

## Legal Implications of Euthanasia Practices on the Medical Profession

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### KEYWORDS

Euthanasia; Human Rights;  
Health Law

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### ABSTRACT

Euthanasia is a controversial act that involves the termination of a person's life upon voluntary request to alleviate suffering from a terminal illness. This practice triggers ethical, legal and moral debates, especially in the context of different regulations in various countries. This research aims to analyze legal regulations related to euthanasia in Indonesia and several other countries, as well as identify relevant ethical principles. The research method used is normative method with statutory and conceptual approaches. The research data is obtained through a literature study, which involves an analysis of legal regulations, academic literature, as well as the results of empirical studies. The results showed that in Indonesia, euthanasia is prohibited under Article 344 of the Criminal Code, while in the Netherlands and Belgium, the practice is allowed under strict conditions to protect individual autonomy and ensure ethical implementation. In conclusion, although euthanasia is considered a form of respect for individual rights in some countries, in Indonesia this practice is against the law, religious norms, and culture. This study recommends the development of quality palliative care to reduce patient suffering without having to consider euthanasia, as well as encouraging public discussion on this issue in Indonesia.

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### Introduction

Euthanasia is a medical act that involves intentionally ending a person's life in order to alleviate unbearable suffering. This act is often hotly debated as it involves moral, religious and legal issues. There are 4 types of euthanasia: active, passive, voluntary and involuntary (Isaacs et al., 2024).

Active euthanasia is the direct action taken to intentionally end a person's life. This usually involves the administration of large doses of drugs or the use of other medical methods designed to cause a quick and painless death. Examples of active euthanasia include the administration of lethal drugs and excessive doses.

- Lethal drug administration A doctor gives an injection containing a high dose of drug that causes cardiac arrest to a patient suffering from a terminal illness, This, is done with the aim of ending the unbearable suffering experienced by the patient.
- Patients are given painkillers in doses that exceed normal doses, with the aim of stopping the function of vital organs often at the request of patients who are conscious and capable of making decisions, and are experiencing untreatable suffering.

While the legality of active euthanasia has a different legal status in each country. Some countries allow it under certain conditions, while others totally prohibit it. Active euthanasia raises complex ethical issues, as it involves the decision to end a human life, while there are alternatives to alleviate the suffering of the patient, such as palliative care which focuses on improving quality of life (Hugar et al., 2021).

Passive euthanasia is a medical action that is carried out by stopping or limiting the medical treatment that is being given to the patient, with the aim of accelerating the process of dying naturally. In other words, this process is to let someone die slowly.

How does passive euthanasia work? It involves stopping treatment, not providing resuscitative care and also stopping the administration of nutrition and fluids. The reason for this passive euthanasia is because the patient is experiencing unbearable suffering. When the patient's suffering is insurmountable, this practice can be an option to end the suffering. There is also the patient's request by asking to stop life-prolonging treatments and finally there is a poor prognosis or diagnosis if the patient's illness is very advanced and there is no hope of recovery, doctors and families can decide to carry out this action. The difference with active and passive euthanasia is the action in which active euthanasia uses drugs while passive euthanasia stops the treatment. There is some debate about this technique, some are in favor and some are against the technique, the supporters argue that passive euthanasia is a humane act that can alleviate the suffering of the patient and respect the patient's will while the opponents argue that passive euthanasia is still an act that ends life, although not directly, and is against human values. The legality of this practice varies from country to country.

The purpose of this journal is to be able to analyze the legal regulations related to euthanasia in Indonesia and other countries and also to identify legal gaps in handling cases related to euthanasia, and to analyze the ethical principles relevant to euthanasia.

## Research Methods

This research uses normative research methods. Normative research is conducted by analyzing relevant legislation, legal principles, and legal doctrines relating to euthanasia.

The approaches used in this research include a statute approach to analyze legal regulations related to euthanasia in Indonesia and other countries, and a conceptual approach to understand ethical principles and relevant legal theories.

The data used in this study consisted of:

1. Primary Data: Legislation, such as Article 344 of the Criminal Code in Indonesia and the "Termination of Life on Request and Assisted Suicide Act" in the Netherlands.

2. Secondary Data: Academic literature, journal articles, reference books, and results of empirical studies related to euthanasia.
3. Tertiary data: Encyclopedias, legal dictionaries, and medical ethics guides.

The data collection technique used is library research, by reviewing legal documents, previous research results, and publications relevant to the topic of euthanasia. In addition, document analysis was also conducted on relevant laws and legal decisions.

The collected data was analyzed qualitatively using deductive and inductive methods. Deductive analysis is conducted by applying general legal principles to the specific context of euthanasia, while inductive analysis is used to draw conclusions from the results of case studies and empirical data.

## **Results and Discussion**

### **Rule of**

Here are some legal comparisons regarding euthanasia in the Netherlands and Indonesia. The requirements in the Netherlands regulated in the "termination of life on request and assisted suicide (review procedures) act" which was passed in 2002, some of the points

- Requests must be made voluntarily and carefully considered by the patient.
- Patients must endure unbearable suffering with no hope of recovery
- The patient's medical condition must be confirmed by a second, independent doctor
- The patient must be conscious and capable of making rational decisions.
- Euthanasia must be performed by a doctor and in accordance with legal procedures.

### **Procedure**

The procedure is that doctors who perform euthanasia are required to report to a special review committee, which will assess whether the euthanasia was performed in accordance with the law.

### **Population covered**

Applicable to adult patients aged 18 years or older or children aged 12-16 years with parental consent

### **Legality**

Euthanasia is legal in the Netherlands but must be closely monitored to prevent abuse.

In Indonesia, this practice is considered illegal and contradicts criminal law as well as religious and cultural norms.

### **Legal foundation**

Article 344 of the Criminal Code reads "any person who takes the life of another person at the request of his own person, which is expressed truly and with full awareness, shall be punished by a maximum imprisonment of twelve years" this article explicitly violates this practice, both active and passive.

### **Religious perspective**

The majority of Indonesian society adheres to the belief that life is a gift from God that should not be ended by humans, so euthanasia is not in accordance with religious values.

### **Practical case**

Although illegal, there are some cases where the patient's family requests the termination of certain treatments or what can be called post-mortem euthanasia, which is sometimes an ethical discussion in medical circles. However, this must still follow the law

### **Common differences**

In the Netherlands, the practice is legal with strict requirements while in Indonesia it is illegal regardless of the reason. The legal framework in the Netherlands has a special law to regulate euthanasia, while Indonesia prohibits it through the Criminal Code. From a cultural and religious perspective, Indonesia is heavily influenced by norms and culture, while the Netherlands is more proactive in prioritizing individual autonomy.

### **Pros and**

#### **Pro**

1. The right to autonomy  
Arguing that every individual has the right to determine his or her own fate, including the right to end life when experiencing unbearable suffering, the example of euthanasia laws in the Netherlands reflects respect for individual rights.
2. Reducing  
Euthanasia provides an option to end insurmountable physical and mental suffering, especially for patients with terminal illness.
3. More efficient use of medical resources  
Stopping treatment for patients with no chance of recovery can divert limited medical resources to patients who have a better chance of recovery.
4. Psychological support for  
Euthanasia can reduce the psychological burden on families who see their loved ones suffer continuously.

#### **Cons**

1. Violating moral and religious values  
Life is a gift from God, and humans do not have the right to end it, for example according to the MUI fatwa in Indonesia emphasizing the prohibition of euthanasia because it is contrary to Islamic law.
2. Potential for  
The legality of euthanasia can open up opportunities for abuse, such as pressure on elderly patients or those who are considered a "burden" to the family.
3. Psychological impact on medical personnel

Doctors who perform euthanasia may experience psychological distress or guilt for violating the principle of "do no harm" in the oath of mortgages.

4. impairment

Legalizing euthanasia may lower the value of human life, as there may be a view that life is only valued if it is "productive" or "free from suffering".

5. Possible misdiagnosis

There is no guarantee that the diagnosis of a terminal illness will always be accurate, so patients may make decisions based on misinformation.

## Conclusion

Euthanasia is a controversial practice that involves the voluntary ending of a person's life, generally to alleviate suffering from a terminal illness. From a pro perspective, euthanasia is considered a form of respect for individual autonomy, a tool to alleviate unbearable suffering, and a rational choice under certain conditions. However, the cons of euthanasia highlight the risk of violating moral values, the potential for misuse, pressure on vulnerable groups, and the psychological impact on the perpetrator and the patient's family. Legally, the practice of euthanasia is strictly regulated in some countries such as the Netherlands, but is strictly prohibited in Indonesia due to its conflict with laws, norms and culture. The main conflict in the law regarding euthanasia lies in the different views on life as sacred versus the right to die with dignity. Legalizing countries generally prioritize individual autonomy, while prohibiting countries emphasize collective and religious values.

Suggestion: For the government to improve the quality of palliative care in health facilities to provide alternatives for terminal patients who are suffering, without having to consider euthanasia and conduct academic studies and public dialog on the issue of euthanasia to understand the needs of society and its implications, especially in Indonesia. For medical personnel to provide psychological and spiritual assistance to terminal patients to help them cope better with suffering and also report cases that require ethical attention to the medical ethics committee for further discussion. For the community to instill the value of solidarity and emotional support to family members who are terminally ill, so that they do not feel isolated or burdened, and also educate themselves about palliative care and patient rights to ensure medical decisions are made based on correct information.

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