Booknotes

In 2011 there are few more agonised discussions than those arising from dreadful terminal conditions like motor neurone disease or the later stages of cancer. In Britain, as in many other developed countries, assisting someone to die in these or relevantly similar circumstances is technically illegal, though the public prosecutor is clearly loath to act. Judging by the public mood in Britain, it is well-nigh inconceivable that a jury would actually convict, even if he did. And, as we saw in the recent case of a young rugby player, paralysed following an injury, who was taken by his parents to die at the Dignitas clinic in Switzerland, this latitude extends even to cases where the person being assisted is neither old, nor brain damaged, nor even in danger of death. Daniel James just felt his life was not worth living, but, being completely immobile, needed help to end it.

One thing which is almost certainly true is that coming into close contact with cases like those of Daniel James, or of the motor neurone sufferer Dianne Pretty, or of Karen Quinlan, who went into a permanent vegetative state in 1975, but did not die until 1985, is likely to firm up or even change one's opinion on the subject. The details of individual cases seem to make all the difference – and so, perhaps, can the way they are presented, which is why opponents of assisted suicide sometimes object to media portrayals of cases of assisted suicide which often seem to load the dice too much in one direction. In an area heavy with emotion and replete with cases of appalling personal suffering and loss of personal dignity, can philosophy help?

The problem philosophy seems to face here is not neglect of the topic. L.W. Sumner's *Assisted Death: A Study in Ethics and Law* (Oxford University Press, 2011) is admirable in its philosophical detail, in its sensitive discussions of cases, in its wide-ranging analysis of the legal situation in a number of countries and in its conscientious discussion of the sorts of legal reforms its author would like to see. At the same time it is difficult not to read it with a sense of *déjà vu*.

On the philosophical side, there is only so much to be said, and most of it has been said already, many times. Indeed one can be forgiven a suspicion that the *philosophical*, as opposed to the personal issues involved are not actually that complicated (in comparison, say, to the philosophical ramifications of perception or of causation).

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At the start of his discussion of the central issue of the sanctity of life, Sumner says that he is going to discount theistic arguments, because, being 'faith-based, they are not susceptible of rational refutation and cannot serve as the ethical basis of public policy'. He concentrates on positions which take the well-being of patients and their autonomy as premises, well-being being seen in resolutely secular terms; not surprisingly, given this starting point, he finds it hard to see significant differences between intending and foreseeing (so the doctrine of double effect goes down), or between allowing a patient to die and positively doing something to bring about his or her death. So, if you are justified in suspending some treatment, which leads to the death of the patient, you would also be justified in doing certain things to bring about their death. And where patients are unable to decide for themselves (e.g. because they are very young or mentally incapacitated, like Karen Quinlan), it would sometimes be permissible for carers and doctors to bring about their deaths (that is, euthaniasia over and above assisted suicide could be justified in such circumstances). All this is, of course, philosophically fairly familiar, but, as Sumner admits, some of it will be resisted by large swathes of the medical profession.

In his opinion, this is unjustifiable, because the objections rest on what he calls 'bright lines' between euthanasia and assisted suicide and between doing and allowing, and which he thinks turn out to be illusory to the fully rational mind. Given his starting point, this is not unreasonable. However, the conclusions Sumner is drawn to might lead some of those who are uneasy with them to reconsider his somewhat cavalier dismissal of theistic arguments, as being essentially unamenable to rational discussion. Might some of the unease surrounding assisted death be an indication that there actually is more to life than a purely secular perspective would allow, whatever attitude we might take to individual difficult cases? And this is to say nothing of the arguments natural law theorists often advance to the effect that rationality itself points in the direction of a theistic context.

Sumner's book can be seen as a carefully reasoned articulation of prevalent public and philosophical attitudes ethic (prevalent among the articulate, anyway), though hardly questioning of those attitudes. Less carefully reasoned, but equally reflective of contemporary attitudes is Zygmunt Bauman's *Culture in a Liquid Modern World* (Polity, 2011), but here on a topic philosophically less well-trodden. Bauman's question – a good one – is that raised by the transformation over the past twenty or thirty years in the attitude of the supposedly educated to culture. Where once there was a definite sense that popular culture was not to be treated as on the same level

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as high culture (Dante, Shakespeare, Rembrandt, Bach up to Eliot, Matisse, Stravinsky and beyond), now it seems, anything and everything goes, even among those who might at one time have thought the distinction important. It is quite all right to like pop music, comics, blockbuster films, trashy novels and the rest, and to discuss these phenomena seriously, while at the same time, in different moods, returning to work of high aspiration and canonical reputation, and all without apology or shame. We have this on the authority of no less a Zeitgeistliche figure than the comedian Stephen Fry, as Bauman tells us; and he goes on to quote Damien Hirst as saying that 'it's amazing what you can do with an E in A-level art, a twisted imagination and a chain-saw.'

One could not imagine even as dark and troubled a figure as Caravaggio saying or even thinking anything of the sort, but then in the world of fine art since the time of Andy Warhol, it becomes increasingly difficult to distinguish art from the products of advertising and the pop industry.

Bauman would, we think, accede to this description of the situation. His attitude to it may be inferred from the fact that his book is published in association with the 'National Audiovisual Institute' (albeit of Poland, but it seems that post-communism they don't do things differently there these days). In other words, Bauman seems to dismiss any Arnoldian aspirations for high culture, revelling rather in the choice and non-judgementalism the new situation affords, which he thinks could be positive aspects of contemporary globalisation and multi-culturalism, equalising opportunities, learning from the Other and the rest of it. One suspects, though, that if Matthew Arnold were to write *Culture and Anarchy* in 2011, while he might welcome the breaking down of national and political barriers, and the opportunities this affords for discovering works of high ambition and achievement in hitherto unexpected places, he would feel that his warning that culture depends on the educated not tracking down to the lowest levels would, with the mass media of to-day, be even more urgent now than it was in 1869. The shame is that from his promising platform Bauman does not seem to think that this is even an issue – which is as much a symptom of the cultural scene of 2011 as Sumner's book is of the ethical.

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