Introduction

In Switzerland, as in the vast majority of countries in the world, euthanasia—the active ending of a person's life by a medical professional—is not, and has never been, legal. In 1982, however, two organizations were founded that would come to develop practices to help people with the task of managing how they die. These two organizations—one Francophone (based in Geneva and Lausanne), the other Germanophone (based in Zurich)—which both took the name "Exit," were joined in the mid-1990s by a handful of other associations. The practices that these organizations developed included both advice on how to draft advanced planning documents for end-of-life care and, crucially, practices of assisting people with voluntarily ending their lives by their own hand. The associations existed, and still exist today, outside of formal medical institutions, with the vast majority of assisted suicides taking place at home.

The latter characteristic renders the case of Switzerland distinct from several states in the US, as well as Belgium, Luxembourg, and the Netherlands—countries that have legal frameworks for managing medical assistance with the active practice of ending life. The specificity of the Swiss legal situation concerning assisted suicide pertains to Article 115 of the 1937 Swiss Penal Code, which considers assisting in suicide a crime if, and only if, the motive is "selfish." As such, Switzerland has the particularity of having developed a political and ethical form for assisted dying that exists, unlike those other countries in which either euthanasia or assisted suicide is legal, in a zone

adjacent to institutionalized medicine—a zone that is tolerated, although at times scrutinized, by legal, political, and medical institutions.

The problem space of the practice of requesting and being assisted with voluntary death is constituted through multiple vectors: personal reflection, bodily experience, medical diagnoses and prognoses, fears, and care, among others: the complex position of the person(s) who is (are) willing to assist with voluntary death, which in the typical case includes a medical doctor willing to use her or his capacity and right of prescription to authorize a lethal dose of barbiturate, to be administered by the individual herself or himself. The practice is therefore facilitated through the nonegoistic concern of one person, for the manner of dying of another person, using recourse, typically, although not always, to a doctor's medical authority, in order to provide a person with humane means to end her or his own life. A further vector is the variable positions of different people who, for different reasons, observe such requests, as well as their manner of observing, which will include the forms and aims of such observation.

The core *question* I posed during this inquiry was two-pronged: how does a person come to the judgment that they have had enough, and then, in relation to and with the assistance of others, how do they come to the judgment that dying voluntarily is the appropriate course of action to take given the situation in which they find themselves, of having had enough?

The *problem* that I take up in this book is connected to, but also distinct from, that question, to wit: how can an inquirer, in this case an anthropologist, who wishes to inquire into this practice, grasp such a judgment of having enough: enough, that is to say, of an experience of ill health, enough of an experience of care (or its lack), and enough of a life.

More than a century ago, Max Weber wrote with characteristic elegance that "Abraham or any other peasant in olden times died 'old and fulfilled by life'[1] because he was part of an organic life cycle, because in the evening of his days his life had given him whatever it had to offer and because there were no riddles that he still wanted to solve. Hence he could have 'enough' [*genug*] of life. A civilized man, however, who is inserted into a never-ending process by which civilization is enriched with ideas, knowledge, and problems may become 'tired of life,' but not fulfilled by it."[2] Weber's topic is modern to the hilt: a modern form of life is one "inserted into a never-ending process," a moral orientation to progress, to amelioration. In a certain sense this book takes up precisely the contemporary problem of the conditions under which,

today, the human sciences might grasp lives that, in their own ways, have had enough of life and, on that basis, make the judgment to leave it.

A CONTEMPORARY CASUISTRY

From its inception I conceived of this inquiry into assisted suicide as a test case of an "anthropology of the contemporary."[3] The anthropology of the contemporary, forged by Paul Rabinow over more than a decade (since 2007), has sought to conceptualize the parameters of anthropological inquiry into the "present" in terms of a movement-space, *Bewegungsraum*—a term taken from the work of German intellectual historian Hans Blumenberg. For Blumenberg the term indexes a space of existence between two poles of what he calls the "ontological distance," poles that he labels "oppositionality" (*Gegenständigkeit*), and "extrapositionality" (*Inständigkeit*).[4] The former is the pole of the self-assurance and self-understanding of a subject grounded in method, exemplified by Husserl and Descartes, through which both knowledge of the world and action in the world are justified. The latter, exemplified by Heidegger's analysis of *Dasein*, is the pole "in which human existence spurns the assurances offered to it by reason, religion, and tradition to face up to its own contingency."[5] Translator and commentator Robert Savage highlights the fact that "Blumenberg marks his own position by vindicating the 'fallen' or 'inessential' realm of history against those who would transcend it in either direction."[6] A pragmatic anthropology of the contemporary likewise endeavors to refuse both the modern epistemological self-assurance of method as the means by which a subject can come to know both itself and the world, within limits, and at the same time refuse the modernist valorization of contingency for its own sake. The *contemporary* is a term that endeavors to identify ratios in inquiry composed of an experiential vector of the observation of practice and historical vectors that gauge the transformation of the forms through which practices are enacted, with their epistemological, affective, ethical, and aesthetic characteristics or dimensions. As Rabinow stated, in a formulation that has served as a meditative device in the decade of work on the "contemporary" that has followed: "Just as one can take up the 'modern' as an ethos and not a period, one can take it up as a moving ratio. In that perspective, tradition and modernity are not opposed but paired: 'tradition is a moving image of the past, opposed not to modernity but to alienation.' The contemporary is a moving ratio of modernity, moving through the recent past and near future in a

(nonlinear) space that gauges modernity as an ethos already becoming historical."[7] The historical space in which my own inquiry moves begins in a present, a present in which both I, as subject conducting the inquiry, and those people with whom I sought to engage, together making up a situated "object" of inquiry, are in motion.

There are at least three temporal vectors that make up the space of motion of the inquiry: one is the temporal vector of the social environment in which this practice takes place, dying in Switzerland. As will be narrated in part I, what is important to understand is how end-of-life options are managed by medical professionals. How are these options given a particular form when an individual poses to herself or himself the question of "what to do" when faced with a situation of living that is restricted by illness? Over time, Swiss medical practitioners have strived not to come to a resolution about norms for medical care of suffering patients, in relation to the legitimacy (or illegitimacy) of allowing patients themselves to determine when to end their lives. The second vector of the movement space is the experiential one of the sequence of people whose stories I followed and narrate, thus tracking the motion of their own reflection and movement toward death, and my endeavor to find a position from which to track that motion. The third temporal vector stages an encounter among the epistemological, the affective, and the ethical character of the inquiry: how can this anthropological endeavor to understand a practice of assisted suicide be situated within the historical movement and transformation of the human sciences: what are the lessons learned, and the limitations of the available human sciences for inquiry into the practice of assisted suicide today?

The challenge can be stated as one of adopting a posture and relation to a moving present, both in terms of fieldwork and in terms of the disciplines of the human sciences, a present one endeavors both to be part of and to observe, and yet relative to which one is often slightly too early or too late, slightly too close or slightly too far. The movement space of the present produces a back-and-forth motion between the near future and the recent past: the near future of those participating in the space of the inquiry and the recent past of the endeavor of the human sciences to grasp the objects and problems at stake in the inquiry, an object that can be summed up as the search to give a form to the voluntary ending of life. The challenge I take up in this book is to forge a mode of inquiry through which to grasp the motion of the practice of inquiry within the movement space of the inquiry.[8]

To put it more concretely: if Weber stated that "man," under conditions of modernity and the metrics of progress, knowledge, prosperity, and amelioration, can be tired of life, but cannot have had enough of life, it is only in the fallen realm of history that an observer might gauge what difference today makes with respect to Weber's diagnosis of modern man. It is this difference, the gap, and the ratio between the present, and the modern, that can be considered a problem space of the contemporary. Unlike Blumenberg, however, the space of history as the zone in which such investigation takes place must be transformed and adapted for pragmatic anthropological inquiry.

What might such a transformation look like?

For quite some time Rabinow, myself, and others who participated in what was the Anthropology of the Contemporary Research Collaboratory (2005–18) were curious about what an anthropological "case"[9] of inquiry into the contemporary would consist in, if an inquirer were to refuse the classic understanding of the "case study" as forged by, among others, Max Gluckman. For Gluckman, "the most fruitful use of cases consists in taking a series of specific incidents affecting the same persons or groups, through a long period of time, and showing . . . [the] change of social relations among these persons and groups, *within the framework of their social system and culture*."[10] In his major conceptual intervention, *Anthropos Today: Reflections on Modern Equipment*, which spurred the epistemological and ethical stakes of the anthropology of the contemporary that he would later pursue, Rabinow opened a line of thought on how casuistry is a plausible approach to cases in anthropology to the degree that it is a form of case-based reasoning, which is to say it consists in a logic of inquiry that moves from case to case, without either hypostatizing the single case as an end in and of itself or making the case an example of an encompassing object that gives the case significance—"social system," for example, in Gluckman's terms.

Casuistry, understood as case-based reasoning, is perhaps best known in its guise within Jesuit moral theology.[11] It would be "excessive" as a mode of inquiry for anthropology, if the theological model were taken for anthropology, to fix guiding principles that could tell the inquirer how to move from case to case. Similarly, "casuistry is deficient when the case becomes an end in itself. Singularity becomes the goal and not the parameter through which enrichment of other cases can be taken up and related."[12] The challenge of an anthropological casuistry in this book is to track the motion from case to case. The term *case*, in my use here, refers to a narrative form given to my effort to

occupy a position within a movement space of inquiry and to give a form to, and to the degree possible to seize, through understanding or sensibility (or both, or neither, as the case may be), the request for an assisted suicide by an individual in relation to others.

What makes it a specifically "anthropological" casuistry is precisely the effort to track my shifting position through the unfolding of the inquiry and to track not only how people came to the judgments that they came to, in relation to the question of whether and how they would leave life, but also to see how reflection on those judgments and observation of the practice of the movement of leaving depends on the position that I was able to occupy in relation to the person making the request. As such, what is specific to the "casuistry" is the order and sequence of cases, the movement space in which they can be sequenced, and the problem space (of the human sciences) in which they can be put to the test of further reflection.

What is specifically "contemporary" about the project and the book I present here, contemporary in Rabinow's sense of ratios of a present in relation to wider historicizing historical vectors of the norms and forms of modernity,[13] is the effort to invent a "point of view" within the movement space of inquiry, one that both works over an experience in the present and reconnects such experience to the recent past of the modern human sciences. It is, then, an effort to take stock of a certain kind of breakdown in both modern and modernist norms of anthropological writing (the excessive poles in Blumenberg's orientation).[14]

To find out what this point of view could consist in, it is necessary to reconsider a maxim taken from Max Weber's methodological writing. Weber wrote in 1904 that "it is not the 'factual' interconnection of 'things,' but rather the conceptual interconnection of problems, which forms the basis for zones of inquiry. A *new* 'science' emerges where *new* problems are pursued by *new* methods and truths are thereby discerned which open up significant standpoints."[15] Today, what had been those new sciences at the dawn of the twentieth century—and in particular for my purposes: psychoanalysis, sociology, and fieldwork-based anthropology—have waned, if not completely worn themselves out. The challenge for a contemporary inquirer in the so-called human sciences is to confront and interconnect experiential knowledge (*Erfahrung*; participant-observation) as a way of going about doing inquiry, with the knowledge domains that were once known as the human sciences.

My aim is not, then, with all due respect to Weber, to establish a *new* science with *new* problems and *new* methods: a modernist challenge *par excellence*.

Rather, my aim is to see what the limits are to our old sciences, what we can still learn from them, and what remediation might involve—which is to say, to paraphrase Weber, a problem of whether or not a remediation of our old sciences "might yet be of some use to the one who puts the question correctly" given that, as he expressed it with characteristic trenchancy, drawing on the "simplest reply" provided by Tolstoy, science (*Wissenschaft*) gives us "no" answers to the only question that counts: "What shall we do and how shall we live?"[16]

Let me be clear: I am not advocating that we jettison the human sciences, for the simple reason that, at least for now, the human sciences are the *logoi*— reasoned discourses—available for thinking about ethos (character). For an anthropological casuistry, such as the one I am endeavoring to engage in here, dedicated to the dual aim of characterizing a human practice, and discerning its didactic significance for the author and reader, whose ultimate aim, I consider, is to provide a source for, but not a determination of, moral reflection, or an ethical pedagogy, the fulcrum between the didactic and characteristic purposes of such reflection is constituted through just such an object of inquiry—namely, "ethos."[17] As such, with these dual aims this book parts ways with a recent, and I hope passing, interest from some of my colleagues in an anthropology "beyond the human" (a modernist revival *par excellence*) and seeks to vindicate the worth of continuing to pose questions about the ethos of human beings under variable conditions.

The price to be paid, following Weber, of a logos of ethos, reasoned discourse about the character of human beings, which has an ethical pedagogical aim, is the condition of pathos, the pathos that such a science cannot tell the author or reader how to live. This point is necessary to underscore with respect to this book, since my claim is twofold: that the reader and I should learn something about the character of those people with whom I have talked and observed, including about our relation to the themes of the inquiry, perhaps most importantly reflection on the uses of the margins of freedom available to individuals, in relation to others, under significant constraints; yet I also insist that the analysis cannot determine a singular judgment on these cases. I can only share with the reader how, through the unfolding inquiry, through the sequence of cases, I came to a series of determinations, of stopping points, each of which parameterized the further unfolding of, and reflection in, the inquiry.

Leaving is thus composed of three parts, which open through the following sequence: (1) an orientation to the "zone" in which this practice is situated, on

the borders of institutionalized medical care; (2) a series of cases of participant-observation with practices of assistance with suicide in which people are reflecting on, and pursuing the means to leave, their experience of illness; and (3) a trio of studies that asks how to grasp the ethos or character of those who say "enough," and who want, on that basis, to leave life. The three studies take up three specific technical points (and in that sense they are *études*) in knowledge domains of the modern human sciences that deal with "ethos" or "character"—the psychological, the sociological, and the anthropological. In relation to each knowledge domain, and a specific technical understanding of character—in terms of ego and desire in psychoanalysis, in terms of a sociology of virtue, and in terms of the "arts of existence" (*technē tou biou*) in anthropology—I ask how to take up these forms of knowledge in relation to the determinations of my participant-observation work.

In asking this, I am endeavoring first to find a form for the particular kind of fieldwork in which I engaged, to produce not just a description but a form of observation that produces an active kind of reflection and intervention, pithily summed up in the term *Betrachtung*, the noun form of the verb *betrachten*, whose semantic range includes considering, as well as esteeming. Second, in insisting on the relation of the form of the narrative to the mode of observation/intervention (*Betrachtung*), I am trying to constitute a narrative bearing or attitude with which to clarify the subject positions that I and the people with whom I worked occupied during the time of the inquiry, positions for which we are, each of us, in the end, responsible.[18]