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Martins Barreira, Marcelo
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Suicide as self-determination of citizenship within the state

Marcelo Martins Barreira

Abstract

This article begins with an overview of the phenomenon of suicide as a means of approaching the issue, more specifically, from the point of view of ethical and political obedience to the state, in which the question of the legitimacy of the self-determination of citizenship of people who chose not to continue to live is inscribed. To achieve this, the article follows the approach of Michael Walzer who argues that the criminalization of suicide is based, throughout the history of the Western tradition, on a triple paradigmatic of context of social ties: the Athenian city-state; the medieval monarchy and the revolutionary socialist movement. Citizenship, as a moral impossibility of suicide, has two antithetical positions in the thought of Aristotle and Hume. Demonstrating the importance of maintaining open the creation of new social ties, this shows the possibility of the regulation of assisted suicide may be a frontier issue for the current discussion on human rights.
Keywords: Suicide. Personal autonomy. Ethics. Policy.

Resumo

Suicídio como autodeterminação da cidadania perante o Estado

Este artigo começa com visão geral sobre o fenômeno do suicídio para tratar da questão, mais especificamente, do ponto de vista da obediência ética e política ao Estado, em que se inscreve a questão da legitimidade da autodeterminação cidadã para as pessoas que optaram por não continuar a viver. Para isso, o artigo segue a abordagem de Michael Walzer, que defende que a criminalização do suicídio se fundamenta, ao longo da tradição ocidental, em triplo contexto paradigmático de vínculos sociais: a cidade-estado ateniense; a monarquia medieval; e o movimento socialista revolucionário. A cidadania, como impossibilidade moral do suicídio, tem no pensamento de Aristóteles e Hume duas posições antitéticas. Assim, mostrando a importância de se manter aberta a criação de novos vínculos sociais, a possibilidade de normatização do suicídio assistido pode ser questão de fronteira para a atual discussão sobre direitos humanos.
Palavras-chave: Suicídio. Autonomia pessoal. Ética. Políticas.

Resumen

El suicidio como autodeterminación de la ciudadanía frente al Estado

Este artículo empieza con una visión general del fenómeno del suicidio para abordar el tema, más específicamente, desde el punto de vista de la obediencia ética y política hacia el Estado, donde se inscribe la legitimidad de la autodeterminación ciudadana para las personas que decidieron no seguir viviendo. Para eso, el artículo sigue el enfoque de Michael Walzer, quien sostiene que la penalización del suicidio se fundamenta, en la tradición occidental, en un triple contexto paradigmático de relaciones sociales: la ciudad-estado de Atenas; la monarquía medieval; y el movimiento socialista revolucionario. La ciudadanía, como una imposibilidad moral del suicidio, tiene dos posiciones antitéticas en el pensamiento de Aristóteles y Hume. Así, al mostrar la importancia de mantener abierta la creación de nuevos vínculos sociales, la posibilidad de regular el suicidio asistido puede ser una frontera para la discusión actual sobre los derechos humanos.
Palabras clave: Suicidio. Autonomía personal. Ética. Políticas.

Doutor marcelobarreira@ymail.com – Universidade Federal do Espírito Santo, Vitória/ES, Brasil.

Correspondência
Rua Graciano Neves, 314, Centro CEP 29015-330. Vitória/ES, Brasil.

Declara não haver conflito de interesse.

From a medical point of view, suicide is a public health issue. Data from the first Global Report for Suicide Prevention – published in 2014 by World Health Organization – show 800 thousand suicides per year in the world; one in every 40 seconds [1]. In Brazil it would be 10 thousand suicides per year, excluding underreports, cases without official registration. Still, the Brazilian state does not give importance to this sad situation and keeps ignoring the problem – omitting itself even with the serious irresponsibility of many Brazilian Internet users who deal with this issue in social media.

Throughout western history, suicide was treated as something pathological or depressing: pornography of death that should be hidden. This condemnation, which weighs some of the exceptions given below, does not facilitate its public discussion or the creation of sustainable ways of channelling one's suffering or tribulation. Political factors affect both defence and objection to suicide [2].

The double silencing about the subject makes difficult and even prevents a health debate for the individual drama and for a series of social implications. The first silencing contributes to the suicide of someone in the context encroachment and helplessness – a circumstance in which the suicide transforms in an extreme way of calling attention to personal suffering. This way, without excluding incisive and immediate treatment, non-silencing and disclosure of their suffering would function as regenerative catharsis. The second silencing is the mediatic self-censorship regarding the first silencing: the risk of suicide, always lurking.

The lack of journalistic coverage is based on the media consensus that reports on the subject would stimulate suicide, as was the case in the nineteenth century when many young Germans committed suicide inspired by reading of Goethe's [3] book "The Sorrows of Young Werther." This absence makes it difficult to rethink the hegemonic morality of society, which facilitates, paradoxically, the less careful disclosure to inevitably report suicides of celebrities. Against this double silencing, the article proposes to follow the work "Obligations: essays on disobedience, war and citizenship", of Michael Walzer [2].

In the chapter, "The Obligation to Live for the State" [2] Walzer intertwines the ethical viewpoint with its developments in the political and religious spheres. It aims to emphasize the relevance and legal possibility of an adult citizen to be the main character of his own choice regarding the terminality of his physical existence. The human right to commit what is conventionally called "assisted suicide" is recognized, but it could also be termed as "voluntary death": the provision or prescription of drugs for adult patients - voluntarily and consciously - to induce their own biological collapse.

Suicide as an ethical-political challenge to self-determination

The term "assisted suicide" takes back to the terms "aid in dying", "physician-assisted dying" or "sweet death", that refer to the media repercussion of Jack Kevorkian's [4] procedures. The American pathologist was the first physician to publicly assume the prescription of lethal substances in response to patients requests for the supposed "right to a dignified death", since they could not take them without the help of someone.

In admitting this practice, we could speculate that Kevorkian wanted to break with the persistent silencing of medically assisted suicide, aggravated by the hypocrisy of repeated and muffled practices in everyday hospital life - often with contained connivance of family members. As consequences of the polemic brought by his solid position, the pathologist received the depreciative nickname of "Dr. Death", evoking social antagonism to his proposal.

To abide the human right to choose its own death would be the new frontier to be crossed, carefully and daringly. The principle of human dignity includes the dignity in the last stage of life. From the right to a full life there is no obligation of keep living at all costs under extreme and heroic circumstances. Understanding that death is part of life – in several religious traditions – doesn't mean to force anyone to live or to die. However, helping to die can mean helping to live and vice versa.

Defining the "right moment" to lose the basic conditions of personal dignity is delicate to its normalization. More concretely, when the struggle for the hypothetical objective possibility of improving its existential physical condition becomes meaningless, making it a prolongation without hope of continuous distress. Based on this, deciding whether to support it or not, with the aggravating fact that the legal framework of authorization of this practice becomes intense social pressure on the "right time" to request it, which brings personal consequences and divisions among family members.

A way to mitigate this dilemma is the prior elaboration of a "biological testament." Veronesi

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defines it as: *written and anticipated declaration of the treatments that one wishes or not to receive - in particular, if the person chooses to be kept artificially alive - to be used in case of sudden impossibility to understand and want* [5].

The issue, therefore, is the possibility of a law that expresses the civil right of self-determination in the absence of minimum conditions of functional life and its existential options. The absence results in a daily survival that is configured as an indefinitely prolonged torture in the face of an irreversible and unbearable situation of physical pain and psychological suffering.

This conscious and lucid self-determination needs the protections of the law. Otherwise, professionals who prescribe and provide drugs for the patient to terminate their physical existence may be criminalized. Therefore, the central element of this reflection is the difference between the right to continue living and the ethical-political and legal obligation to prolong unworthy life, seriously considering self-sovereignty, that is, the free will of enlightened and adult patients who do not want this extension. Actions that help someone who consciously and sovereignly decide for their own death would not fit into the classification of "murder."

Ars moriendi is, in its fullest sense, euthanasia. That is, it is the art of being serene and at peace in the presence of one's own death [6], which, in the words of Anglican Archbishop Desmond Tutu, *means being able to say goodbye to loved ones - if possible, at home* [7]. According to Hans Küng, the right to pass from life to death:

It is a consequence of the principle of human dignity, the principle of the right to self-determination, also to the last stage, death. From the right to live it does not derive, in any case, the duty of life or the duty to continue to live in all circumstances. The help to die must be understood as extreme help to live. Also in this theme, heteronomy should not, but the autonomy of the person, which, for the faithful, has its basis in Theonomy. [8]

The complexity of the issue is reduced in the tension between autonomy and heteronomy in the democratic state of law, having as its emphasis and criterion the moral conscience, that is, the autonomy of the individual in his existential and ethico-political choices. This is unfolded not only in conceptual elaboration, but also in the subsequent construction of a juridical apparatus that deals with the conditions of possibility of a recommendable brake on self-determination and self-sovereignty of the person in the eventual fulfillment of this act of termination.

The approval of laws that provide shelter and medical-legal coverage for suicide attempts is a public health issue and is not intended to encourage them. Countries such as Belgium, Switzerland, Holland, Japan, Colombia and Luxembourg, as well as the Canadian province of Quebec and the states of Oregon, Montana and Washington in the United States, have approved legal aid under certain conditions to persons involved in assisted suicide. As an example, there is currently a bill in Canada that allows assisted suicide to persons over the age of 18, when there is:

An irreversible medical situation whose "natural death is reasonably foreseeable". Applicants must submit the petition in writing and have the backing of two witnesses and two independent physicians or nurses. The standard provides for a mandatory 15-day "reflection period" in which the petitioner may withdraw the petition. It excludes, but not categorically, the mentally ill and the "mature minors", whose requests should be analyzed by several independent teams [9].

Note in this report of Pereda the complexity of some controversial points of the democratic state of law on the subject. One of them is the impossibility of guaranteeing a philosophical and religious consensus on what confers or does not dignify someone, a debate that involves the pertinence or not of last and determinant instance of epistemological authority. Consider, also, that medical guidance itself is subject to theoretical and evaluative controversy among specialists. The patient is not merely the passive object of certain professional procedures; placed between life and death. The technological advance in medicine has even allowed some folly, in what is called "therapeutic obstinacy" or dysthanasia.

Citizenship as moral impossibility of suicide

The criminalization of suicide is based on a long cultural, philosophical and religious tradition. The ethical and political influence of Christianity in the civil laws of the modern constitutional State, unlike other peoples - such as Japanese, Chinese, and Indians - criminalized suicide in the Western Societies by aligning itself with the ethic of sacralization of the life of other ancient religions, as it was declared in 1993 in the Parliament of World's Religions [10].

The State against suicide in the classical era

Walzer explains christian ethics in these terms: The life of a person belongs only to God. *Thus, terminating life by one's hands was an act described as rebellion against divine authority* [11]. Suicide would be a rebellion against God, and therefore would not entitle funeral rituals. In this sense, only in 1983, with the revision of the Code of Canon Law [12], the Catholic Church changed the traditional prohibition of the burial of suicide bombers in holy fields or cemeteries. This condemnation comes from Augustine of Hippo, although he agreed to impose death sentences on sinners identified as criminals.

This interpretation prevailed at another historical moment: the Inquisition - however, remember that secularism in the modern constitutional State does not confuse and maintain a clear distinction between crime from a juridical perspective and sin from theological basis. The Roman persecution has led many christians to choose their own death as a testimony of faith and an alternative to the denunciation of other believers under torture. Hence, in the third century - prior to Augustine - Tertullian proclaimed the famous phrase: *When your hand harvests us, we multiply - the blood of christians is a seed* [13].

In some religious traditions, however, this would be classified as "altruistic" or "heroic suicide", the only one acceptable to Durkheim by the state. He thus named this type of death because it would be the unselfish offering of life for the "welfare of others" [11]. It resembles what is observed with soldiers in protecting the sovereignty of their country and its inhabitants - the strangeness of the use of the word "suicide" to signal the option of enlisting for military combat, in which several elements contribute to that choice.

In the case of soldiers killed at combat, it would be a contrary to the State not to accept something that impinges upon some of its citizens, but it does not make sense to consider martyrdom, the result of the persecution of the State, as something acceptable by it. Martyrdom is also not seen as suicide by the Christian hegemonic tradition, since the intentional search for martyrdom would resemble the necrophilitic deliberate search for death as an act of faith. In Walzer's thinking, this criminalization of a philosophical and religious background underlies the understanding of the "political obligation" of the adult citizen.

The "political obligation" that excludes one's self-sovereignty over one's own life and death, criminalizing that personal choice - self-murder - or who helps in the realization of that choice - murder. Walzer risks presenting the triple paradigm of social bonding of the western cultural tradition of this criminalization: 1) that of the Athenian city-state; 2) that of the classic monarchical model; and 3) that of the revolutionary movement. These paradigmatic contexts have brought in their three political-philosophical conceptions of attempts to ethically and legally justify the criminalization of suicide.

Walzer goes around and then discusses a particular axis of analysis: the moral duty of political obedience of the suicidal citizen to the liberal state through the dominant socio-juridical aspect of the state stimulus to "life." According to Walzer himself, *the requirement that people live and that suicide is not an adequate way of renouncing political obligations* [14]. Let us see how the author understands the contribution of each of these social ties of the western tradition.

Initially, Walzer bases itself in the Durkheimian retaking of Montaigne's account of that in Marseilles [15], and not in the Athens of the fourth century B.C., there was stock of hemlock that, with official authorization of the senate, could be drunk. As the criterion for obtaining authorization was life suffering, assessing the real dimension of one's life or non-life evokes physical and social closeness among citizens. Or rather: a kind of *civic friendship* [16] of all with all, on which democratic life was based. However, the suicide of a citizen who provided services whose quality was essential to community life would not be allowed.

Above the sovereignty of individual decision, suicide is offensive to the community that gave it its specific training. Thus, the Athenian city-state did not lead to community suicide - Walzer illustrates this with the current sectarianism of certain groups, usually religious fundamentalists. He offered, however, the possibility of bail or exile, under certain conditions, to an important citizen condemned to death, as Socrates, as his friend Crito proposed. For Walzer, *there is little difference between a dead citizen and a departing citizen (although departure may increase the strength of a potentially hostile country)* [17].

The theoretical paradigm of the criminalization of suicide in Ancient Greece is found in Aristotle, which in the book V of the "Nicomachean Ethics" [18] addresses the possibility of someone doing harm to themselves or not. The class of righteous acts consists of acts that are in line with some virtue and which are prescribed by law. For example, the law does not expressly allow suicide, and what the law

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does not explicitly allow, prohibits. In addition, when one damages another voluntarily (excepting cases of retaliation), violating the law, it acts unfairly.

The voluntary agent is someone who knows both the person who strikes with his act and the instrument being used. In strong emotion, those who voluntarily stab themselves oppose the right reason of life and act unjustly against themselves, and for this reason the law does not allow this type of action. However, against whom? Certainly against the city, and not against itself, because that person suffers voluntarily, and no one is voluntarily treated with injustice. For this reason, the city punishes the suicide with the loss of civil rights, because the suicide treated the city unjustly.

Without pondering about the Aristotelian assumption that the positivation of the law evokes what is permitted - its omission being a sign of prohibition of certain acts -, hurt yourself would be against the law of nature and therefore would be an unjust action, never legitimating. The city, or the State, cannot allow anyone to be treated unjustly and in denial of their own nature *voluntarily, expressly, clearly, repeatedly and informed* [9], in Pereda's words. Soon after the passage quoted earlier, Aristotle, at the end of Book V, speaks of justice from the noblest part of the soul: the rational part.

The relationship between the rational and irrational parts of the soul follow analogically a hierarchy between master and slave, father and son, caused by the mere obedience between the parts of oneself and, thus, not involving justification of the just, who would refer to the other. The slave or the son are not independent beings, but they are put respectively as an extension of the master or the father, as the as the subalternity and obedience of the irrational part to the rational part of the soul [19]. Hence the criticism of the great emotion present in voluntary suicide, which does not match the necessary ordering of Desires for reason, in accordance with the kind of justice existing between ruler and governed.

The criminalization of suicide is based on the relative loss of civil rights. The person who commits suicide has obligations not only with himself but as Walzer explains: *there are other judges for your case; other people expect something from your behavior* [20]. The suicide is unfair to the political community. Its criminalization stems from the injustice of a citizen's failure to fulfill his duties with the State. Later, Walzer points out the contribution of another type of strong moral bond in the Western tradition that generates political obligation and prevents suicide: the filial treatment between protecting sovereigns and vassal citizens.

The king, distant and imposingly, preserves for the sake of the life of the subjects - without knowing their personal feelings, miseries and despairs - that, therefore, they must love him and offer to him their life like he is their owner. Also in this relationship it is cultivated a kind of "friendship" as vertical "mutual respect", in Walzer's words: *a mixture of respect for the king and noble charity towards his subjects* [21]. The Platonic model of the virtuous king is accompanied by Seneca, who presents the princely virtues according to this model; Virtues that express themselves as fidelity to God. Walzer mentions William Blackstone's "Commentary on the Laws of England," which presents the "double offense" of the suicide in the eighteenth century - to God and to the king, but which is summed up in the relationship between subject and sovereign:

The king is responsible for the security of his subjects before God - even though he also has the burden, received from God, to destroy them when he deems it necessary. Take God's place, as a benevolent father and angry ruler. Blackstone also argued that the subjects have a "debt of gratitude" to the king, because the king preserved them in their childhood and, indeed, until the moment they consider death (or any other form of defection). Therefore, their status as subjects is a permanent obstacle to suicide. Self-murder is a crime not against the person himself, but against God and against the king [20].

The modern twist on suicide

The republican and liberal revolutions, in principle anti-monarchical, opposed this loyalty to the king and, in opposition, allowed suicide as a dramatic expression of extreme conditions of political persecution by the dictatorial state. Suicide would be legitimized *by virtue of specific types of oppression, or by virtue of general unhappiness* [22]. In the face of oppression, suicide is the ultimate self-assertion of the citizen against the State that pursues or tortures him.

In an oppressive context of slavery, when the citizen is not impelled to live for his masters, he becomes free to - even not directly attacking the state - to resist, flee, or kill himself. Rebellion, flight, or abandonment are politically equivalent to suicide, since they would express - as in Crito's proposal to Socrates – the civic death. Walzer says: *in France, the laws that called the suicide of criminal offense*

were immediately repulsed [23]. In the United States, the same happened.

Authors of the eighteenth century like Hume, used to put *the life of one person entirely on this person's hand* [22]. The extreme of freedom would be precisely the choice of how one wishes to die, as long as that choice does not harm another person. The choice of their own death would be the greatest sign of freedom, thus expressing exclusive sovereignty over itself that even the gods would envy, according to Hume. Regarding unhappiness, just follow Hume's recommendation:

A man, who retires from life, does no harm to society. He only ceases to do good; which, if it be an injury, is of the lowest kind. All our obligations to do good to society seem to imply something reciprocal. I receive the benefits of society, and therefore ought to promote it is interest. But when I withdraw myself altogether from society, can I be bound any longer? But allowing, that our obligations to do good were perpetual, they have certainly some bounds. I am not obliged to do a small good to society, at the expense of a great harm to myself. Why then should I prolong a miserable existence, because of some frivolous advantage, which the public may, perhaps, receive from me? [22]

This dangerous quotation, opposed to the Aristotelian position, was not published during his life. In it, suicide is always considered morally acceptable. Choosing one's own death points to a kind of "life" that would not deserve or be worthy of that name. Misery and despair have more weight than any utility one can have for others. Conditions unworthy of misery and despair cannot require anyone to be loyal to the political community or to the State that allowed that to happen. Moreover, only the person himself knows his bearable end of suffering or misery - especially in the face of the difficulty of defining the "right moment" to request the extreme practice of euthanasia in people so different from each other.

It is this self-declaration that legitimates the existential option of terminality - not the State, which loses its legitimacy for it. Now, from the perspective of the empiricist line, there is no intrinsic rationality that demands exclusivity of political obedience to the State. Analyzing the work of Durkheim, Walzer says: *Whatever the connection that may exist between daily tasks and the whole of public life, it is very indirect for us to feel it clearly and constantly* [24]. Faced with this self-declared limit, there would be no moral arguments of political obligation, which would undermine the possible precedence of obligation, also political, towards itself; because - as indicated in the previous citation- the associative political bond presupposes mutual benefit.

Closer, in the twentieth century, despite the defense of the freedom to commit suicide in dramatic cases of individual persecution, the revolutionary socialist attitude is against suicide, which would be another social tie related to the subject in the Western tradition. Walzer reinstates Fidel Castro's official speech in the face of the suicide of an officer of the Cuban revolutionary government in December 1964:

We deeply regret what happened, although, according to elementary revolutionary principles, we believe that this conduct is unjustifiable and inadequate for a revolutionary (…). We believe that Comrade Martinez could not have committed this act consciously, since every revolutionary knows he has no right to strip his cause of a life that does not belong to him and that can only be sacrificed before an enemy [17].

The collective commitment and the revolutionary discipline would be, for Walzer, more important than the individual. Hence the criminalization of suicide in socialist countries, both for its character of attack on the State and for the undervaluation of the autonomy of the private sphere. Individual happiness consists on the commitment and consent to the ideals of the revolutionary movement. This translates into loyalty to his comrades, beyond individual interests. Here is a social link different from the other two previous ones: the mutual commitment of fellowship among revolutionaries, composing political association *by daily and weekly consent of the associated individuals* [22].

At least at first since this view was later challenged by the *recognition of the moral bond between revolutionaries and revolution, which required a long-term commitment, and thus prohibited suicide* [22]. The revolutionary promise is not based on mutual benefits nor does it aim at the happiness of the revolutionary, Walzer explains: *he cannot abandon the movement every time he is afraid or unhappy. He joined the movement for the duration of the struggle; and accepted a sort of military discipline* [25].

Revolutionaries are soldiers who depend on each other, which is the origins the attention so that one of them does not stand above the others,

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putting at risk the life of the collective. Unlike the State, revolutionaries are constantly confronted by the enemy, in circumstances of danger and war. The militant demand of the revolutionaries, therefore, is life for the cause, which generates the need and the emphasis on collective security. This must be acknowledged by the citizen as a sign of gratitude to the State in its aid to the poor and unfortunate, with no room for regret or disillusionment.

In the same approach, Walzer sees the Hegelian position - *the rights and interests of individuals (...) are established as a transitional stage* [26]. Only the State remains and is universal, universality expressed in war. By analogy, Walzer applies this extraordinary situation of overcoming private rights to the city-state and the king: *the private rights of citizens can only be completely overcome in times of supreme crisis* [26]. Walzer underlines the private and the public to show the asymmetry between Obligation to live and obligation to die, emphasizing the former to the detriment of the latter. The obligation to die is a priority only in a situation of war as the author explains:

You can only die for the State during the war, but you can always commit suicide or not. It is always possible to live for the State, either in the expectation of future emergencies, or by a daily feeling of obligation. If we insist that during the war is the only time the individual loses the right to commit suicide then we may also have to insist (like Hegel) that war is necessary for the moral health of the State. However, I would not go so far, because if war is clearly a time when individuals know that other people depend on them, that does not mean that other people do not depend on them in peacetime [27] *too.*

In the book "Arguing about war", Walzer qualifies suicide bombers as terrorists and assassins, not being technically suicidal, despite the suicide bombers' nomenclature. Its action is politically illegitimate and quite different from the mass bombardment carried out by the State - as in legitimate war - situations - because its purpose is to cause daily insecurity in public spaces [28]. The previous citation indicates the turn in modern politics in contexts of peace. In addition to the State, new groups began to play the role of social sustainability in times of peace, contrary to the individual initiative of suicide.

Small, closed, and voluntary, these groups are different from the State, bringing them closer to the phenomenal realities of intimacy between friends and family. Political associations that stimulate life and contrary to suicide are similar to families: the subjects have the king as their father and the revolutionaries are brothers among themselves. Perhaps there is the idea of "sacrifice" in today's societies: the family has become sacred - no longer, God, Patria and Revolution, for whom, reminds us Luc Ferry, great projects [29] were consecrated.

However, these characteristics were diluted in modern political associations by the expansion, absence, and weakening of moral bonds, bringing greater impersonality to relations. There is no longer the figure of the paternal model of king who personalizes and demands personal loyalty of the subjects. Even in modern constitutional monarchies, there is bureaucratic legality. The revolutionary movement also falls apart in the social and ideological multiplicity.

New reasons and links beyond the State

Is the legalization of suicide the liberal legitimization of death that is transfigured in the rational project of the individual, regardless of the ideas of destiny or chance? How relevant is social the support to the fragmented and imperfect condition of life? These questions give rise to new reasons for ethical and political action beyond the sovereignty of the modern State, which is not effective in establishing existential meanings. On the contrary, the State becomes an additional ingredient for hopelessness.

According to Durkheim's analysis and recovery of Durkheim's words from Walzer, the struggle for suicide could perhaps contribute to create *a cluster of collective forces outside the State* [30]. In any case, in a liberal and democratic context, assisted death would not cease to be a jointly social and individual event. This does not dispense the importance of a new sense of community independent from the State, which establishes new moral bonds and perspectives for political action. Since the seventeenth century, the main element of sovereign power of the modern State is no longer to make its subjects die (as in feudal times), but to force them to live.

Contrasting with this centrality, stimulating the protagonism of someone in his sovereign decision regarding the devaluing of the quality of his life would be a new and contemporary level in the defense of human rights. In general terms, Walzer accompanies Durkheim. He recognizes that

the modern constitutional State allows only one kind of "suicide", the altruistic, as we have seen before. Anyway, the cases commonly classified as "suicide" are not accepted by the State and its legal normativity, since they do not refer to actions considered to be fair.

Thus, according to the Aristotelian paradigm, the criminalization of suicide is due to the political utility of the citizen traditionally expressed in obedience to the State - in the view underlying the current criminalization. However, there has been a turnaround: our social utility has depended more on the market than on the State, which has been taken over by the general financialisation of political institutions. In addition, it should be noted that the state of emergency allowed the Nazis to carry out the planned death of Jews without qualifying this genocide as a crime, given the contempt of the that made them victims.

Jews were labeled as subhumans and reduced to "bare life" [31], their death not being considered injustice nor murder, with the aggravating circumstance that the adjectivation of the death as "happy", "good", "fair", "light", "beautiful"- in line with the etymology of "euthanasia"- was a rhetorical device of genocide. This, however, was not restricted to the recent past. There are still places of exclusion and indifference - such as slums, refugee camps, penitentiary system and psychiatric hospitals. In our view, this risk of social asepsis may be masked in the defense of assisted suicide.

Why do we try to convince non-disabled people not to commit suicide, but when someone with disabilities wants to do so we focus on how to make it possible? After its legalization, two thousand euthanasies per year are carried out in Belgium. With 2% of the total number of deaths, Chiara Biagioni says, becoming a death as any other. Has standardization led to normalization and even to the trivialization of assisted death? In this country, as opposed to Brazil, suicide is no longer a taboo. On the contrary, it was transfigured into a social problem, because, paradoxically, it would only be an individual and rational solution.

However, many of these voluntary deaths are the result of "difficult life," being motivated by physical or mental weakness, such as *incipient blindness, early-stage Alzheimer's disease, people who are sick of living, sex offenders, and people suffering in the old age and of loneliness* [32]. In view of this risky scenario, in order to avoid normalizing the choice of assisted suicide as a synonym of "good death", it would not be opportune to expand the offer of palliative care in preparation for "good death" with its Possibilities and limits?

The modern liberal State is, at first, at the service of life, according to the cultural and religious tradition that shaped it. Hygienist and aseptic when protecting our bodies - in setting health standards, for example -, it is the State due, in particular, to feed or create new links between citizens who no longer feel committed to traditional obedience to the political community. We see this when the state increasingly privileges the individual in his private life, even tolerating exceptions in the law in the private sphere.

According to the news agency Reuters [33], in Britain, as an illustration of this privilege, assisted suicide can result in up to 14 years in prison. However, guidelines encourage judges to grant clemency in particular situations, such as that of someone who, out of compassion, accompanies a relative to a country that allows assisted suicide. The discussion on alternative community links to the state - with its obligation of political and juridical obedience - runs into the religious sphere.

Because of the imperative need to be secular, the debate on self-sovereignty or autonomy of conscience should safeguard the plurality of points of view for or against the issue. Therefore, conscientious objection to failure to perform this procedure is to be strongly considered. The reason for this consideration was the misconception of the decision of three Belgian court judges to fine a Catholic asylum which, by conscientious objection, failed to follow the law by not applying lethal injection to the elderly, extending their suffering, according to family claim.

The religious objection of conscience is as legitimate as Küng's favorable position, for which we shall open a brief and panoramic parenthesis. In addition to having been practiced by biblical characters such as Abimelech, Samson, and Saul, Christians have not always condemned suicide, and Tertullian, cited above, proves this [34]. Another religious reference, Nikolaus Schneider, when he was chairman of the Council of the German Evangelical Church, in an interview, condemned suicide as a theologically ambiguous issue: One cannot decide once and for all whether and how, in a concrete situation, helping to die or refusing to do so can be interpreted as an expression of Christian love for the other [35].

This assistance to death can be a sign of care - and of divine love - or a way to abandon someone

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considered a social burden. In this regard, Küng is of the opinion that his favorable option for assisted suicide would be *the midway of the theologically responsible on the right to self-determination for religious reasons.* [34] The idea of the last part of Walzer's text considers *being forced to live for the community politics is to have a reason to live* [36]. More than the modern State, the question proposed is the relevance of a social group, even if invented by us, which is at least a form of combat to the feeling that induces suicide:

When an individual commits himself to a community (like Athens) with a cause (such as the [French] Resistance), he may not kill the worm, but he decides to combat it (or repress it) if he can. Sometimes this is a resolution that people want to take and can take; and then it is a resolution they must keep [37].

Final considerations

Suicide is a sensitive subject in modern societies, and is therefore a subject that provokes resistance in public debates of a friendly character. Perhaps because it involves and makes us rethink the propulsive springs of personal and social life turned to the excess of "happiness" - named in the American constitution and in tune with the famous expression: next to the *American way of life* is mirrored symmetrically to the *American way of death*.

In order to distinguish crime from induction to suicide and defend the non-criminalization by accelerating the death of someone who sovereignly decided by his own death, it is necessary to begin with a conceptual reflection that deals specifically with the life and death of the citizen with regard to the sovereignty of the State. This is what we seek to do from the conceptual proposal of Michael Walzer. Without further considerations than to establish the contrast effect between Aristotle and Hume, Walzer retakes these authors.

His propositions are posited as paradigmatically antithetical to the subject of suicide in the Western philosophical tradition. The opposition between these conceptual proposals translates into the type of suicide acceptable by State. Although they have contrary positions, both authors establish an emphatic association between suicide practice and moral commitment of loyalty to the political community personified by the State. To Walzer, the discourse in support of this loyalty grounds the Aristotelian criminalization of suicide as an arbitrary and vile act of self-murder.

However, according to the author, the counterpart can be argued: the defense of its non-criminalization, according to Hume, as a legitimate expression of individual sovereignty in the exercise of individual freedom. Not to criminalize the help of someone to their protagonism about the terminality of life itself is, paradoxically, a fundamental step to recognize the legal fragility of human life, whose biopolitics prevents the emergence of new social ties and moral perspectives, especially in the terminality of an existence.

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