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Response to commentary by Adriaan van Es

ANJAN K DAS

I would like to thank Dr Adriaan Van Es for his commentary (1) on my article (2). To start with, let me make one thing clear: I am not sure why he thinks that I am condoning the practice of penal amputation. As I clearly state in my conclusion, the arguments that may (or may not) justify penal amputation are “abhorrent” in liberal societies. We are on the same side here. But what of those who live in less secular societies where religious faith may be unquestioned? In my opinion, van Es has resorted to a typical example of a “tortured form of ethical logic” (3), which researchers from countries that have different value systems and different problems have deplored, albeit in a different context.

Some other points: I have made it clear that the Malaysian Medical Association (MMA) has strongly opposed the move of the Kelantan government and while the American Medical Association’s code of medical ethics does mention many inspiring ideals the fact remains that no sanctions have

been imposed on physicians who are participating in penal amputations.

While euthanasia is carried out after informed consent, it is still a form of harm to the patient; I am not sure how we can get around this ethical dilemma. And I also notice that van Es has carefully sidestepped my query about what happens if the patient gives consent to his amputation. If a religious man acknowledges the authority of a religious court and consents to its punishment, then it is not clear to me why this is not analogous to euthanasia or for that matter, to Robert Smith’s surgeries.

We do not live in an ideal world. If we did, there would be no crime and no punishment and this entire argument would be infructuous. However in this imperfect world we are forced to compromise and it is my belief that agreeing to some forms of harm while refusing to acknowledge the possibility that other forms of harm may be protected by the same ethical arguments only inhibits healthy debate.

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