Death, Medicine and the Right to Die: An Engagement with Heidegger, Bauman and Baudrillard

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Introduction

In the early 20th century, Martin Heidegger stirred the philosophical pot by raising the issue of death in extremely poignant and powerful terms. He pointed out that to some degree, but not completely, death was concealed through its appropriation by a culture, and that a certain degree of liberation could be provided by the fleeting recovery of an authentic experience of death. Many writers in a variety of fields have since echoed this Heideggerian theme of death concealment, and some of these have even leaned toward this or that version of authentic mortality. However, some who have written about death since *Being and Time* see in modernity nothing but an 'interdiction' upon (Philippe Ariès),[1] or the 'social repression' of (Norbert Elias),[2] death. Such writers ignore Heidegger's very important and emphatic claim that death, despite its concealment, nevertheless remains a constant issue in a culture (I will discuss this claim more fully below). Aside from missing Heidegger's point, such an oversight also misses a great deal of modern and late-modern culture.

In many ways, death has assumed an overwhelming presence in popular sources of information and entertainment in late modernity; indeed, natural disasters, plane and train crashes, the AIDS epidemic, urban violence, terrorist strikes, as well as video games and popular movies, are all rated in terms of body counts. Of course, one could argue that such endless repetitions of death do not foster reflection, but instead numb the mind and deepen the obliviousness of moderns to death. But these are not the only forms in which death presents itself

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today. Increasingly, and ironically, death seems to be resurfacing around medicine, that field of disciplines which is often claimed to be most responsible for death's disappearance from modern lives (Ariès, 1974: 88–90; Elias, 1985: 28, 47; Illich, 1976: 201–8). Individuals are recently being put in positions where they must think about their death in terms of medicine, and make certain choices in that regard. Decisions concerning the disposition of one's organs upon death, the limitation of extensive life-saving techniques through the use of a 'living will', or the choice of experimental therapies and treatments (for those who have adequate 'coverage'), have all fostered some amount of reflection upon death among late-moderns.

In particular, one issue has emerged recently which not only reveals the relation between medicine and death, but also has the potential for revealing the extent to which modern identities have been grounded in this relationship. The issue is suicide, which was also widely discussed in the 17th and 18th centuries, at the beginning of this age in which death was supposedly silenced. Although there are many important differences between the early- and late-modern discussions of suicide, the one I want to stress in this essay is the medicalization of the current debate.[3] The most visible manifestation of the issue of suicide, of course, is Jack Kevorkian (aka Dr Death), whose challenge to the medico-juridical order of self-preservation is, expectedly and unfortunately, being measured in body counts – 45 'official' assists at the time this was written. Perhaps a more telling indication of the resonance of suicide in late-modern ears is the continuing popularity of Derek Humphry's *Final Exit: The Practicalities of Self-Deliverance and Assisted Suicide for the Dying* (1991), which is advertised as a 'how-to manual' on suicide. While arguing for the legalization of physician-assisted suicide, this book also provides detailed instruction in several suicide techniques that individuals can employ without the help of a physician, and even provides a table of lethal drug dosages. Humphry's candid book was on *The New York Times* bestseller list for 18 weeks, has been translated into a dozen languages, and continues to sell in great volume (although its sale has been prohibited in France and restricted to those above 18 in Australia).

The issue of physician-assisted suicide has also recently surfaced as a highly contested issue in the realm of juridico-political discourse. Over the last two decades in the Netherlands, courts have gradually increased the range of exceptions to the prohibition against assisted suicide (and euthanasia), and in 1993 a statute codified specific guidelines which physicians can follow to avoid prosecution (Gomez, 1991: 16–48; Hendin, 1997: 48–9; Singer, 1995: 141–7). While the practice of assisted suicide has widespread support among physicians and the public in the Netherlands, physicians in other European nations have been very

critical of the Netherlands' relaxation of the prohibition (Hendin, 1997: 97). In the Northern Territory of Australia, assisted suicide and voluntary euthanasia were legalized by the territorial legislature in 1995, but in March, 1997 the Australian Senate overturned this territorial policy. And in the USA, 'right to die' advocates have used the initiative process to put the issue of assisted suicide on the ballot in several states. In 1994, Oregon voters passed Measure 16, which legalized assisted suicide in certain cases, but the measure was quickly struck down by a federal court as unconstitutional. Some state legislatures have responded to the popular assertion of this disturbing new right with specific legal prohibitions against assisted suicide. Two such laws were struck down in federal courts in 1996, however, and those decisions are currently under appeal with the US Supreme Court.[4]

The re-emergence of the question of suicide in this medical guise seems to me one of the most interesting and fertile facets of late modernity. Aside from the disruption which this issue may cause in the traditional juridical relationship between individuals and the state, it may also help to transform the dominant conception of subjectivity that has been erected upon modernity's medicalized order of death. To enhance this disruptive potential, I am going to examine the perspectives on death offered by two contemporary writers: Zygmunt Bauman and Jean Baudrillard. Each of these writers recognizes the centrality of death to modern culture, as Heidegger did, but they also go beyond him in specifying the ways in which death maintains a presence in late modernity, despite efforts to conceal it. In particular, both of these writers recognize the important role that medicine has played in ordering the modern conception of death. After situating these two perspectives in relation to each other, and in relation to Heidegger, who will serve here as a sort of benchmark, I will return to the issue of suicide. Given the differences in their readings of the role that death and medicine play in modern culture, these post-Heideggerians take strikingly different positions on this issue. By engaging these perspectives, I intend not only to point out the tremendous potential which this issue holds for a fundamental rethinking of modern subjectivity, but also reveal some of the dangers that may beset any naive optimism about the right to die.

Heidegger on Death

In *Being and Time* (1962 [1927]), Heidegger placed death at the heart of his existentialist analytic of *Dasein*,[5] and treated this extreme and unique manifestation of finitude as a lens through which he might catch a glimpse of an authentic existence. In death, he claimed, 'Dasein's character as possibility lets itself be revealed

most precisely' (1962: 293; unless otherwise noted, all emphasis in quotes is that of the author quoted). Over a century earlier, of course, Hegel had placed death at the cornerstone of the historical edifice of human consciousness, and a century and a half before Hegel, Hobbes saw the fear of death as the passionate impulse which moved people into and out of civil society.[6] But for Hobbes, civil society was the most rational way to insure against death, and Hegel thought that the historical development of cultural responses to death would lead to a certain truth, and a culture that could abide by this truth. In the early 20th century, however, when Heidegger once again placed death at the center of philosophical reflection, he could not recognize anything satisfying or edifying in modernity's stance toward death. In fact, Heidegger was rather contemptuous of culture – the *they* – in general. What disturbed Heidegger most about the *they* was that it provided correct responses to a variety of experiences, but did so in an inconspicuous and indefinite manner, where standards appear without any struggle or contestation. Of the *they*, Heidegger wrote:

> In this averageness with which it prescribes what can and may be ventured, it keeps watch over everything exceptional that thrusts itself to the fore. Every kind of priority gets noiselessly suppressed. Overnight, everything that is primordial gets glossed over as something that has long been well known. (1962: 165)

While Heidegger was disturbed by the way in which the *they* glossed over all important matters, he was particularly concerned with challenging its hold in regard to death, because for Heidegger death was ontologically essential to the very possibility of being human. For Dasein is the sort of being that always exists in the manner of looking ahead toward future possibilities. As Heidegger put it, 'in Dasein there is always something *still outstanding*, which, as a potentiality-for-Being for Dasein itself, has not yet become "actual"' (1962: 279). And the one undeniable possibility which always lies before every individual is death. For unlike every other possibility, death is certain to come, but death also differs in that it can never be experienced by that unique consciousness which is Dasein. '[A]s soon as Dasein "exists" in such a way that absolutely nothing more is still outstanding in it', Heidegger emphasized, 'then it has already for this very reason become "no longer-Being-there". . . . As long as Dasein *is* an entity, it has never reached its "wholeness". But if it gains such "wholeness", this gain becomes the utter loss of Being-in-the-world' (1962: 280, also see 281).

At this early stage in his career, Heidegger left open the possibility of grasping Dasein in its totality, and pointed out that such a possibility depended on 'connecting' with death in an authentic manner.[7] What concerns me at this point, however, is the *inauthentic* way in which the *they* becomes comfortable with death. (I will critically discuss Heidegger's notion of authenticity in the following

section.) Because of death's unique status among all that lies ahead of each individual – it is certain but can never be experienced – Heidegger discussed this 'evasive concealment' at some length. But in his discussion of the inauthentic way in which death has been approached, Heidegger noticeably shifted the historical sweep of his claims. He no longer made the sort of universalistic, primordial claims that he offered in regard to the existentially special status of death, but instead discussed the *they*'s treatment of death in historically specific terms. (This, of course, is not to imply that Heidegger's universalistic claims are not historically specific as well.)

To begin with, Heidegger found that in the routines of everyday, modern existence, death is treated as something which happens to everyone, but not to oneself in particular. As he put it, 'In Dasein's public way of interpreting, it is said that "one dies", because everyone else and oneself can talk himself into saying that "in no case is it I myself", for this "one" is *the "nobody"* ' (1962: 297). And along with rendering death something which happens to this 'one' who is no one, the *they* also treats death as an accident which might, perhaps, be avoided. 'In the publicness with which we are with one another in our everyday manner, death is "known" as a mishap which is constantly occurring – a "case of death" ' (1962: 296). So even though the *they* insists on the certainty that 'one dies', the proper (but inauthentic) stance to take toward this certainty is that ' "right now this has nothing to do with us" ' (1962: 297, also see 303).

Heidegger was one of the first to recognize that the order of modernity is vulnerable precisely around the dead and the dying. For the experience with a dying person, for whom death is no longer a remote, indefinite, indeterminate possibility, but a looming presence, threatens to shatter that comfortable familiarity with which the *they* has covered all of death's most disturbing dimensions. In this analysis of the *they*'s stance toward the dying, Heidegger raised a theme which would be much more fully, but nevertheless one-sidedly, developed by later writers. Over four decades before Philippe Ariès's *Western Attitudes toward DEATH* (1974), and five before Norbert Elias's *The Loneliness of the Dying* (1982), Heidegger wrote: '[i]ndeed the dying of Others is seen often enough as a social inconvenience, if not even a downright tactlessness, against which the public is to be guarded' (1962: 298). Heidegger also found that when the precautions failed, and *one* happened to come into contact with an other who is clearly dying, rather than acknowledging the immediacy and certainty of this other's death, the *they* instead keeps 'talking the "dying person" into the belief that he will escape death' (1962: 297).

Although the reluctance that Heidegger found in regard to the discussion of dying may seem dated, given the commonplace use of 'living wills' and the

growing popularity of the idea (if not yet the practice) of physician-assisted suicide, Heidegger nevertheless set the tone for much of what has been written about death and dying in the 20th century. But whereas some who have taken up these themes stress only the way that death has been evaded and concealed in modernity, Heidegger emphasized that even though death has been assiduously avoided, it nevertheless remains a constant presence in modern culture:

> But in thus falling and fleeing *in the face of* death, Dasein's everydayness attests that the very 'they' itself already has the definite character of *Being-towards-death*, even when it is not explicitly engaged in 'thinking about death'. *Even in average everydayness, this ownmost potentiality-for-Being, which is non-relational and not to be outstripped, is constantly an issue for Dasein.* (1962: 298–9)

While Heidegger did not develop this theme in any great detail, he did intimate the direction in which certain later writers, such as Bauman and Baudrillard, would carry out this investigation, when he used a medical metaphor to describe the everyday appropriation of death: 'the "they" ', Heidegger remarked, 'provides a *constant tranquillization about death*' (1962: 298).

Bauman on the 'Deconstruction of Mortality'

In *Mortality, Immortality and Other Life Strategies* (1992), Bauman addresses some of the same themes that occupied Heidegger in *Being and Time*, but surprisingly, he barely mentions Heidegger, and never does so directly in regard to death.[8] Still, he begins his discussion of death as Heidegger did, by noting its unique and troubling character:

> There is hardly a thought more offensive than that of death, or, rather, of the inevitability of dying; of the transcience of our being-in-the-world. After all, this part of our knowledge defies, radically and irrevocably, our intellectual faculties. Death is the ultimate defeat of reason, since reason cannot 'think' death – not what we *know* death to be like; the thought of death is – and is bound to remain – a *contradiction in terms.* (1992: 12–13)

But whereas Heidegger used the term 'anxiety' to express the disturbing experience of death, Bauman follows the next generation of existentialists, such as Camus and Sartre (although again without specific attribution), in characterizing this fundamental experience of finitude as 'absurd'. Bauman claims that 'death – an unadorned death, death in all its stark, uncompromised bluntness, a death that would induce consciousness to stop – is the *ultimate absurdity*, while being at the same time the *ultimate truth*! Death reveals that truth and absurdity are one' (1992: 14–15).

In regard to the cultural responses to this absurd truth, Bauman takes up the Heideggerian theme of concealment and evasion, but goes well beyond Heidegger

in several respects. To begin with, Bauman is even more emphatic than Heidegger concerning the centrality of death to a culture. For Heidegger, the *they* covered over all things primordial, including death, and turned them into familiar, ordinary experiences which stifle authentic reflection. But for Bauman, culture is primarily and perpetually about avoiding the impossible thought of death:

> Humans are the only creatures who not only know, but also know that they know – and cannot 'unknow' their knowledge. In particular, they cannot 'unknow' the knowledge of their mortality. . . . Once learned, knowledge that death may not be escaped cannot be forgotten – it can only *not be thought about* for a while. . . . One can say that culture, another 'human only' quality, has been from the start a device for such a suppression. (1992: 3–4)[9]

Given this understanding of the relationship between death and culture, Bauman can hardly be expected to remain with those who see nothing but the suppression or concealment of death in modernity. More than most others who have written about death in recent decades, Bauman has taken up and developed what Heidegger only intimated in *Being and Time*. At the very beginning of *Mortality, Immortality and Other Life Strategies*, Bauman announces his concern with the presence, not absence, of death:

> [T]he immodest intention of this book is to unpack, and to open up to investigation, the presence of death (i.e. of the conscious or repressed knowledge of mortality) in human institutions, rituals and belief which, on the face of it, explicitly and self-consciously, serve tasks and functions altogether different, unrelated to the preoccupations normally scrutinized in studies dedicated to the 'history of death and dying'. (1992: 1–2)

While many of these historical studies focus on funerary practices (e.g. Ariès) or the treatment of the dying (e.g. Elias), Bauman finds death in a great variety of non-funerary phenomena, ranging from nationalism (1992: 105–28) to postmodernism (1992: 163–99).

Although Bauman distinguishes his text from the bulk of late-modern death and dying literature in regard to the types of material he examines, his work retains the benefits of the pervasive historicity of this genre. Indeed, he spends the largest part of the book examining various historical stances taken toward the inscrutable certainty of death, and identifies a few dominant patterns. I am not able to discuss many of Bauman's provocative and contestable historical claims here, but I do want to point out (although Bauman does not) that, unlike many authors who have recently undertaken historical studies of death, he does not fall prey to a certain nostalgia and claim that earlier responses to death are somehow more authentic or honest than those which have emerged in modernity.[10] Rather, Bauman identifies different historical patterns to show how they all suffer from their own unique form of futility. The stance toward death taken in modernity is not any more or less futile than earlier ones, but what Bauman does make

abundantly clear is that when compared to its predecessors, the modern stance is fundamentally different.

Although death is an issue for all cultures – indeed, Bauman claims that death is 'the ultimate condition of cultural creativity as such' (1992: 4) – he nevertheless recognizes that death poses a special problem for modernity. This is because modernity questioned in an unprecedented way the legitimacy of all limitations. As Bauman puts it:

> We have come to see as 'progress' the relentless 'emancipation' of man from 'constraints'. We have learnt (and have been taught) to view the primal human bonds, that *domaine de l'à-peu-près*, the fidelities that claimed 'naturalness' and priority over all wilful action, as oppression. (1992: 49)

This, of course, is a refrain which has been sung by both 'boosters' and 'knockers' of modernity, to borrow Charles Taylor's (1991) terms, but Bauman's understanding of the corrosive effect of modern reason is more interesting than most, because he sees this process as seeping down to the existential question of the meaning of life/death, and ultimately turning into a struggle with the body itself. Bauman's account of the denouement of this critical, rational process not only provides an insightful angle from which to view death in modernity, but also helps to establish a critical perspective on Heidegger.

As individuals were freed from the chains of all seemingly natural limitations and dependencies, Bauman argues, the foundation for all legitimate dependence increasingly came to be the choice of the individual (1992: 49). But as more and more 'natural' dependencies were called into question and forced to stand before the bar of rational self-interest, it eventually became apparent that the ultimate limitation that every individual faces, but cannot transcend, is death itself.

> Once life has been emancipated from all pre-arranged, inalienable responsibility, once this life is not 'for' anybody and anything in particular, once all that there might ever be to it will be there only if laboriously fudged together by my own undetermined and indeterminate labour – everything will abruptly come to a stop the moment that only power behind life, 'the ego', my own self, ceases to be. (1992: 50)

At some point in this struggle for freedom, Bauman claims, death becomes 'the deepest, the ultimate dependency . . . the ultimate limit of autonomy' (1992: 36).

At the cultural level, this fundamental limit of human mastery and sovereignty threatens all the progress that modernity has made in overcoming a broad range of impediments to human freedom. The greater the success modernity has had, the larger the shadow of death has loomed over that progress. Although the claims Bauman makes about the danger that death poses to the emancipatory project of modernity are rather hyperbolic, they are nevertheless illuminating:

> Of all adversities of earthly existence, death soon emerged as the most persistent and indifferent to human effort. It was, indeed, the *major* scandal. The hard, irreducible core of human impotence in a world increasingly subject to human will and acumen. The last, yet seemingly irremovable, relic of fate in a world increasingly designed and controlled by reason.
>
> Death was an emphatic denial of everything that the brave new world of modernity stood for, and above all of its arrogant promise of the indivisible sovereignty of reason. (1992: 134)

Another less extreme, but perhaps more fertile, observation that Bauman makes about the unique dimensions of modernity's struggle with its invincible enemy, is that the locus of this battle ultimately becomes the body itself. On the one hand, the body is what must be kept alive as the foundation of the consciousness which struggles to free itself from all constraints; but on the other hand, the body is also the source of that mortality which spoils the entire project of emancipation. Bauman sees this ambivalent status of the body as a modern tragedy: 'A paradox indeed – and the seat of perhaps the deepest and most hopeless of ambivalences: in the struggle aimed at the survival of the body, the would-be survivors meet the selfsame body as the arch-enemy' (1992: 36).

Bauman notes that this struggle against the body is unwinnable (1992: 36), and that 'the task of escaping the mortality of the body . . . would immediately reveal its futility if faced point-blank' (1992: 30). However, this does not mean that battles cannot be waged against this implacable foe. And as Bauman sees it, the ultimate futility of this struggle is made bearable precisely by the success that modern culture has had in turning this unwinnable war into a series of little battles in which victories are possible. He calls this process the 'deconstruction of mortality', and through this concept reveals the important role that medicine plays in modernity's struggle with death:

> All deaths have causes, each death has a cause, each particular death has its particular cause. Corpses are cut open, explored, scanned, tested, until *the cause* is found: a blood clot, a kidney failure, haemorrhage, heart arrest, lung collapse. We do not hear of people dying of mortality. They die only of individual *causes*, they die *because* there *was an individual cause*. (1992: 138, also see 30)

Indeed, some of modernity's most remarkable successes have been in eliminating or greatly mitigating particular causes of death, and recent developments in this deconstructive process – such as the identification of genetic predispositions to particular diseases, and the development of ever-more extensive life-saving techniques – indicate that death appears much more a mishap today than it did when Heidegger first pointed out this attitude of the *they*.

What I would like to stress is that along with the success that medicine has had in keeping death at bay, there has also developed an increasing responsibility that individuals have for avoiding specific causes of death. Although this sense of

responsibility for maintaining one's health was developed and deployed early in modernity,[11] it has become a prevalent feature of late-modern identities. In a quick riff, Bauman sketches some of the current dimensions of this dynamic responsibility for health:

> Keeping fit, taking exercise, 'balancing the diet', eating fibres and not eating fat, avoiding smokers or fighting the pollution of drinking water are all feasible tasks, tasks that can be performed and that redefine the unmanageable problem (or, rather non-problem) of death (which one can do nothing about) as a series of utterly manageable problems (which one can do something about, indeed, which one can do a lot about). (1992: 130)

And, I would add, to the extent that individuals fail to do what it takes to avoid specific causes of death, they are increasingly viewed as being guilty of a mistake, if not a crime. Consider, for instance, the current deviant status of smokers, drug users and slothful meat-eaters.

One of the most intriguing insights of Bauman's analysis is this recognition that as late-moderns measure and moderate their pleasures according to the ever-changing standards of health and fitness that are deployed through the growing variety of health magazines, television fitness shows and private health clubs, they are actually participating in one of the most recent and successful (but ultimately futile, of course) strategies for dealing with the absurdity of death.[12] As I read him, Bauman is providing some detail for Heidegger's vague intimations, when he claims: 'In modern times, death *is* present among the living and *does* affect them – through those countless little daily prescriptions and prohibitions that not for a moment allow one to forget' (1992: 140). This, of course, is not to deny that individuals feel a powerful sense of self-assertion and autonomy when they jump on the treadmill or opt for the low-fat salad dressing. However, I tend to agree with Bauman that along with this sense of personal freedom, the frenetic pursuit of health also involves a tremendous amount of obedience to medical authority and, perhaps, a certain fear of death as well.

Indeed, Bauman suggests that we late-moderns have come so far in this deconstruction of mortality that we no longer seem able to respond to the sense of anxiety or absurdity that existentialists tried to evoke in the first half of the 20th century. At one point he writes: 'practical concerns with specific dangers to life elbow out the metaphysical concern with death as the inescapable ending to existence' (1992: 130); and at another point, '[t]he existential worry can be now all but forgotten in the daily bustle about *health*' (1992: 141). But if Bauman is right about this, and the concern with fitness has eclipsed existential considerations, it raises the question of the status of Heidegger's seminal thoughts on death. Where does this thinker, whom I have claimed set the tone for recent discussions of death, stand when viewed from this perspective? Here Bauman's silence about Heidegger

is most disappointing, so before taking up Baudrillard's thoughts on death, I will make a few suggestions about how Heidegger might be viewed from the perspective of Bauman.

'For a few centuries now', writes Bauman, 'death stopped being the *entry* into another phase of being which it once was; death has been reduced to an *exit* pure and simple, a moment of cessation, an end to all purpose and planning. Death is now that thoroughly private ending of that thoroughly private affair called life' (1992: 130). This reduction of death to the level of a mere cessation of life began with that questioning process which initiated the modern age. As Bauman puts it:

> One way or the other, the avalanche of doubts is triggered off once the original sin of questioning has been perpetrated. And it is this original sin of asking the fatal question that has been prompted – indeed, rendered both unavoidable and imperative – by the profound transformation of human experience known as the advent of the modern condition. (1992: 93)

What I would like to suggest is that it was Heidegger who finally faced this imperative of modernity and asked the fatal question. For more than anyone else, Heidegger bore down on the question of death and insisted that every hedge against its anxiety-effusing finitude be left behind in the questioning. No one (at least in the 20th century) has posed the question of death in starker terms.

For Heidegger, an authentic questioning of death was one which 'penetrate[s] into it *as the possibility of the impossibility of any existence at all*... the impossibility of every way of comporting oneself towards anything, of every way of existing' (1962: 307). Nothing more can be allowed of death, in other words, than that it is the non-being of the individual. What strikes Dasein in this stark, authentic experience of death, however, is not a *fear* which causes one to tremble in the very core of one's being (that is what Hobbes and Hegel found earlier in modernity), nor is it a *faith* that will allow God to withstand the corrosive effect of reason on divine authority (which is what Christians on the cusp of modernity, like Erasmus and Calvin, hoped for when they urged people to meditate upon death). Rather, when Heidegger described an authentic experience of death early in the 20th century, he did so not in terms of faith or fear, but 'anxiety'.[13] And what was provided by such 'anxiety in the face of death', Heidegger claimed most emphatically, was the possibility of being '*in an impassioned* **freedom towards death**' (1962: 311).

In his explication of some of the dimensions of this existential freedom, it becomes apparent that Heidegger may be implicated in the deconstructive process that Bauman identifies. Through an authentic experience of death, Heidegger explained, 'one becomes free *for* one's own death, one is liberated from one's lostness in those possibilities which may accidentally thrust themselves upon one; and one is liberated in such a way that for the first time one can

authentically understand and choose among the factual possibilities lying ahead of that possibility which is not to be outstripped' (1962: 308). This conception of 'freedom towards death' is grounded in the ability to choose, by and for oneself, what will become of one's life, and in this sense may be seen as the epitome of the individualized, privatized death which Bauman describes as the outcome of the deconstruction of mortality. And this autonomy and privacy are not inessential elements of Heidegger's perspective. On the contrary, they are the source of his criticism of the *they*'s handling of death: 'Dying, which is essentially mine in such a way that no one can be my representative, is *perverted* into an event of public occurrence which the "they" encounters' (1962: 297, emphasis added). With a certain amount of contempt, Heidegger further claimed that '*[t]he they does not permit us the courage for anxiety in the face of death*' (1962: 298).

Beyond contributing to this privatized conception of death, Heidegger's notion of authenticity may also support the medicalized order of death that has been established in modernity. When one today asks the fatal question as Heidegger asked it, it is quite possible that the answer offered by modern medicine may appear as the best alternative. For at this late stage in the project of emancipating individuals from all dependency, where there is no longer the possibility of any inherent meaning to life and nothing but the will to give life meaning, it seems likely that the anxiety brought on by the recognition that death is nothing but the impossibility of existence may lead to the position where 'fighting the *causes* of dying turns into the meaning of life' (Bauman, 1992: 140). From Bauman's perspective, one can at least suspect Heidegger's 'freedom towards death' as being part, if not the culmination, of that deconstructive process that 'made survival into the meaning of life' (1992: 199).

Baudrillard on Security as Death

In *Symbolic Exchange and Death* (1993 [1976]), Jean Baudrillard, like Bauman, presents a historical perspective which goes well beyond Heidegger's in identifying uniquely modern strategies for dealing with death. However, in developing this historical perspective Baudrillard displays something like the nostalgia that infects many other recent discussions of death,[14] a nostalgia that Bauman was able to avoid. In the contrast Baudrillard develops between the attitude toward death in pre-modern culture, which he categorizes as the age of 'symbolic exchange', and the stance taken in the modern age of 'political economy', he sounds very much like Philippe Ariès in bemoaning the loss of some better stance toward death. As Baudrillard describes this fall:

> There is an irreversible evolution from savage societies to our own: little by little, *the dead cease to exist*. They are thrown out of the group's symbolic circulation. They are no longer beings with a full role to play, worthy partners in exchange, and we make this obvious by exiling them further and further away from the group of the living. (1993: 126)

At certain points in his text, Baudrillard even makes it sound as though the reciprocity of life and death which was enjoyed by 'primitive' cultures somehow lurks beneath the more orderly, rationalized death that modernity has constructed, and could perhaps be resurrected by some heroic form of resistance or subversion (e.g. 1993: 134).

Baudrillard denies that his historical perspective is tinged with nostalgia, however, and in defending himself against this charge he raises an important distinction between his perspective and that of other historians of death. Baudrillard acknowledges that his conception of symbolic exchange is utopian, in the sense that this past stance toward death is idealized, but he rejects that it is nostalgic. 'This utopian idea [of symbolic exchange] is not fusional: only nostalgia engenders fusional utopias. There is no nostalgia here' (1993: 144). For Baudrillard, nostalgia implies that in the past there existed a stable and harmonious 'fusion' between life and death, or to use Ariès's term, that death was somehow 'tame'. That is not what Baudrillard has in mind by symbolic exchange, however: '*[U]topia* . . . is not at all the phantasm of a lost order but . . . the idea of a duelling order, of reversibility, of a symbolic order . . . where, for example, death is not a separate space' (1993: 143–4).

What Baudrillard has in mind by symbolic exchange, therefore, is a situation in which the distinction between life and death is permeable, the living and the dead intermingle, and the dead have lessons to teach the living. What most distinguishes 'primitives' from moderns, Baudrillard notes, is that 'they know that death (like the body, like the natural event) is a *social relation*, that its definition is social' (1993: 131).[15] Baudrillard uses the Capuchin convent in Palermo as a vivid example of such a pre-modern, symbolic stance toward death, and his long description is worth quoting in full:

> three centuries of disinterred corpses, meticulously fossilised in the clay of the cemetery, with skin, hair and nails, lie flat or suspended by the shoulders in close ranks, along the length of reserved corridors (the corridor of the religious, the corridor of the intellectuals, the corridors of women, children, etc.), still dressed either in a crude wrap or, on the contrary, in costume with gloves and powdered muslin. In the pale half light from the barred windows, 8,000 corpses in an incredible multiplicity of attitudes – sardonic, languid, heads bent, fierce or timid: a dance of death which was for a long time, before becoming the Grevin Museum for the tourists, a place for dominical walks for the relatives and friends who used to come to see their dead, to acknowledge them, show them to their children with the familiarity of the living, a 'dominicality' of death. (1993: 181–2)

What one must keep in mind when considering these claims about symbolic exchange, is that Baudrillard is not offering them as historical truths. Rather, he offers them as a utopian alternative to modernity's more rigidly demarcated stance toward death, as a sort of counter-myth to the story that moderns have been telling themselves about death for the last few centuries. The value of these claims lies not so much in their historical veracity, as in their ability to reveal and challenge certain features of modernity that have gone unnoticed.[16] By approaching modernity through this myth of symbolic exchange, Baudrillard comes to recognize that, contra Bauman, modernity is best characterized not as a questioning of limits, or a freeing from dependency. Baudrillard takes a different tack, and follows Foucault in seeing the emergence of modernity as the outcome of a series of exclusions and silencings, and not as a process of emancipation. After praising Foucault's analysis of the early-modern exclusion of the mad, Baudrillard identifies a more primordial exclusion:

> At the very core of the 'rationality' of our culture, however, is another exclusion that precedes every other, more radical than the exclusion of madmen, children or inferior races, an exclusion preceding all these and serving as their model: the exclusion of the dead and of death. (1993: 126)

While he acknowledges that all cultures separate the dead from the living to some degree, Baudrillard points out that modernity differs from others in that its separation amounts to an end of the reciprocity between life and death, and a silencing of the symbolic potency that death once had. It must be emphasized, however, that this exclusion of the dead is anything but a simple concealment for Baudrillard. Instead, he sees it as the very foundation and template of power in modern culture:

> Shattering the union of the living and the dead, and slapping a prohibition on death and the dead: the primary source of social control. Power is possible only if death is no longer free, only if the dead are put under surveillance, in anticipation of the future confinement of life in its entirety. . . . We must take note, however, that the archetype of this operation is the separation between a group and its dead, or between each of us today and our own deaths. Every form of power will have something of this smell about it, because it is on the manipulation and administration of death that power, in the final analysis, is based. (1993: 130)

In explaining how this uniquely modern exclusion came about, Baudrillard takes into account the important changes in funerary practices and the religious symbolism of death which occurred early in modernity. Unfortunately, Bauman neglects, or actually dismisses,[17] these phenomena, and since my concern here is to engage Baudrillard's and Bauman's perspectives, a discussion of these early-modern practices is beyond the scope of this article. Still, I do need to note that Baudrillard interprets changes in late-medieval/early-modern funereal phenomena

– such as the 15th-century 'dance of death' (1993: 146) and the 18th-century removal of cemeteries from the centers to the peripheries of towns (1993: 126) – as sites in the struggle between the very different cultures of symbolic exchange and political economy. And while this struggle between the primitive and modern stances toward death was first fought in religious terms (e.g. the 'dance of death'), the terms became more secular and scientific as the symbolic order was progressively eclipsed.

One of the most important conceptions of death that emerged out of this struggle was the rational idea of a 'punctual death', according to which death is seen as the final event in the temporal course of a life, and marks the point beyond which life no longer exists. Although this view of death as the end or absence of life has become commonplace, Baudrillard stresses that it 'is a fact of modern science. It is specific to our culture' (1993: 158). This notion of a punctual death, of course, is close to what Bauman means when he says that death became nothing more than an exit in modernity, but what is unique about Baudrillard's characterization of this concept is that he does not treat it simply as a consequence of a more rational, scientific understanding of death. Going beyond Bauman, Baudrillard argues that the idea of death as an irreversible event was also a response to the novel situation in which modern subjects found themselves. For even though modern funerary and medical techniques separated the dead and dying from the living, the need to make sense of death still remained, and it was in response to this lingering need that the idea of punctual death emerged:

> Only in the infinitesimal space of the individual conscious subject does death take on an irreversible meaning. Even here, death is not an event, but a myth experienced as anticipation. The subject needs a myth of its end, as of its origin, to form its identity. (1993: 159)

Baudrillard's recognition of the mythic dimensions of the biological idea of death as the cessation of life, and of the role that this myth plays in the formation of modern identities, is perhaps the most brilliant insight to come out of his analysis. For it casts in a fresh light some of the monumental stances toward death taken in modernity. For instance, by extrapolating from Baudrillard's insight one can see Hobbes's use of the fear of death in *Leviathan* (1962 [1651]) as one of the earliest manifestations of this myth. However, I would like to use a later example which more explicitly develops the point that I think Baudrillard is trying to make about the mythic dimensions of the idea of death as an irreversible event.

In the *Phenomenology of Spirit* (1977 (1807]), Hegel employed the myth of a punctual death as the foundation for the historical development of self-consciousness. For one of the 'moments of truth' that Hegel identified in the

primordial relationship between the master and the slave was the slave's understanding of the punctuality of death:

> [S]ervitude is not yet aware that this truth is implicit in it. But it does in fact contain within itself this truth of pure negativity and being-for-self, for it has experienced this its own essential nature. For this consciousness has been fearful, not of this or that particular thing or just at odd moments, but its whole being has been seized with dread; for it has experienced the fear of death, the absolute Lord. In that experience it has been quite unmanned, has trembled in every fibre of its being, and everything solid and stable has been shaken to its foundations. (1977: 117)

In submitting to the master, servitude implicitly recognized that to continue struggling against the master was to put itself at risk of death, and that death spelled the end of consciousness. One of the lessons that can be learned from the slave, according to Hegel, is that the abject fear of death provides the first glimmer of self-consciousness. However, from Baudrillard's perspective Hegel's tale can be seen as a mid-modern version of the myth which grounds identity in the 'pure negativity' of death.[18]

Of course, from this angle Heidegger also holds an important position in this line of modern myth-makers. Baudrillard implies as much in a note in which he describes Heidegger's existentialism as 'continuing to be the dialectics of a conscious subject finding a paradoxical freedom in [death]' (1993: 190, n. 22). Baudrillard appreciates the degree to which Heidegger has heightened this paradox , but finds his ideal of authenticity to be, 'in relation to a system that is itself mortifying, a vertiginous escalation, a challenge which is in fact a profound obedience', and even goes so far as to characterize this Heideggerian stance as the 'terrorism of authenticity' (1993: 190, n. 22). I would like to go a little farther yet, and suggest that Heidegger's existential concept of death '*as the possibility of the impossibility of any existence at all*' can be interpreted as the last great version of the myth of punctual death. The obedience demanded by Heidegger, ultimately, is that authentic individuals ground their identities in this notion of death as the irreversible terminus beyond which Dasein cannot be.

Aside from shedding critical light on Heidegger and some of his eminent predecessors, Baudrillard's insight into the idea of a punctual death also leads to an important point of contact between his perspective and Bauman's. Through this idea, Baudrillard comes to see, as Bauman did, that modernity's attempt to deal with death in a rational, scientific manner ultimately leads to a concentration on the body as the primary site of the struggle. But for Baudrillard, this concentration on the body is not the result of the rational subject's attempts to free itself from all dependency, as it was for Bauman. Rather, Baudrillard sees this concentration on, or better, of, the body as one of the very sources of that subject. 'In reality', he claims, 'the subject is never there':

> like the face, the hands and the hair, and even before no doubt, it is always already somewhere else, trapped in a senseless distribution, an endless cycle impelled by death. The death, everywhere in life, must be conjured up and localised in a precise point of time and a precise place: the body. (1993: 159)

So for both Bauman and Baudrillard, the body holds an intensely ambivalent position in modernity. It is at once the foundation upon which modern identities are grounded, but it is also the site of that irreversible, biological death that spells the end of individual consciousness. But in order for the body to serve as a foundation for such identities, death itself must first be stabilized, and Baudrillard, again like Bauman, recognizes the crucial role that medicine plays in this stabilization process. There is an important and complementary difference between their perspectives on medicine, however. While Bauman stresses the way in which medicine has deconstructed mortality into a series of bodily threats which can be held in abeyance through a combination of medical technique and personal responsibility, Baudrillard approaches this medicalization process from the other end, and stresses the sort of death that is ultimately produced through this careful management of health. 'An ideal or standard form of death, "natural" death, corresponds to the biological definition of death and the rational logical will', writes Baudrillard. 'This death is "normal" since it comes "at life's proper term"' (1993: 162).[19]

Baudrillard emphasizes that this ideal death is natural not in the sense that it follows some pre-existing standard, but rather in the sense that it establishes a quantifiable norm, such as 'average life expectancy'. Such a death, both conceptually and practically, depends on the development of a medical science which not only knows the various ways in which the body dies, but has also developed techniques for regulating and controlling this process. The 'very concept' of a natural death, Baudrillard argues, 'issues from the possibility of pushing back the limits of life: living becomes a process of accumulation, and science and technology start to play a role in this quantitative strategy' (1993: 162). In his discussion of the scientific construction of a natural death, Baudrillard makes a penetrating claim about the modern stance toward death which will surely be contested by good moderns. In this attempt to push back the limits of death, Baudrillard notes, '[s]cience and technology do not manage to fulfil an original desire to live as long as possible: [rather], through the symbolic disintrication of death, life passes into life-capital (into a quantitative evaluation), which alone gives rise to a biomedical science and technology of prolonging life' (1993: 162). In other words, it is only when death became an irreversible event, and no longer resonated symbolically with life, that life became something that had to be measured and quantified. Even though the idea of a punctual death may be a response to the need individuals have

to make sense of death, from Baudrillard's perspective there is nothing natural (in the sense of predetermined or inevitable) about making sense of death by striving to maximize the number of years that one lives.

Although Baudrillard denies the universality of the pursuit of self-preservation or -prolongation, he does recognize that it has become the most dominant feature of modern culture. In fact, he claims that '[f]rom this point on the obsession with death and the will to abolish death through accumulation become the fundamental motor of the rationality of political economy' (1993: 146). And what is ultimately accumulated in the highly productive economy of late modernity is not capital or commodities, but time itself: 'Value, in particular time as value, is accumulated in the phantasm of death deferred' (1993: 146). As I understand these claims about the accumulation of time, they seem to be more true today than when Baudrillard first published them 20 years ago. In the most economically developed nations, an ever-increasing portion of economic activity is concerned with the accumulation of time in the form of increased longevity. And I am referring here not only to the health-care industry, whose costs have become so burdensome to many liberal states of late, but also to the booming markets in health and fitness. From Baudrillard's perspective, the various techniques by which late-moderns strive to reach the 'average life expectancy' and die 'natural' deaths, can be seen as particularly effective features of political economy's project of defeating, or at least deferring, death.

In illustrating his claim that political economy 'intends to eliminate death through accumulation' (1993: 147), Baudrillard does not rely on health and fitness as his examples. Instead, he focuses on the broader category of 'security', which covers the array of techniques that modernity has developed for forestalling or preventing the 'accident' of death. In discussing this project of risk management, Baudrillard stresses its vast economic dimensions: 'security, like ecology, is an industrial business extending its cover up to the level of the species: a convertibility of accident, disease and pollution into capitalist surplus profit is operative everywhere' (1993: 177). And as Heidegger criticized the *they* for minimizing the possibility of an authentic experience of death, Baudrillard similarly condemns political economy as a culture in which decisions that pose any risk of death are increasingly taken out of the hands of individuals. He identifies a 'clear objective' behind all the various security techniques which have been deployed in late-modern culture:

> to ensure control over the entire range of life and death. From birth control to death control, whether we execute people or compel their survival . . . the essential thing is that the decision is withdrawn from them, that their life and their death are never freely theirs, but that they live or die according to a social visa. It is even intolerable today that their life and death remain open to biological chance, since this is still a type of freedom. Just as morality commanded: 'You shall not kill', today it commands: 'You shall not die', not in any old way, anyhow, and only if the law and medicine permit. (1993: 174)

Although at times Baudrillard seems to claim that political economy has established a complete and thorough ordering of death, he recognizes the futility of this project. He goes beyond Bauman's sense of futility, however, and claims not just that modernity will never escape the limit of death, but that political economy's attempt to provide complete security has actually ended up producing death. Baudrillard calls this 'the absolute impasse of political economy':

> as soon as the *ambivalence* of life and death and the symbolic reversibility of death comes to an end, we enter into a process of accumulation of life as *value*; but by the same token, we also enter the field of the *equivalent* production of death. (1993: 147)

For Baudrillard, the 'social control' that is required in order to ensure long, safe lives and natural deaths for individuals, ends up producing 'a culture of death' (1993: 127). This point is made most emphatically in Baudrillard's hyperbolic discussion of automobile safety:

> Thus car safety: mummified in his helmet, his seatbelt, all the paraphernalia of security, wrapped up in the security myth, the driver is nothing but a corpse, closed up in another, non-mythic, death as neutral and objective as technology, noiseless and expertly crafted. Riveted to his machine, glued to the spot in it, he no longer runs the risk of dying, since he is *already* dead. This is the secret of security, like a steak under cellophane: *to surround you with a sarcophagus in order to prevent you from dying*. (1993: 177)

The Issue of Suicide: A New Holocaust or the Form of Subversion?

In the development of their different, but complementary, interpretations of the modern stance toward death, both Bauman and Baudrillard ultimately point to the limits and the tensions inherent in that stance, and neither expects that these tensions can be resolved. For Bauman, all cultural attempts to deal with the disruptive presence of death are futile. And while Baudrillard relies on the notion of symbolic exchange as a counter-myth to political economy, he notes that '[w]e cannot hope for a dialectical revolution at the end of this process of spiralling hoarding' (1993: 147). It is in this context of futility that I would like to raise once again the point I stressed in the introduction – the re-emergence of suicide in a medical guise in late modernity. The question that needs to be posed now, after having discussed Bauman's and Baudrillard's perspectives, is whether the growing popularity of assisted suicide should be seen as a welcome response to the futility of the modern stance toward death, or as a futile response to that stance?

On the one hand, these theorists' analyses help to point out some of the positive potential that currently surrounds the issue of suicide. For instance, popular support for physician-assisted suicide may indicate that late-moderns recognize the futility that Bauman and Baudrillard have identified in the modern stance

toward death, and are beginning to accept, without rancor or resentment, the inscrutable certainty of death. If so, this might mark the emergence of a new form of subjectivity which is no longer driven by the unlimited desire to deconstruct mortality, or accumulate time. And if medical authorities (outside the Netherlands) overcome their current hostility to the idea of assisting in suicide, this might indicate that medicine is no longer quite so driven to 'exterminate' death, as Baudrillard puts it (1993: 162). At both the institutional and the individual level, then, physician-assisted suicide might serve to challenge and disrupt the medicalized order of death. However, both Bauman's and Baudrillard's analyses also suggest that the futility of the late-modern situation may be deeper than implied by these disruptive possibilities.

Bauman does not discuss the right to die at any length in *Mortality, Immortality and Other Life Strategies*, but he does briefly mention it in a later book, *Life in Fragments: Essays in Postmodern Morality* (1995). When he does take up this issue, however, Bauman never explicitly mentions those hopeful possibilities that I think are at least raised by this late-modern manifestation of death. Rather, he recognizes signs of a 'holocaust new style' in 'the sudden explosion of interest in *Sterbenhilfe* [euthanasia], and public sympathy shifting perceptibly, and with the active assistance of expert opinion, towards the acceptability of "death on demand" ' (1995: 160). Bauman fears that this issue will follow the 'strategy of virtually all health-scare-fomented politics', which is 'to define, to separate, to banish' (1995: 177), and that specific groups might be deemed to have not just the right, but an obligation, to die (1995: 179). Here, of course, Bauman is expressing a common objection to assisted suicide and euthanasia, and a 1991 study of these practices in the Netherlands lends some support to such concerns. This study found that euthanasia occurred much more frequently than assisted suicide, and that in some cases doctors performed euthanasia without an explicit request from the patient to do so.[20] It must be noted, however, that such criticism relies on its own set of scare tactics, and that an overemphasis on the undeniable risks associated with assisted suicide not only obscures any challenge which the issue might pose to the medicalized order of death, but also plays into the hands of the security service.

As one would expect, Baudrillard is more willing than Bauman to run the risks associated with suicide. In fact, Baudrillard explicitly recognizes suicide as 'the form of subversion itself' in political economy (1993: 175). For suicide not only thwarts modernity's various security apparatuses, but also recovers, in however fleeting a manner, some of the reciprocity between life and death which characterized the mythic past of symbolic exchange. As Baudrillard describes this subversive potential:

> Through suicide, the individual tries and condemns society in accordance with its own norms, by inverting the authorities and reinstating reversibility where it had completely disappeared, while at the same time regaining the advantage. (1993: 175)

Although Baudrillard is referring here to the suicides of prison inmates, he also notes that '[e]ven suicides outside prison become political in this sense . . . they make an infinitesimal but inexpiable breach, since it is total defeat for a system not to be able to attain total perfection' (1993: 175).

As such an act of subversion, suicide certainly is a pyrrhic victory, and Baudrillard admits as much when he says that 'the defection of one or millions of individuals does not infringe the law of the system at all' (1993: 177). However, the subversive effect of suicide lies not in actual suicides, but in the symbolic or rhetorical uses to which suicide can be put at this late date. For to the extent that the public discussion of suicide causes late-moderns to reflect on the trajectory which has led to this point where suicide can be heralded as a form of freedom, or a subversive victory, there lies the potential for a fundamental rethinking of the ways in which our lives have been ordered by the discipline of medicine. As Baudrillard puts it, suicide 'carries in it a principle of sociality that is radically antagonistic to our own social repressive principle' (1993: 177).

Although Baudrillard is more enthusiastic than Bauman about the possibilities surrounding suicide, his analysis also implicitly points to a danger that lurks around the issue. This danger is not the 'holocaust new style' that Bauman fears, but rather the possibility that as the demand for physician-assisted suicide becomes louder, suicide itself will be rendered another risk-free element of political economy's 'culture of death'. For just as death has been medicalized in modernity, the danger is that suicide will also become increasingly controlled by medical authority and its security techniques. Indeed, one criticism of the Dutch experience with assisted suicide and euthanasia is that even though these practices were 'fought for on the basis of the principle of autonomy and self-determination of patients, [the relaxation of prohibitions] actually has increased the paternalistic power of the medical profession above its last limit, above the law' (Welie, 1992: 435; also see Hendin, 1997: 94). When asked who should decide when to terminate the lives of incompetent individuals, the chair of the Royal Dutch Medical Association's subcommittee on medical decisions at the end of life answered, 'the doctor decides' (quoted in Hendin, 1997: 80).

In the USA, where the constitutional issues surrounding both the legalization and prohibition of assisted suicide are currently being decided by the courts, there are already indications that legalization would ultimately occur only on the terms established by medical authority. For a fundamental assumption of advocates of assisted suicide, like Derek Humphry, is that a distinction can be made between

'rational' (i.e. healthy) suicide requests, which should be assisted, and 'emotional' (i.e. ill) requests, which should be denied and the suicide prevented (Humphry, 1992: 77). The classification of any particular request, of course, is a decision that will be made by medical professionals. This is clearly indicated in the Model State Act to Authorize and Regulate Physician-Assisted Suicide, which was drawn up by a panel of assisted suicide advocates in response to recent US court decisions (Baron et al., 1996). According to the terms of this model, a rational suicide request requires that two physicians attest that the 'patient' suffers from a terminal illness, and further requires a written opinion from a mental health professional verifying that the specified number of requests (two) were indeed rational. As for the oversight authority recommended in this model, the bureaucratic regulation of assisted suicide would be shared equally by the relevant state medical agency, such as the Department of Public Health, and the state's medical licensing board.

In raising these points about the direction in which the assisted suicide issue is heading, I am not trying to dismiss the dangers that Bauman recognizes. Surely, regulations are needed to protect individuals from having a medically induced death forced upon them. But given the structural centrality of medicine to the secure society that modernity has produced, any regulations which emerge in such a culture, even those based on the ideals of assisted suicide advocates, can only end up taking suicide out of the hands of individuals and placing it under medical authority. Even Jack Kevorkian, who is often portrayed as an outcast from the medical community, has developed plans for a medical specialization in death, 'obitiary', and foresees the creation of 'medicide' clinics, where specially trained physicians would assist in suicides and perform euthanasia in a medically controlled environment (Hendin, 1997: 31). By substituting 'suicide' for 'death' in the following quote from Baudrillard, one can get a sense of what seems to be happening in regard to 'the model of subversion':

> And if your [suicide] is conceded you, it will still be by order. In short, [suicide] proper has been abolished to make room for [suicide] control and euthanasia: strictly speaking, it is no longer even [suicide], but something completely neutralised that comes to be inscribed in the rules and calculations of equivalence: rewriting-planning-programming-system. It must be possible to *operate* [suicide] as a social service, integrate it like health and disease under the sign of the Plan and Social Security. (1993: 174)

A Final Word on Heidegger

When approached from the perspectives of Bauman and Baudrillard, the issue of assisted suicide helps to frame the peculiar position in which modernity has wound up in its attempt to deal with death. But in order to get a sense of what

stance should be taken in response to these late developments, it is also helpful to consider Heidegger once again. In the introduction to this article, I portrayed Heidegger as the initiator of a line of thought which emphasizes modernity's concealment of death, a line that Bauman and Baudrillard have developed in some detail. But in the course of my discussion of these two theorists, I have also suggested that Heidegger may stand at the end of another line. From Bauman's perspective, Heidegger can be seen as the one who finally asked the fatal question which was posed, implicitly, at the beginning of the modern age; and from Baudrillard's point of view, Heidegger can similarly be seen as the last master of the myth of punctual death. It is precisely because of his ambivalent position at the end of one long tradition and the beginning of another, that Heidegger is still quite relevant to any current discussion of death. For he recognized, as Hobbes and Hegel did before him, that modern identities had to be grounded in the most fundamental form of finitude, but he also sensed the shifting of this ground.

Contrary to Bauman's claim that the pursuit of health has eclipsed any existential concerns, I think that Heidegger's conception of anxiety still resonates in late modernity, especially in a hybrid form which lurks around right to die issues. I am referring here to the often-expressed concern about preventing medical authorities from imposing a prolonged vegetative existence on the victims of mind-robbing diseases like Alzheimer's or irreversible conditions like comas. While such concerns are marked by fears about specific threats, I think that underlying these fears there is also a sense of anxiety about the possibility of there not being a world for individuals trapped in such circumstances, even though advanced medical techniques can keep such persons alive (see note 13 for Heidegger's distinction between anxiety and fear). It is not death that provokes this particular type of anxiety, but an oblivious form of life which is secured only through a complete and utter dependency, a life which is worse than death for moderns.

Of course, along with this unique form of anxiety there is also a great deal of fear involved with the assertion of the various forms of the right to die. But it is not the early-modern fear of a violent, premature death that is at play today in the enthusiasm for such rights; rather, it is the fear of a prolonged and painful death that motivates many proponents of living wills, assisted suicide and euthanasia. Although there still may be something like the traditional fear of premature death involved with the opposition to 'death on demand', to use Bauman's term, that early death now takes a non-violent, medicalized form.

Despite these interesting mutations in the forms of anxiety and fear, perhaps the most important lesson that can be learned from a late-modern reconsideration of death along these various Heideggerian lines is that anxiety and fear are no

longer the most appropriate moods in which to approach the question of death. As Heidegger's 'anxiety in the face of death' may have actually supported the modern project of evading death through medicine, anxiety about the possibility of a prolonged existence in oblivion, or the fear of a long and painful death, may only serve to expand medicine's normalizing power into the realm of suicide. For if any freedom is to be gleaned from late modernity's engagement with death, I think it will emerge not out of anxiety or fear, but rather from a sense of irony about the extent to which modernity has gone in its attempt to order death. Irony appears to be the least dangerous stance to take towards death today. And the irony of our late-modern situation lies not just in the idea that the right to assisted suicide is becoming an important element of personal freedom, but also in the realization that one of the greatest threats to this freedom may be the medical and legal recognition of suicide as a right.

Notes

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1. See *Western Attitudes toward DEATH: From the Middle Ages to the Present*, esp. Chapter IV: 'Forbidden Death'. This is one of Ariès's descriptions of this interdiction: 'one must avoid – no longer for the sake of the dying person, but for society's sake, for the sake of those close to the dying person – the disturbance and the overly strong and unbearable emotion caused by the ugliness of dying and by the very presence of death in the midst of a happy life, for it is henceforth given that life is always happy or should always seem to be so' (1974: 87).
2. See *The Loneliness of the Dying, with Postscript 'Ageing and Dying: Some Sociological Problems'*, where Elias links the 'social repression' of death with the civilizing process: 'Death is one of the great bio-social dangers in human life. Like other animal aspects, death, both as a process and as memory-image, is pushed more and more behind the scenes of social life during this civilizing spurt' (1985: 12).
3. For a discussion of the changing terms of the suicide prohibition in the 17th and 18th centuries, see Tierney (forthcoming).
4. These Supreme Court cases have generated a great deal of interest in the United States, and have even elicited an *amicus curiae* brief from six prominent philosophers: Ronald Dworkin, Thomas Nagel, Robert Nozick, John Rawls, Thomas Scanlon and Judith Jarvis Thomson. As Dworkin notes in his introduction to the publication of the brief in *The New York Review of Books*, 'Though academic philosophers have been parties to amicus briefs before . . . I am unaware of any other occasion on which a group has intervened in Supreme Court litigation solely as general moral philosophers' (Dworkin et al., 1997: 41).
5. 'Dasein' is literally translated as 'being-there', and is the term Heidegger used to reveal the being of persons (see 1962: 27, n. 1).
6. For a fuller discussion of the role that the fear of death played in Hobbes's political thought, see Tierney (1993: 168–80).

7. This issue of the possibility of grasping Dasein in its totality is the larger context in which Heidegger discusses death in *Being and Time*, but I need not discuss that context in detail here. My concern in this essay is less with laying out the role of death within *Being and Time*, than it is with presenting the treatment of death in *Being and Time* in a larger historical context.

8. Bauman mentions Heidegger only twice in the text, both times critically. The first instance is a parenthetical comment about the role of truth (1992: 107). The second instance has to do with Emmanuel Levinas's criticism of Heidegger's notion of *Mitsein*, or being-with. Bauman agrees with Levinas that Heidegger's being-with only goes so far as 'being all in the same spot', and could never entail a significant sacrifice, much less the ultimate sacrifice of one's life for an Other (1992: 202).

9. Bauman does not, however, claim that culture is nothing more than an evasion of death (see 1992: 4).

10. Ariès, for instance, developed the concept of 'tamed death' to describe the less anxious stance toward mortality taken in medieval, religious culture (1974: 1–25). From a very different perspective, Jean Baudrillard also expresses a certain nostalgia for the pre-modern culture of 'symbolic exchange'. I will discuss Baudrillard's defense against the charge of nostalgia below.

11. For a discussion of one early-modern technique by which this responsibility was instilled in individuals – the health regimen – see Tierney (forthcoming).

12. In the penultimate chapter of *Mortality, Immortality and Other Life Strategies*, Bauman discusses the 'deconstruction of immortality', which he sees as the latest stage in modernity's struggle with death. The claims of that chapter, however, are beyond the scope of this article.

13. Heidegger distinguishes anxiety and fear in *Being and Time*. Anxiety, he claims, is of nothing in this world; one feels anxious when one considers the impossibility of there being a world at all. Fear, on the other hand, is of some specific threat that emerges in the world. Therefore, as Heidegger understands anxiety, it ontologically precedes fear, and makes fear possible (see 1962: 230–5).

And in regard to faith, Heidegger 'brackets' any consideration of other-worldly immortality in his consideration of death (see 1962: 292).

14. Foucault criticized this nostalgic tendency in an interview entitled 'Social Security': 'It seems to me that there is something chimerical about wanting to revive, in a great wave of nostalgia, practices that no longer have any meaning' (1988: 177). Although Foucault does not identify who is riding this wave, I suspect that Baudrillard is one of them, and Ariès, perhaps, is another.

15. In *Medical Nemesis*, Ivan Illich supplies some examples of the social relations in which the dead were engaged prior to modernity. He points out that 'the corpse had been considered something quite unlike other things: it was treated almost like a person. The law recognized its standing: the dead could sue and be sued by the living, and criminal proceedings against the dead were common. Pope Urban VIII, who had been poisoned by his successor, was dug up, solemnly judged a simonist, had his right hand cut off, and was thrown into the Tiber. After being hanged as a thief, a man might still have his head cut off for being a traitor. The dead could also be called to witness. The widow could still repudiate her husband by putting the keys and his purse on his casket' (1976: 187).

16. Baudrillard does not make an explicit epistemological argument for his historical claims, but he does challenge existing standards. In his discussion of the psychoanalytic treatment of death, which he interprets as a fundamental challenge to the modern understanding of death, Baudrillard insists that the value of psychoanalysis lies in its role as myth, not truth (1993: 151). He also explicitly denies that the experience of death in symbolic exchange is accessible to scientific notions of truth (1993: 157). Although Baudrillard does not argue for any given standard of truth, there is an implicit standard at work in his text; simply put, this standard is the effect that historical claims have in disrupting settled convictions about death. I endorse this implicit standard, and think Baudrillard should be applauded for avoiding the epistemological moat that neo-Kantians have dug around every interesting question.

17. Bauman does briefly mention certain images of death which emerged in the 15th century, but he does so primarily to challenge Ariès's claim that death was somehow 'tame' in pre-modernity (see 1992:

95–6). When I claim that Bauman dismisses these religious stances toward death, I am referring to his rather perfunctory judgment that the meaning of life and death were not issues for religious consciousness. As he puts it: '[o]n closer scrutiny it appears, however, that in those remote (imagined?) times religious beliefs only corroborated the kind of experience which *made concern with meaning pointless*. Life was not in the hands of the living. Life was *not a task*. Life just *was*' (1992: 92).

18. In the Preface of the *Phenomenology*, Hegel describes the negativity of death in terms which anticipate Heidegger's contribution to this myth: 'But that an accident as such, detached from what circumscribes it, what is bound and is actual only in its context with others, should attain an existence of its own and a separate freedom – this is the tremendous power of the negative; it is the energy of thought, of the pure "I". Death, if that is what we want to call this non-actuality, is of all things the most dreadful, and to hold fast what is dead requires the greatest strength. . . . [T]he life of Spirit is not the life that shrinks from death and keeps itself untouched by devastation, but rather the life that endures it and maintains itself in it. It wins its truth only when, in utter dismemberment, it finds itself. . . . Spirit is this power only by looking the negative in the face, and tarrying with it. This tarrying with the negative is the magical power that converts it into being' (1977: 19).

19. In *Leviathan*, Hobbes provides a good example of this idea of 'natural death' and the use to which it was put in early modernity. In the state of nature, Hobbes claimed, 'there can be no security to any man, how strong or wise soever he be, of living out the time, which Nature ordinarily alloweth men to live' (1962: 103). Although Baudrillard does not explicitly mention him, one can hear echoes of Hobbes in Baudrillard's discussion of some of the expectations that have emerged from the idea of a natural death: 'it should be possible for everyone to reach the term of their biological "capital", to enjoy life "to the end" without violence or premature death. As if everyone had their own little print-out of a life-plan, their "normal expectation" of life, basically a "contract of life"' (1993: 162).

20. In 1990, the Netherlands established the Commission of Inquiry into Medical Practice Concerning Euthanasia, which is usually called the Remmelink Commission after its president Jan Remmelink, attorney general of the Dutch Supreme Court. The results of the commission's studies were published in 1991, and among its findings was the fact that out of the 130,000 annual deaths in the Netherlands, about 49,000 cases involved 'medical decisions concerning the end of life' (MDEL). Of these MDELs, 95 percent involved withholding or discontinuing life support, or administering heavy doses of painkillers which might, secondarily, hasten death. Of the remaining deaths involving a physician's decision to end life, only 400 involved assisted suicide, but over 2300 cases of euthanasia were reported. The data which most supports Bauman's concerns, however, is that among the 49,000 MDELs, 1000 cases were identified as 'life-terminating acts without the explicit request of the patient' (LAWER). For critical discussions of the Remmelink findings, see Hendin (1997: 49, 75–8) and Welie (1992: 423–7). For a more complete and less damning examination of the incidence of LAWER, see Pijnenborg et al., (1993).

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