

The only explanation left is that the program, in the guise of a solution to a humanitarian problem, was an exercise of the sovereign power to decide on bare life in the horizon of the new biopolitical vocation of the National Socialist state. The concept of "life unworthy of being lived" is clearly not an ethical one, which would involve the expectations and legitimate desires of the individual. It is, rather, a political concept in which what is at issue is the extreme metamorphosis of sacred life—which may be killed but not sacrificed—on which sovereign power is founded. If euthanasia lends itself to this exchange, it is because in euthanasia one man finds himself in the position of having to separate *zoē* and *bios* in another man, and to isolate in him something like a bare life that may be killed. From the perspective of modern biopolitics, however, euthanasia is situated at the intersection of the sovereign decision on life that may be killed and the assumption of the care of the nation's biological body. Euthanasia signals the point at which biopolitics necessarily turns into thanatopolitics.

Here it becomes clear how Binding's attempt to transform euthanasia into a juridico-political concept ("life unworthy of being lived") touched on a crucial matter. If it is the sovereign who, insofar as he decides on the state of exception, has the power to decide which life may be killed without the commission of homicide, in the age of biopolitics this power becomes emancipated from the state of exception and transformed into the power to decide the point at which life ceases to be politically relevant. When life becomes the supreme political value, not only is the problem of life's nonvalue thereby posed, as Schmitt suggests but further, it is as if the ultimate ground of sovereign power were at stake in this decision. In modern biopolitics, sovereign is he who decides on the value or the nonvalue of life as such. Life—which, with the declarations of rights, had as such been invested with the principle of sovereignty—now itself becomes the place of a sovereign decision. The Führer represents precisely life itself insofar as it is he who decides on life's very biopolitical consistency. This is why the Führer's word, according to a theory dear to Nazi jurists to which we will return, is immediately law. This is why the problem

of euthanasia is an absolutely modern problem, which Nazism, as the first radically biopolitical state, could not fail to pose. And this is also why certain apparent confusions and contradictions of the euthanasia program can be explained only in the biopolitical context in which they were situated.

The physicians Karl Brand and Viktor Brack, who were sentenced to death at Nuremberg for being responsible for the program, declared after their condemnation that they did not feel guilty, since the problem of euthanasia would appear again. The accuracy of their prediction was undeniable. What is more interesting, however, is how it was possible that there were no protests on the part of medical organizations when the bishops brought the program to the attention of the public. Not only did the euthanasia program contradict the passage in the Hippocratic oath that states, "I will not give any man a fatal poison, even if he asks me for it," but further, since there was no legal measure assuring the impunity of euthanasia, the physicians who participated in the program could have found themselves in a delicate legal situation (this last circumstance did give rise to protests on the part of jurists and lawyers). The fact is that the National Socialist Reich marks the point at which the integration of medicine and politics, which is one of the essential characteristics of modern biopolitics, began to assume its final form. This implies that the sovereign decision on bare life comes to be displaced from strictly political motivations and areas to a more ambiguous terrain in which the physician and the sovereign seem to exchange roles.