










COMMON CAUSE V. UNION OF INDIA (2018)

Constitutional Interpretation & Basic Structure

PRELIMS SNAPSHOT

-  1. Prelims Snapshot (Fact Box)
-  Year: 2018
-  Case: Common Cause v. Union of India
-  Bench Strength: 5 Judges (Constitution Bench)
-  Key Articles Involved: Article 21
-  Doctrine Evolved: Right to die with dignity is part of Right to Life; Passive euthanasia and Living Will recognised
-  Famous Line: "The right to life includes the right to die with dignity."

CONTEXT & BACKGROUND

Common Cause, an NGO, filed a PIL seeking recognition of the right to make a Living Will and the legality of passive euthanasia in cases of terminal illness or irreversible vegetative state. The case was inspired by previous rulings, including the Aruna Shanbaug case (2011), where passive euthanasia was allowed in a limited form



The Court had to examine if Article 21 could be interpreted to include the right to refuse treatment and die with dignity.

CONSTITUTIONAL ISSUES RAISED

- Does the Right to Life under Article 21 include the Right to Die with dignity?
- Can individuals refuse life-prolonging treatment through a Living Will?
- Should the State allow passive euthanasia under strict conditions?

VERDICT & RATIO DECIDENDI

The Supreme Court unanimously ruled:

- Right to die with dignity is a Fundamental Right under Article 21
- Passive euthanasia is legally permissible under specific safeguards
- Individuals have a right to make an Advance Medical Directive (Living Will), laying down their wishes for end-of-life care
- The Court issued detailed guidelines on how Living Wills should be executed, reviewed, and implemented until a law is enacted



- The judgment distinguished between passive euthanasia (withdrawal of treatment) and active euthanasia (deliberate causing of death), allowing only the former.

DOCTRINE / PRINCIPLE EVOLVED

- Right to life includes quality of life and dignity till the very end
- Consent and autonomy are core components of personal liberty
- Introduced a legal framework for Living Wills, balancing compassion and ethical safeguards



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IMPACT & LEGACY

- First Indian case to recognise Living Wills and passive euthanasia constitutionally
- Brought India in line with global human rights standards on end-of-life care
- Sparked medical, legal, and ethical debates about death, dignity, and palliative care
- Influenced policy discussions on terminal illness management and patient autonomy



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RELEVANCE FOR UPSC

- GS Paper 2:
 - Right to life and constitutional interpretation
 - Health policy, legal-ethical framework for end-of-life care
- GS Paper 4 (Ethics):
 - Autonomy, compassion, medical ethics, human dignity
- Essay Paper:
 - Apt for themes like Ethics of Life and Death, Dignity in Healthcare, Law, Morality, and Humanity
- UPSC Interview:
- Useful in questions on medical ethics, constitutional rights, and public policy

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