance, it sounds plausible to choose the young girl and save her. In this case if the old man had signed an informed consent and requested not to be resuscitated after his cardiac arrest, we have committed PVE and this act does not seem immoral, intuitively speaking. Similarly, according to Islamic and *Shiite* jurisprudence, committing PVE is not immoral either. Most *Shiite* authorities verdict that in moral dilemmas in which we are obliged to select between saving an established (*Mustagharrah*) and a non-established (*Gheyr-e- Mustagharrah*) life, we should choose the former (10). An established life is the one which is not likely to end in the near future, but the non-established life is the

one which is likely to end in the near future (e.g., cases of brain death). On the other hand, based on the Kantian approach, which considers the permissibility of PVE as categorical; it is very difficult to make a decision in such case and probably the only solution will be relying on the blind chance.

Having considered the Rossian approach to PVE, it seems that the way in which *Shiite* scholars deal with PVE is more compatible with the Rossian perspective rather than the Kantian one, in general. In fact, according to *Shiite* scholars the impermissibility of PVE is not categorical, as Kant believes. Rather, in the cases which we are confronted with conflict, committing PVE could be moral (11).

Conclusion

In conclusion, it can be said that, according to Kantian ethical framework, committing PVE is immoral. Moreover, based on *Shiite* thoughts, it can be said that committing PVE is immoral, though it could be moral in some ethical contexts. In other words, the way in which *Shiite* scholars deal with PVE is more similar to Rossian ethics rather than the Kantian one.

Moreover, the discussed similarities between Kantian and *Mutazilite-Shiite* ethics can be regarded as a promising ground for establishing a common global ethics. Meanwhile, achieving common standards of good practice and compiling cross-cultural ethical codes is possible accordingly.

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