

Euthanasia in Islamic Law With Respect to the Theory of Protecting Integrity of Body and Soul

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In parallel with considerable progress in human thought in the last century, it has been a discussion topic that human beings should have the freedom to make their decisions about themselves. In this sense, it has been argued that man's right to choose where, how and when he/she dies must be granted, and as an actual application of this right, it had been suggested that euthanasia must be accepted as a legal process, excluded from the list of illegal actions. The euthanasia problem over which many people debate including physicians and jurists has been a discussion subject for Islamic jurists as well.

Although there were references to it in Ancient Greek and Roman cultures as a kind of suicide¹, the concept of euthanasia was allegedly used by Plato (427-347 BC) for the first time.² Moreover, it is still a hot topic for today, especially in academic circles. Euthanasia is a Greek-origin word, consisting of two words "eu" and "thanatos", first of which means comfort and easy, while the second means "to die".³ As a term, the definition is as follows: to end the life of someone with medical methods, who caught an incurable disease, in order to release him from pain and agony.⁴

Euthanasia has several aspects and names, according to the objective, the permission of the patient and the execution type: According to the objective, "*eugenic, economic, homicidal and human*"⁵, to the permission of the patient "*voluntary, involuntary and inattentive*"⁶, and to the execution type "*active, passive, indirect euthanasia and help to suicide*"⁷. There are important differences between these sorts of euthanasia with regard to legal consequences. Hence, the determining factor in the execution of euthanasia is to voluntarily terminate the human life. The situation does not change, no matter there is an approval by the patient or his legal representative or, there is a humanitarian ground such as killing the pain. The crucial point is that the person has voluntarily made the decision about his/her life. In this regard, researchers deal with euthanasia in general and examine it in terms of "*the sanctity and the inviolability of life*" or "*the quality of life and personal freedom*". In this study, I will rather tackle the issue in terms of "*protecting the integrity of human body and soul*".

Human beings come to the world in integrity and throughout their life they improve their body and soul. Therefore, protecting the integrity of body and soul and preventing man from interventions that break this integrity are needed. Euthanasia is a kind of action which breaks the integrity of human body and soul. Thus, the euthanasia issue in Islamic law can be dealt with in the theory of the integrity of body and soul which is theoretically accepted and can be based on many legal principles. Here are some main legal principles that give way to form an opinion on the theory, thus on euthanasia:

¹ Inceoğlu, Sibel, *Ölme Hakkı (Ötenazi)*, İstanbul 1999, p. 18.

² Büyük Ansiklopedi, "*Euthanasia*" vol.V, p.1630.

³ Kazancıgil, Aykut, *Tıp Sözlüğü*, Ankara 1978, p. 143,

⁴ Selweyn James, "Euthanasia-öldürerek ıstıraptan kurtarmak yanlış bir hareket midir?", İHD, n:37, 1948, p.583.

⁵ Toroslu, Nevzat, *Nasıl Bir Ceza Kanunu*, Ankara 1987, p.82; Kamay, Behçet, "Ötanaziler (Ölümü Yaklaşan Hastayı İztıraplı Öldürme)", the USA, vol:8, p: 93-94, Ankara 1952, p.3.

⁶ Özkara, Erdem, *Ötenazide Temel Kavramlar ve Güncel Tartışmalar*, Ankara 2001, 20-21.

⁷ Dönmezer, Sulhi, *Kişilere ve Mala Karşı Cürümler*, 14. Ed, İstanbul 1995, 29-30.

1. The inviolability of life

Protecting the integrity of body and soul is a basic legal principle. As it means “*the inviolability of life*”, the principle is among the basic principles of Islamic law as well. This is because, the Quran announced man as “the most adorable of the created beings”⁸, the most precious and the noblest⁹, and the viceroy of God on earth.¹⁰ The inviolability is twofold: outward-oriented and inward-oriented. The outward-oriented inviolability protects man from others. It is forbidden to kill a human being, except a rightful justification.¹¹ This rule which is also called *the inviolability of person (masûnu’ d-dem)* is derived from the Quranic verse “do not kill the soul which Allah has forbidden”¹². A tradition which can be found in the last sermon of the Prophet Muhammad (pbuh): “*Just like this month and this land are inviolable, your blood is also inviolable today.*”¹³

In Islamic law, the integrity of body and soul is guaranteed by punishing those who committed a cardinal sin like murder¹⁴ with worldly penalties such as *retaliation*¹⁵ and *blood money*¹⁶, and with otherworldly penalties such as *eternal damnation*¹⁷. To regard killing unjustly a human being as to kill all human beings¹⁸ is another proof for the inviolability of life. The inward-oriented inviolability is to protect man against himself. This covers actions and behaviors which, if indirectly, lead to this consequence, such as the prohibition of ending his/her own life.¹⁹ The verses “*Do not kill yourself*”²⁰ and “*do not throw yourself into danger*”²¹ are evidences from the Quran.

2. The Principle of the Trust of Life

In Islam, human beings are trusted to protect their lives given to them and thus, it is obligatory for them to protect it. We can derive this principle from the Quranic verse which means “*do not throw yourselves into danger with your own hands*”²² and from that the Prophet prohibited the worship that might harm human health.²³ Therefore, depending on these two religious proofs, Islamic jurists did not recommend such worship and asceticism that do harm the wellbeing of the body and soul and its integrity.²⁴

3. The principle of Responsibility

Protecting the integrity of body and soul (*nafs, ruh*) is one of the main responsibilities of the believer, according to the Islamic law. Those who do not protect their souls will not fulfill their duties neither towards God, nor towards human beings and other creatures.²⁵ Besides, they cannot fulfill the duty of the construction of the earth that was given to them. If there is no man, all other things lose their meanings.²⁶ Thus, human beings must protect the integrity of the body and soul.

4. The Principle that Human Life is the Basic Value

Islamic law added “life” to the things which must be absolutely protected, such as religion, reason, generation and property.

⁸ el-En’âm 6/2; er-Rahmân 55/3.

⁹ el-Îsrâ 17/70.

¹⁰ et-Tîn 95/4.

¹¹ Abdülkadir Udeh, *et-Teşrî’u’l-Cinâi’l-İslâmî*, vol. I-III, Beirut 1405/1985, 1/533.

¹² el-Îsrâ 17/33.

¹³ Buhârî, “Hudûd”, 9; Müslim, “Hacc”, 19.

¹⁴ Buhârî, “Hudûd”, 44; Tirmizî, “Tefsîri’s- Sûre”, 4; Nesâî, “Tahrîm”, 3; Dârimî, “Diyât”, 9; Ahmed b. Hanbel, *el-Müsned*, II, 201.

¹⁵ el-Bakara 2/178; el-Mâide 5/45.

¹⁶ en-Nisâ 4/92.

¹⁷ en-Nisâ 4/93.

¹⁸ el-Mâide 5/32.

¹⁹ Savcı, Bahri, *Yaşam Hakkı ve Boyutları*, Ankara Üniversitesi Siyasal Bilgiler Fakültesi Yayınları, Ankara 1980, pp.15-18.

²⁰ En-Nisâ 4/29.

²¹ el-Bakara 2/195.

²² el-Bakara 2/195.

²³ see Buhârî, “İman”, 13; “Nikâh”, 1, 8; Müslim, “Nikâh”, 5, 8; “Fazâil”, 127.

²⁴ Muhammed b. Süleyman (Dâmâd Efendî), *Mecmeu’l-Enhur fî Şerhi’l-Mülteka’l-Ebhur*, I-II, Egypt 1327-1909, II, 524.

²⁵ See El-Hacc 22/65; İbrâhîm 14/33.

²⁶ Montaigne, *Denemeler*, trans. Sabahatin Eyuboğlu, Cem. Yay. 26. ed, Istanbul 1995, p.211-212.

For that reason, a believer does not knowingly put his/her life in danger. This is because, “*protecting the life*” is a basic value, not only accepted by Islam, but also by the universal law. For instance, life-threatening starvation can be eliminated by eating carcass or pork²⁷, and thirst by drinking wine (*hamr*), if there is no other option²⁸. This is because, one of the main principles of Islamic law is that “necessities legalize illegitimate things”.²⁹ Hence, according to the Hanafi and Shafii schools of law, in case of life-threatening thirsty, forbidden beverages and foods are allowed, on condition that the limits of necessity are observed.³⁰ Imam Malik and Ahmad b. Hanbal are of the same opinion.³¹

It is stated that, in case of medical diagnosis and treatment, it is allowed for doctors to look at private parts of men and women.³² It is also stated that, in the Hanafi School, forbidden beverages can be used as medicine.³³ Other schools condition that the treatment must be effective and there must be no side-effect.³⁴ It is due to the same principle is that “*tayammum*”³⁵ is allowed in cold weather, even if water can be found, and “*mash*”³⁶ is allowed, instead of washing feet. Similarly, life can be put in danger, in order to protect life or society.

The agent’s being free from responsibility for reasons like *compulsion, necessity, hardship and self defense*, is due to prevent any harm to soul and body of human beings. According to Islamic law, “*hardship draws easiness*”³⁷ and “*things will be made easy when they get hard*”³⁸. For example, if someone is forced (*compulsion, ikrah*)³⁹ to violate an Islamic commandment or prohibition, he or she is in a position to choose the easy and the one which protects the health of his/her life and soul. This is the reason why anti-belief words are allowed in case of coercion.⁴⁰ Accordingly, the Prophet decreed that “there is no responsibility in case of coercive situations”.⁴¹ The fact that forbidden foods and beverages are allowed (on condition of proportion) in case of compulsion is because of the same reason.⁴² In such a case, eating and drinking as much as it saves the life are even obligatory.⁴³ To choose death by denying the permission is a sin.⁴⁴ According to some jurists, it is even forbidden (*haram*).^(45 46 47)

²⁷ See el-Bakara 2/173. el-Mâide 5/3. el-En’âm 6/145. en-Nahl 16/115.

²⁸ ez-Zuhaylî, *Nazariyyetü’z-Zarûretü’s-Şer’iyye*, Beirut 1402/1982, 280.

²⁹ İbn Nüceym, *el-Eşbâh ve’n-Nezâir*, Beirut 1405/1985, 85.

³⁰ İbn Âbidîn, *Reddü’l-Muhtâr*, VII, 135; el-Merdâvî, *el-İnsâf*, vol. X, 229.

³¹ İbn Rüşd, *Bidâye*, I, 461; Desûkî, *Hâşiyetü’d-Desûkî alâ Şerhi’l-Kebîr*, vol. I-IV, Dâru’l-Fikr, Beirut ty., IV, 353; İbn Kudâme, *el-Muğnî*, VIII, 308-309, 605; İbnü’l-Kayyim, *Zâdü’l-Meâd*, vol I-IV, Egypt 1392/1973, III, 114.

³² İbn Nüceym, *el-Eşbâh*, 85; Suyûtî, *el-Eşbâh*, 76.

³³ Serahsî, *el-Mebsût*, XXIV, 9, İbn Nüceym, *el-Eşbâh*, 85; Suyûtî, *el-Eşbâh*, 76.

³⁴ Desûkî, *Hâşiye*, IV, 353; İbn Kudâme, *el-Muğnî*, VIII, 309. Remlî, *Muğni’l-Muhtâc*, IV, 188; Furthermore see Cezerî, *Kitâbü’l-Fikh alâ Mezâhibü’l-Erbea*, vol. I-IV, 6. ed, Beirut ty, I, 8. Karafî, *el-Fürûk*, IV, 184; Merdâvî, *el-İnsâf*, vol. X, 229.

³⁵ el-Bakara 2/267; en-Nisâ, 4/43; el-Mâide 5/6.

³⁶ Buhârî, *Vüdü’*, 35; Müslim, *Tahâret*,72; Ebû Dâvud, *Tahâret*, 12; Tirmizî, *Tahâret*,45; en-Nesâî, *Tahâret*,15; İbn Mâce, *Tahâret*, 39; Dârimî, *Vudû’*,3; Muvatta’, *Tahâret*, 41; Ahmed b. Hanbel, I/14.

³⁷ İbn Nüceym, *el-Eşbâh*, 75.

³⁸ İbn Nüceym, *el-Eşbâh* 84.

³⁹ Muhammed Ravvâs Kal’acı-Hâmid Sâdık Kunevbî, *Mu’cemü Lügati’l-Fukahâ*, Beirut 1408/1998, p. 84; Mahmud Hamza, *Ferâ’idü’l-Behiyye fî’l-Kavâ’idi ve’l-Fevâ’idi’l-Fikhiyye*, 219-220.

⁴⁰ See Nahl 16/106; Besides, see Nisâ 4/97-98. Besides, see Cessâs, *Ahkâmü’l-Kur’ân*, vol. I-V, ed. Muhammed Sâdık Kamhâvî, Beirut 1405/1985, V, 13.

⁴¹ See Buhârî, *Hudûd*, 22; Talâk, 11; Ebû Dâvud, *Hudûd*, 17; Tirmizî, *Hudûd*, 1; İbn Mâce, *Talâk*, 15; Dârimî, *Hudûd* 1; Ahmed b. Hanbel, *el-Müsned*, VI, 100, 144.

⁴² İbn Kudâme, *el-Muğnî*, vol. I-IX, Mısır ty., VIII, 309; el-Merdâvî, Ali b. Süleymân, *el-İnsâf fî Ma’rifati’r-Râcih mine’l-Hilâf alâ Mezhebi’l-İmâm Ahmed b. Hanbel*, vol. I-XII, ed. . Muhammed Hâmid el-Fakî, Beirut 1377/1957, X, 231.

⁴³ İbn Âbidîn, *Reddü’l-Muhtâr*, VI, 133; er-Remlî, *Nihâyetü’l-Muhtâc*, I-VIII, Beyrut 1404/1984, VII, 257.

⁴⁴ Serahsî, *el-Mebsût*, I-XXX, Beyrut 1398/1978, XXIV, 137.

⁴⁵ İbn Nüceym, *el-Eşbâh*, 86 el-Merdâvî, *el-İnsâf*, vol. X, 370.

⁴⁶ Serahsî, *el-Mebsût*, XXIV, 48; İbn Âbidîn, *Reddü’l-Muhtâr*, VI, 133; İbn Rüşd, *el-Bidâye*, II, 332; Şirâzî, *el-Mühezzeb*, vol. I-II, Egypt ty., I, 251; Nevevî, *el-Mecmu’*, Dâru’l-Fikr, Riyad 1383/1956, XVIII, 394; İbn Kudâme, *el-Muğnî*, Egypt ty., VIII, 601; Merdâvî, *el-İnsâf*, vol. X, 376.

⁴⁷ Karafî, *el-Fürûk*, Beyrut ty., IV, 185.

As seen, most of Islamic jurists accepted that it is obligatory to act according to permission necessitated by the state of someone who is in hard position or compelled⁴⁸, in order to save his/her life. They also accepted that if someone denies using this permission and die, he/she will be responsible or sinful, for not using the opportunity to save his/her life with permitted actions. All of these opinions indicate that the preference must be for life. This principle is called by ‘*zâhiru’r-rivâye*’ Hanafis, ‘*sahih*’ by Shafiis, ‘*muhtâr*’ by Hanbalis and “the opinion of the school” by Malikis. The legal base of this principle⁴⁹ is the Quranic verses like “do not kill yourselves”⁵⁰ and “do not throw yourselves into danger with your own hands”⁵¹ and traditions like “know that your soul has a right upon you”⁵², “do not enter a place where there is plague and do not leave it if you have already entered”⁵³ and “God would not create an illness that he did not give a cure for”.^{54 55}

Actions which might cause danger and hardship to human life are regarded as *mashakka* (hardship) and the preference for the easy one is recommended. The Quranic verses like “God wishes you easiness, not hardship”⁵⁶, “God wishes to lighten your burden”⁵⁷, “God did not give you any hardship in religion”⁵⁸, and traditions like “in a situation which he must go for one of the options, the Prophet chooses the easiest one, as long as it is not sinful”⁵⁹, “make it easy, do not make it hard”⁶⁰ and “I was sent as easy-maker, not trouble-maker”⁶¹ indicate that easiness can be selected in case of hardship. Traveler and sick can fast the Ramadan in other days than the month of Ramadan and very old and ill people can pay the *fidya* for the days they could not fast. These are just a couple of examples which show the application of the principle.⁶²

The rules like “Hardship draws easiness”⁶³ and “when things get hard, they will be made easy”⁶⁴ have become a solution source for many individual problems of Islamic law from the field of worship to punishment, and constituted a legal base for the opinions (*ijtihad*) of Islamic jurists. One of the objectives of the principle of preventing hardship in case it happens and making it easy, is to prevent dangers for human life and to make human beings escape from dangers, if they encounter them. One of the permission types of Imam Shafii is the permission according to which the action is necessary. Due to this principle, anyone who face death because of thirsty and starvation must brake his/her fast. The reason for this is to protect life.⁶⁵ Hanafis, who divide the permission into four types, allow the abandonment of necessity in case of hardship. The permission of traveler and sick not to fast is one of the examples in this regard.⁶⁶

On the other hand, in case of death or fatal injury, since abandoning the permission which eliminates hardship means mutiny, one who does so will be committing suicide to the life which is the right of God.

⁴⁸ İbn Rüşd, *Bidâye*, II, 336; Suyûtî, *el-Eşbâh*, 82.

⁴⁹ Serahsî, *el-Mebsût*, XXIV, 48; Kâsânî, *el-Bedâi’*, VII, 176; İbnü’l-Hümâm, *Fethu’l-Kadîr*, VII, 298; Karafî, *el-Fürûk*, IV, 183; Şîrâzî, *el-Mühezzeb*, I, 250; İbn Kudâme, *el-Muğnî*, VIII, 595; İbn Hazm, *el-Muhallâ*, VIII, 381.

⁵⁰ en-Nisâ 4/29.

⁵¹ el-Bakara 2/195.

⁵² Buhârî, “Savm”, 51; Müslim, “Sıyâm”, 35.

⁵³ Buhârî, “Tıb”, 30; Müslim, “Selâm”, 32.

⁵⁴ Buhârî, “Tıb”, 4; Müslim, “Selâm”, 69; Ebû Dâvud, “Tıb”, 1; Tirmizî, “Tıb”, 2; İbn Mâce, “Tıb”, 12; Dârimî, “Eşribe”, 6; Muvatta’, “Hacc”, 100; Ahmed b. Hanbel, *el-Müsned*, III, 421.

⁵⁵ Abu Yusuf from Hanafis, Abu Ishak Shirazi from Shafiis and some Hanbalis hold that it is not necessary to use permission, even if necessities legalize prohibitions and the one who uses the permission will be sinful.

⁵⁶ el-Bakara 2/185.

⁵⁷ en-Nisâ 4/28.

⁵⁸ el-Hacc 22/78.

⁵⁹ For traditions in the same meaning see Buhârî, “Menâkıb”, 23, “Edeb”, 80; “Hudûd”, 10; “İ’tisâm”, 3; Müslim, “Fedâil”, 77, 78, 132, 133; Ebû Dâvud, “Edep”, 5; Muvatta’, “Hüsnu’l-Hulk”, 2; Ahmed b. Hanbel, *el-Müsned*, 5, 334.

⁶⁰ Buhârî, “İlim”, 11, “Megâzî”, 6; “Edeb”, 80; Müslim, “Cihad”, 4; “Edep”, 17; Ahmed b. Hanbel, *el-Müsned*, I, 329.

⁶¹ Buhârî, “Edep”, 80, “Ahkâm”, 32; “Cihâd”, 164; Müslim, “Cihâd”, 5, “Eşribe”, 71.

⁶² For other examples see Zuhaylî, *Nazariyyez-Zarûre*, 205-206.

⁶³ İbn Nüceym, *el-Eşbâh*, 75.

⁶⁴ İbn Nüceym, *el-Eşbâh* 84; Suyûtî, *el-Eşbâh*, 76.

⁶⁵ Gazzâlî, *el-Mustasfâ*, Egypt 1322/1904, I, 63; Amidî, *el-İhkâm fî Usûli’l-Ahkâm*, vol. I-IV, Cairo 1387/1967, I, 68.

⁶⁶ Suyûtî, *el-Eşbâh*, 75.

Another Maliki jurists *Karafi*, regarded the fasting of a sick person whose life or one of organs is in danger, as prohibited.⁶⁷ As seen above, the basic purpose of these two principles is to remove the lives of human beings from the danger. Another theory which indicates the need for opting for life is “self-defense”, which is allowed for preventing unrighteous attacks to someone’s life, honor and property. The principle finds its base in revelations like “if someone attack you, you attack them as they do”⁶⁸ and “anyone killed for his/her family, property and religion is a martyr”⁶⁹. According to this theory, anyone who is stalked has the right of retaliation.⁷⁰ Hanbalis state that defense to an unrighteous attack done in the normal flow of daily life is inevitably a necessity. They even allow for defense in a possible scenario of terror.⁷¹ As a principle, Islamic jurists thus accept that there is not punishment for defense against unrighteous attacks. More importantly, they state that choosing to die without any defense against an unrighteous attack would lead to sin.⁷²

All of these show that protecting the integrity of body and soul is a primary issue; and actions that would break the integrity are against the law. Euthanasia is one of the actions against the law. Therefore, although different kinds of euthanasia requires different sanctions in terms of its legal consequences, euthanasia that ends the life of a person in unrighteous and unauthorized way is regarded as an action against the law. All of these explanations are clear proofs of that the right of life is the main issue and precede other issues.

5. The Principle that the right of life cannot be given away

In Islamic law, a human being cannot kill himself/herself with his/her own hands, or with the help of others, since it is the very basic right of man. Except legal situations, neither he/she nor any other one can violate this right. Moreover, in Islamic law the right is fully at the disposal of its owner. However, this does not include the right of life, since damaging or ending someone’s own life is not granted to him/her.⁷³ (⁷⁴). Basically, this is the reason why war, self-defense and retaliation are allowed.

On the other hand, the same principle gives grounds for the verdict that this kind of agreement cannot be settled between the doctor and the patient or the patient’s the legal representative. Otherwise, it means interference in the right of life and thus the verdict “absolutely false” is given. Accordingly, Abu Hanifa, invalidated an agreement between Mansur the Caliph and the people of Mosul. In his opinion, “a person does not have the disposition of his/her own life”. Due to the mentioned agreement, the Caliph would have killed the rebels if they repeated their rebellions”.⁷⁵ In Islamic law, the most common classification of rights is *the right of God and the right of people*. In this classification, someone’s contingency of disposition is quite limited in rights which God’s right is dominant⁷⁶. Individuals may not silence these rights, and they may not have the full disposal of them.⁷⁷ For instance, protecting the health of body and soul is among these sorts of rights. Thus, individuals cannot risk their own lives and health.⁷⁸ Like individuals cannot renounce their lives, others cannot do that as well. The fact that the one who renounces on behalf of someone else is the legal representative of that person does not change the situation. In accordance with that, any call for euthanasia by relatives or legal representatives of the patient is against the law in Islam.

⁶⁷ Karafi, *el-Fürûk*, II, 22.

⁶⁸ El-Bakara 2/194.

⁶⁹ Buhârî, *Mezâlim*, 33; Müslim, *Îmân*, 226; Ebû Dâvud, *Sünnet*, 29; Tirmizî, *Diyât*, 21; Nesâî, *Tahrîm*, 22; İbn Mâce, *Hudûd*, 21; Ahmed b. Hanbel, I, 79, 187, II, 163, 193, 205.

⁷⁰ Cessâs, *el-Ahkâm*, I, 327; Kurtûbî, *el-Cami’ li Ahkâmi’l-Kur’ân*, Cairo 1426/2005, II, 357.

⁷¹ İbn Kudâme, *el-Muğnî*, VIII, 329; Merdâvî, *el-İnsâf*, vol. IX, 476; Hicâvî, *el-İkna’*, IV, 289-290.

⁷² See Kâsânî, *el-Bedâi’*, VII, 274; İbn Âbidin, *Reddül-Muhtâr*, V, 481; Karafi, *el-Fürûk*, IV, 183; Heytemî, *Tuhfetül-Muhtâc*, I-X, Istanbul ty. (with the glosses of Şirvânî ve Kâsım el-Abbâdî), VIII, 408; İbn Kudâme, *el-Muğnî*, VIII, 330; Hicâvî, *el-İkna’*, IV, 290.

⁷³ İbn Âbidin, *Reddül-Muhtâr*, Istanbul 1984, V/540.

⁷⁴ el-Kâsânî, *el-Bedâyi’*, Beirut 1394/1974, VII/256.

⁷⁵ Sava Paşa, *İslâm Hukuk Nazariyatı Hakkında Bir Etüd*, trans. Baha Arıkan, Istanbul ty, I/89-90.

⁷⁶ The rights that God’s rights are dominant are the rights about the responsibility before God and the peace and the order of the society, although there is an aspect in them which is related to the right of people.

⁷⁷ İzz b. Abdisselâm, *el-Fevâid fi İhtisârî’l-Mekâsıd (Kavâ’idü’s-Süğrâ)*, ed. I. Hâlid et-Tabbâ’, Dımeşk 1966, 61; Karafi, *el-Fürûk*, vol. I-IV, Beirut ty. I, 141; Şâtıbî, *Muvâfakât*, Beirut ty., II/320-321.

⁷⁸ Şâtıbî, *Muvâfakât*, II, 377.

For that reason, in Islamic law, someone who killed any other one in accordance with his father's or brother's wish will be responsible for the killing.⁷⁹

6. No one has the authority to have the disposition of life

Even if they have the partial volition (*irada juziyya*)⁸⁰, Islamic law does not give believers the right to have the disposition of their lives. This is because the knowledge about the birth⁸¹ and the death only belongs to God⁸². Hence, determining the life length and *ajal* of people⁸³ is at the disposal of God.⁸⁴ As a matter of fact, the Quran states that “*wherever you are, no matter in strong castles, death will reach you*”⁸⁵. Moreover, human beings cannot backdate or postpone their *ajal* (life time)⁸⁶. In this meaning, the Quran also states that “*God does not postpone anyone's death, when the ajal time comes*”.⁸⁷ Consequently, euthanasia is not allowed depending on these rules.

7. The wish for death is a wish contrary to human psychology

The famous psychologist Freud once said “no one believe they are going to die, our conscious operates as if we are immortals”. By these words, he draws attention to this psychological side of human beings. In the Quran, it is stressed that, even they know that there is no escape from death⁸⁸, in some cases human beings refuse death and do not want to recall it⁸⁹. For that reason, the wish for euthanasia is not normal and generally due to the despair emerging from unbearable pains. Nonetheless, “despair” and “suicide” are non-Islamic behaviors. If remained between choosing life or death⁹⁰, human beings must choose life. Moreover, they cannot backdate or postpone death. This Quranic verse is in the same regard: “*For every nation is a specified term (ajal). So when their time has come, they will not remain behind an hour, nor will they precede it*”⁹¹.

Therefore, nuisances and pains do not require terminating any life. The health-giver is God and it is only Him who knows the future. No matter the conditions are very bad, life cannot be terminated and the struggle for life is needed. The Quranic verse “*do not kill yourselves*”⁹² includes this principle. To give up and to wish for death in the face of the hardships of life⁹³, even to suicide is forbidden.⁹⁴ In Islam, it is only God who kills and revives any living being⁹⁵ and the knowledge about that does belong to Him.⁹⁶ (⁹⁷). Due to the verse “*it is We who determine the death among you*”⁹⁸, God is the one who determines the issues about life time and death.⁹⁹ Since interfering in these authorities means interfering in the right of God, it produces serious problems in terms of belief.

⁷⁹ el-Kâsânî, *el-Bedâyi*, VII/256.

⁸⁰ eş-Şems, 91/7-8; Moreover, see el-İnsân 76/3; el-Beled 90/10.

⁸¹ er-Rahmân 55/3.

⁸² el-En'âm 6/2.

⁸³ In fact, the concept of *ajal* means the determined life time for all living beings including human beings and the end of this life time, i.e. the moment of death. For more information on *ajal* see Osman Karadeniz, *Ecel Üzerine*, (Izmir, 1992).

⁸⁴ el-Vâkı'a 56/60.

⁸⁵ en-Nisâ 4/80.

⁸⁶ el-A'râf 7/34; Yunus 10/49

⁸⁷ el-Münâfikûn, 63/11.

⁸⁸ el-Münâfikûn, 63/11.

⁸⁹ el-Enbiyâ 21/34-35, and see en-Nisâ 4/80.

⁹⁰ eş-Şems, 91/7-8; Moreover see el-İnsân 76/3; el-Beled 90/10.

⁹¹ el-A'râf 7/34; Yunus 10/49

⁹² en-Nisâ 4/29.

⁹³ Buhârî, Merdâ, 19; Müslim, Zikir, 10; Ebû Dâvud, Cenâiz, 9; Timizî, Cenâiz 3; Nesâî, Cenâiz, 1; İbn Mâce, Zühd, 31, Ahmed b. Hanbel, *el-Müsned*, III/101.

⁹⁴ Buhârî, Cenâiz, 84; Cihad, 77; Enbiya 50; Müslim, İmân, 178-181.

⁹⁵ er-Rahmân 55/3.

⁹⁶ el-En'âm 6/2.

⁹⁷ el-Hicr, 15/23; el-Kâf 50/43; en-Necm 44/53.

⁹⁸ el-Vâkı'a 56/60.

⁹⁹ In fact, the concept of *ajal* means the determined life time for all living beings including human beings and the end of this life time, i.e. the moment of death. For more information on *ajal* see Osman Karadeniz, *Ecel Üzerine*, (Izmir, 1992).