

Unit E 19: State, politics and ethics

1. Summary

The state and politics have a high ethical and moral value because they are concerned with the common good of all. Central to this are approaches of contract ethics (contractualism) and procedural ethics, whereby a procedural liberalism model is most likely to meet these requirements. This can be seen, for example, in the area of anti-corruption.

2. Morality and Politics

According to Norberto Bobbio (2009:20), the moral question arises in all spheres of human life, but "it ... assumes a very special character when it is posed in the sphere of politics." Therefore, it seems impossible to "pose the question of the relations between morality and politics in the same way as it is posed in other spheres of human activity" (Bobbio 2009:24).

However, a remark must be made here about the two terms "morality" and "ethics". While ethics is considered to be the reflection on the "good" and the "bad," "morality" refers more to the question of concrete action - that is, in politics, for example, how action should be taken in a given situation, for example, according to the criteria of justice, morality, and so on. Morality is thus concerned with norms of action. For details on issues of ethics and morality, as well as an introduction to ethics, cf. ► Unit E 3: "Foundations of Ethics."

While Thomas Hobbes, for example, made no distinction between ruler and tyrant, Machiavelli placed the stability of the social and state order above questions of moral action. Crucial to Machiavelli was the separation of politics and morality.

Whereas ethics of intention and ethics of responsibility, in the sense of Max Weber, do not ask about the results of an action, for ethics of results the only thing of interest is what results from it.

For Norberto Bobbio (2009:20), politics obeys a code of rules or a normative system that is different from the normative system or moral code in everyday life. Accordingly, Bobbio (2009:56) posited that "political ethics is the ethics of the one who carries out a political activity, but those who argue in the moral question with a particular professional ethics understand by this political activity not power as such, but the power necessary to achieve a goal, and this goal is the common good, the collective or general interest. What is meant, then, is not governance for its own sake, but good governance..." (Bobbio 2009:56). Accordingly, according to Bobbio (2009:56), "good government...is that which pursues the common good; bad government is that which pursues its own good."

In all communities, there are general matters and questions that affect everyone and which must be regulated in a binding and comprehensible way for everyone. These rules serve to control the relations and interactions between individual members and individual groups through norms of action and to realize collective goals" (Cf. Gosepath 2008:1007).

At least since the beginning of the modern era, but in some cases much earlier, political philosophy and political ethics have addressed the following issues of government and the state:

- The legitimacy of the political order,
- the tasks and purposes of states,
- autonomy, freedom, and self-determined behavior of individuals, and
- justice in all its varieties.

2.1 Ethical foundations in state and democracy

Lothar Häberle (2011:56) has pointed out that "the viability of democracy ... also depend[s] on ethical preconditions, such as the efficacy of a democratic ethos among citizens and political decision-makers and their willingness to consider the common good or the common interests of all in political decision-making" (Häberle 2011:56). Unfortunately, Häberle (2011:56) - apart from the idea of tolerance towards relativism on the one hand and fundamentalism on the other - does not elaborate on what he understands by these "ethical preconditions" and by "democratic ethos".

Adrian Loretan (2011:24) has pointed out that the view of justice and injustice shifts when the perspective of the victim is chosen: "Then injustice is not understood as the absence of a virtue, but as the denial of recognition" (Loretan 2011:24). In this context, recognition is denied and power is abused when (1) a person is denied respect for his or her human dignity, (2) the right to bodily integrity is violated, (3) people are denied access to "freedom, equality, and social participation" (Loretan 2011a:24), and (4) individual or social human rights are violated.

Thus - one could conclude - any possible solution to the relationship between the secular state and religious minorities must (1) guarantee the individual and collective dignity of every human being - whether believer or non-believer, (2) ensure the physical integrity of every individual, if necessary also against religion-specific special rights, (3) enable and ensure full access to social participation while preserving freedom and equality, and (4) guarantee the observance of individual and collective human rights.

In particular, all forms of discrimination must be combated, namely racism and sexism, which Loretan (2011:25) describes as "basic forms of abuse of power.

An interesting aspect of (state) redistribution and ethics has been pointed out by Jovenel (2012:61): Jovenel suggests that the more the state promotes redistribution - of material goods, for example - the more power the state gains. Thus, those who want to attribute little power to the state are likely to oppose redistribution - and vice versa: those who consider the state's redistribution of goods and services important attribute more power to the state. However, unlike Jovenel (2012:62), one would not have to take personal satisfaction as a criterion for redistribution, but ethical-moral justice and equality of opportunity.

2.2 On political contractarianism

Based on John Rawls' theory of justice (cf. in detail ► Unit D 21: "The Concept of the State by John Rawls"), there was a "renaissance of practical philosophy and especially of normative ethics" in the Anglo-Saxon area (Nida-Rümelin 2005:24).

Especially in this area, contract theories (cf. in detail ► Unit D 12: "State Concepts in the Early Modern Period and in the Enlightenment," esp. chapter 2.3) - also called "contractarianism" - had an impact.

According to Frühbauer (2007:21), a formal characteristic of contract theories is "right-making proceduralism." Here, the focus is on procedures for contractual agreement. These include "preconditions, frameworks, and implementing provisions" (Frühbauer 2007:21). In this context, the contractually regulated state of affairs is contrasted with an original or initial state of affairs, which - according to the theory - is more unjust and "unfair." According to Frühbauer (2007:21), the attractiveness of contractualist thought consists "less [in the] ... substantive provisions than [in the] ... arrangement of the formation of the contract." Crucial - according to Frühbauer (2007:21) - for the contract are the "formal situational features of its coming into being".

Accordingly - according to Frühbauer (2007:22) - the renunciation of metaphysical justifications and of instances of justification is crucial for contract-theoretical designs. According to Frühbauer (2007:22), the contract has the character of an "argumentation figure". Preconditions for contract-theoretical solutions are - in the sense of Otfried Höffe (1979:197-198, cf. also Frühbauer 2007:24) - and thus for contractualism the following preconditions: First, the need for legitimation of state relations and the desirability of a reasonable political order; second, free individuals and their ability to autonomously conclude contracts; third, a justified but limited restriction of absolute freedom of action and arbitrariness; fourth, the legitimation of these restrictions by those affected themselves through a consent of all; and fifth, a contract constituted by the consent of all.

Inspired by John Rawls, but also partly in opposition to him, new concepts of contract theory emerged in the 1970s and 1980s (cf. Nida-Rümelin 2005:24). According to Nida-Rümelin (2005:25), the great merit of John Rawls was that the skepticism whether normative theories could be discussed rationally at all was rendered irrelevant by the intensive debate about possible criteria of justice.

Certain contractualists - such as James Buchanan - were of the opinion that a consistent pursuit of individualistic reasoning only allowed for a contractualist justification of norms (cf. Nida-Rümelin 2015:25). Contractualism has in common with deontological (= ought-ethical) approaches that "morality is understood in terms of constraints" (cf. Nida-Rümelin 2015:25). In contrast, Hobbesian contractualism assumes - like utilitarianism, for example - that it sees individual interests alone as relevant, but "that human action is exclusively interest-driven" (Nida-Rümelin 2015:25). According to Nida-Rümelin (2015:25), utilitarian thought's contradiction between "universal maximization of interests and well-being on the one hand and individual pursuit of interests on the other ... has led to a moralization of the demands on individual action. In contrast, Hobbes appealed solely to the reasonableness of pursuing individual interests (cf. Nida-Rümelin 2015:25). For - according to Hobbes (cf. Nida-Rümelin 2015:26) - all persons possessed sufficient reason to recognize that they would be better off individually if they adhered to certain peace-ensuring rules. Hobbes called these rules "leges naturales" (cf. Nida-Rümelin 2015:26).

Wolfgang Lienemann (2008:129) sees as the three most important achievements of contractualism, first, the "explicit adoption of the specifically modern principle of human self-legislation," second, the promotion of democratic structures and procedures in social (self-)organization, and third, in a minimal distributive justice. Another advantage of contractualism lies in its openness to more individual-libertarian and to more social-communitarian approaches. In this author's opinion, this "openness of contractualism to design" (Lienemann 2008:130) is negatively contrasted by a "relative indifference to conscience and self-awareness of agents" (Lienemann 2008:130).

However, there are also weighty objections to contractualism. Frühbauer (2007:29) lists the following problems with the contractualist approach:

- First, there is the question of why a fictitious contract of fictitious individuals can bind real individuals.
- Another problem is that contractualist ethics run the risk of being subject to infinite regress.
- Another difficulty is the question of the extent to which descendants - possibly decades or centuries later - are bound by the contracts of their ancestors.

- Then there is the problem of "dissenters": what happens to those who are not willing to agree to the contract?
- Moreover, it is an open question what happens when the subjects of the contract act against the agreed norms - that is, when the "pacta-sunt-servanda" principle is violated.
- Also, contractarianism "fails to solve either the motivation or the freerider problem" (Frühbauer 2007:29).
- Finally, an "unmodified contractualism" can be if it is constituted as a "morality of the strong" (Frühbauer 2007:29).
- A further problem, it should be added, is that individual contractualist procedural decisions may in individual cases violate the basic norms of the applicable contract. An example of this would be the adoption of anti-constitutional provisions in the context of constitutional votes, such as the ban on minarets in Switzerland, or the ban on burqas in the canton of Ticino, both of which conflict with various fundamental rights (right to self-determination, ban on discrimination, etc.).
- This gives rise to another problem: The assumed, notional contractualist basic decision always takes place in practice in temporally staggered partial steps, some of which are spread over generations (constitutional amendments). From this point of view, contractualism possesses a high degree of fictionality (cf. also the first problem of contractualism cited by Frühbauer).

But despite these weaknesses, one must immediately ask about the possible alternatives to contractualism.

2.3 Procedural Ethics

Charles Taylor (1997:49) has distinguished two types of moral commitment: On the one hand, a "substantive" moral commitment, which is committed to specific life goals, and on the other hand, a "procedural" moral commitment, which aims at "fair and equal treatment of one another" (Taylor 1997:49). In this context, according to Dworkin (quoted from Taylor 1997:49), a liberal society does not commit itself to specific goals of life, that is, to a "substantive" morality. Rather, a liberal society is held together by a strong procedural bond:

"The polity cannot impose substantive views ... because to do so would violate its procedural norm" (Taylor 1997:50).

Taylor (1997:51) accordingly distinguishes two models or varieties of liberalism: On the one hand, an "American" variety: "A liberal society must remain neutral with respect to the idea of the good life; it must confine itself to ensuring that citizens, whatever their views, treat each other fairly and that the state treats everyone equally" (Taylor 1997:51). Such a society cannot "adopt views of the good" (Taylor 1997:51). In contrast, a society that pursues collective goals violates this model of a liberal society.

On the other hand, according to Taylor (1997:52), representatives of "substantive" liberalism argue that a conception of the good life can be consensual, provided that those who do not adopt it are not disparaged. According to proponents of this view of liberalism, "a liberal society is distinguished by the way it treats minorities, including those who do not embrace publicly accepted definitions of the good, and, above all, by the rights it grants to all its members" (Taylor 1997:53).

Taylor (1997:54) calls these two varieties of liberal understanding "incompatible." The first variety-"procedural" liberalism-is what Taylor (1997:55) calls "rights liberalism," "which is open-minded about difference because (a) it insists on uniform application of the rules defining those rights and allows no exceptions, and because (b) it is suspicious of collective goals" (Taylor 1997:55). Taylor (1997:55) criticizes this model because every society pursues a collective goal, namely its continued existence.

In contrast, the second, "substantive" model of liberalism is "willing to weigh the importance of certain forms of equal treatment against the importance of a culture's survival, and they sometimes decide in favor of the latter" (Taylor 1997:56). Or more pointedly, against equality and in favor of a specific way of life or culture. Taylor (1997:56) is clearly in favor of this variety of liberalism, surprisingly with the following argument: Because more and more societies are becoming multicultural and include more than one (socio-) cultural community, the procedural approach might prove to be unsuitable because the survival of the different socio-cultural communities is at stake. But would it not have to be argued just the other way

around: Precisely because societies are becoming more multicultural, the "substantive" approach preprograms conflicts that can only be resolved if no culture is preferred to another. The procedural approach might rather be predestined to work out a new, trans- and intercultural consensus of values, whereas the substantial approach ultimately amounts to ethnocentrism. Taylor's (1997:57) reference to an allegedly impossible separation of politics and religion in the main currents of Islam - which, by the way, is open to discussion - does not help either. For one thing, there has also been a clear development in the history of Islam toward an at least informal separation of politics and religion, and for another, no religious interpretation has ever been set in stone, as the history of Judaism and Christianity in particular has shown time and again.

Substantive" liberalism, which prefers one particular socio-cultural or national over another, faces the insoluble problem of defining or indicating indicators of which phase or variant of a particular cultural way of life or which concrete conception of values applies or is considered a frame of reference. Which conception of Christian faith applies in a "Christian" state, which conception of Islam in a "Muslim" state, and so on.

Habermas (1997:151) assigns "procedural liberalism" to "liberals of the ilk of Rawls and Dworkin" (Habermas 1997:151), while he sees "substantive liberalism" represented above all by "communitarians like Taylor and Walzer." In this context, Rawls and Dworkin advocate an "ethically neutral legal order," while Taylor and Michael Walzer deny law any ethical neutrality (cf. Habermas 1997:151). To me, both positions seem problematic. For on the one hand, every legal system contains and embodies normative rules and thus ethical or at least meta-ethical values and positions, such as human dignity, fundamental rights (secularism), or belief in God or in a certain theological truth (theocracy). On the other hand, all legal systems also contain overarching regulations and norms which, to a certain extent, stand above the groups living within the sphere of influence of the legal system in question and are in a certain neutrality towards them. Of course, this neutrality can only ever be a relative one, and it only ever relates to individual values or norms.

According to Habermas (1997), the "system of rights is not only not blind to unequal social living conditions, but equally not blind to cultural differences." Therefore, a properly

understood theory of rights requires "precisely the politics of recognition that protects the integrity of the individual even in his identity-forming life contexts" (Habermas 1997:154). This excellent formulation clearly shows the connection between relative neutrality of law towards individual forms of life and the ethical value of law, namely the recognition of the integrity of the individual in his or her respective different socio-cultural context. One could add here - with a view to the more recent research on identity - that this is not only about a musealized, static group identity, but also about an identity that is open to the future, evolving, and the freedom to change one's group membership and group identity.

While it is true that liberalism originated in the Western occidental cultural area, there are many voices today, especially in the Middle Eastern and Asian areas, who understand the secular state, democracy and human rights as a universal - supra-cultural - achievement, which may have emerged from a specific cultural area, but has long since transcended its boundaries. Against this background, Taylor's (1997:57) claim that "liberalism cannot and should not claim complete cultural neutrality" is problematic to say the least. Liberalism understood as "procedural liberalism" must, if it does not want to reduce itself to absurdity, be socio-culturally neutral on the one hand, but on the other hand must itself become an overarching socio-culture that definitely possesses and reproduces its own values and norms. This is why various authors (cf. Rockefeller 1997:98) have argued that procedural liberalism creates a kind of universal culture in which different groups or religious communities can live and thrive side by side.

However, this has led and continues to lead to liberalism or the secular movements themselves becoming a party or - as I have put it elsewhere (cf. e.g. Jäggi 1993:15) - themselves acquiring a quasi-religious character. I think that many of the great world problems and conflicts arose precisely from the fact that liberalism (and its legitimate and illegitimate children such as secularism and socialism) forgot or never possessed its "cultural and social impartiality" and was instrumentalized and thus perverted by hegemonic policies of Western or socialist countries.

Undoubtedly, it is correct when Rockefeller (1997:99), referring to John Dewey (2003), writes that procedural liberalism also involves a deep ethical stance and a clear idea "of the

good life." Thus, according to Dewey (2003, cf. Rockefeller 1997:100), "liberal democracy is not first and foremost a political mechanism; it is an individual way of life" (Rockefeller 1997:100). Accordingly, according to Rockefeller (1997:101), democracy "means respect for and openness to all cultures, but it calls upon all cultures to refrain from those intellectual and moral values that are incompatible with the ideas of freedom, equality, and persistent cooperative-experimental search for truth and well-being." In this understanding of democracy, Rockefeller (1997:101) sees a "creative method of change" with "ideal and revolutionary significance."

Kraus (2011:41) postulates the main features of an intercultural procedural ethics that, first, avoids the culturalization of identities and characteristics, second, bypasses "relativistic identity pluralism," and third, does not become too abstracting or "exclude identification with particular points of view" (Kraus 2011:41), as John Rawls, for example, does in her opinion. Rather, she argues, an intercultural procedural ethics must

- "1. elaborate the potential mobility (i.e. divisibility and negotiability) within cultural norms and claims and make it constructively usable ..,
2. recognize the selective non-negotiability (i.e., indispensability and indivisibility) of cultural norms and claims to...and
3. integrate the real resources (i.e., agreement potentials and constraints) of particular viewpoints into an applied procedural ethics..." (Kraus 2011:41).

Intercultural conflicts - and thus also conflicts between religious communities and secular states - are characterized by the fact that they either lack a common value framework or that common values between the parties are only fragmentary. Therefore, Anne Isabel Kraus (2011:70) developed a basic ethical model for intercultural procedural ethics. In doing so, she formulated the following key points for such an intercultural procedural ethics:

- It does not start with individual concrete conflict situations or conflict cases, but with the collective, normative structures that produce the conflicts.
- It is characterized by a contextualist perspective in that it "recognizes the cultural diversity and particularity of moral standpoints as given and legitimate and seeks to integrate them systematically into theory" (Kraus 2011:70).
- The approach is interest-based.

- It takes a transformational approach "insofar as mediation is intended to overcome the indirect structural violence of mutual moral devaluation and the mutual exclusivity of claims and to facilitate more constructive interaction" (Kraus 2011:70/71).
- It is situation-oriented and continuously adapts the procedure to the current situation.

Kraus (2011:122-123) suggests seven steps in her intercultural procedural ethics:

1. The participatory conclusion of a working alliance by the participants,
2. clarification of the contextual meanings, justification and validity of the positions and differentiations in the procedure with regard to procedure and goals,
3. agreement on and recognition of procedural positions and procedural goals,
4. subjective determination of the waivability and divisibility as well as prioritization of functional procedural interests for the purpose of clarifying limitations and potentials for agreement,
5. comparative evaluation of functional procedural interests and negotiation of optional procedural rules,
6. agreement on procedural rules acceptable to all parties; and
7. correction of outcome and procedure.

With the help of these procedural steps - which can be repeated several times - a kind of non-partisan legitimacy emerges, at least according to Kraus (2011:123). In the best case, this metadiscursive procedure leads to interculturally acceptable approaches; in the worst case, conflict negotiation breaks off already here.

From her approach, Kraus (2011:71) adopts a position of "descriptive relativism," which assumes "that morality has a relative truth value and validity because it is grounded in each case in the basic epistemic and moral assumptions and practices of evolved group identities and thus in historically contingent conceptual schemes and frameworks" (Kraus 2011:71). In this regard, Kraus (2011:72) argues that "so-called a priori basic concepts, fundamental ideas of justice such as human dignity or the procedural justice principle of impartiality ... ultimately [are] not universal" (Kraus 2011:72). Kraus, however, warns against culturalist

relativism because "the overly strict protection of cultural idiosyncrasies ... may lock cultures into certain characteristics, even though they themselves may be much more heterogeneous and mobile" (Kraus 2011:72).

If one advocates - as Kraus (2011:73) does - a "pragmatic universalism", it seems plausible to consider moral standpoints "neither wholly incommensurable [incompatible, note CJ] nor wholly commensurable [compatible, note CJ]" (Kraus 2011:73) - however, the problem then arises of how to deal with this partial incompatibility in a practical, i.e. pragmatic way. Any attempt at objectification remains - at best - bound to the parties involved. Seen in this light, then, "human morality ... from this perspective is a ... flexible space of reflection that can expand and change in interaction with endogenous and exogenous impulses according to certain conditions and to a certain extent" (Kraus 2011:74). So, an intercultural procedural ethics is always variable, forward open, and dependent on the parties involved. But what happens if one of the parties involved is not interested in such a "space of reflection" or if their socio-cultural code does not allow for such intercultural reflection? Two things follow from this: on the one hand, the intercultural procedural ethics postulated by Kraus is nevertheless said to have a universal character, because it assumes a universal willingness to reflect on all cultures and socio-cultural contexts. And secondly, it raises the question of what is to be done in conflicts in which such cross-party willingness to reflect is lacking.

2.4 Utilitarianism in Politics as an Ethical Concept?

Chantal Mouffe (2007) has rightly pointed out that in recent years the more fact-based distinction between "left" and "right" has been replaced by "good" and "evil." For example, U.S. President George W. Bush spoke of the "axis of evil" and of "rogue states," while describing his policy against terrorism as a "crusade," apparently without noticing the ideological-militaristic coloration of this term-or was it even intentional?

Chantal Mouffe (2007:24ff.) has lamented that politics has become increasingly "antagonistic," and that liberalism either fails to grasp this antagonism or covers it up (for a detailed discussion of Mouffe's critique of liberal democracy, cf. ► Unit D 17: "The Modern Liberal and Secular State," chapter 2.1). She argued for "agonistic" politics as a solution and

for a return to political choice. This view is both peculiarly consistent with and at the same time antithetical to utilitarianism: consistent insofar as utilitarianism is seen as the utilitarian considerations of individual social groups, antithetical because Mouffe criticizes and rejects an overarching common good as "apolitical," at least in the game form of liberalism.

Roof what is meant by utilitarianism as an ethical concept?

Johannes Frühbauer (2007:32) has formulated five central characteristics for the standard form of utilitarianism:

- **Consequentialism:** Here, the (moral) evaluation of an action takes place exclusively via the consequences brought about by the actions. "Moral judgment is thus based on a calculus of consequences" (Frühbauer 2007:32).
- The **teleological orientation:** in contrast to Kant's deontological ethics, for example, the evaluation of actions takes place according to extra-moral values or according to actual or fictitious consequences of actions.
- The **"one-good-axiology"** (Frühbauer 2007:33): The central and exclusive value is the utility ("utility", e.g. understood as well-being, happiness or pleasure). According to Frühbauer (2007:33), utilitarianism aims at a "summum bonum".
- The **maximization principle:** The measure of action is the highest possible preponderance of positive over negative consequences. This quantifies a qualitative value - which is by no means always possible.
- The **claim to universality:** The assessment of an action is made dependent on the consequences for all those affected by it. In doing so, a neutrality of judgment is assumed with respect to all those affected - differences, for example, with respect to close persons (e.g. family members) and distant persons or strangers are negated. On the one hand, this is impractical, and on the other hand, it is not unproblematic from a moral point of view.

According to Frühbauer (2007:34), **utilitarianism** can be reduced to a "simple essence", namely to "its singular **normative principle of utility maximization**".

The following considerations show how problematic the maximization and quantification of values and how central the concept of value is in this context: On the one hand, there are values that are unique and cannot be compared with other values. They are ultimately indivisible. Such **qualitative or absolute values** are love, peace, life. These values stand for themselves and have a unique and ultimately incomparable character. There is not more or less life, but only life and non-life (death). There is not more or less love, but only love and non-love. Values in art, in philosophy, but also in aesthetics are absolute values in themselves, their meaning is revealed by themselves. A Greek statue expresses an absolute value, the physical harmony in itself. It cannot be reduced to the body mass index - although this has been tried again and again. The same is true for a painting by Picasso or for a piece of classical music. I am of the opinion that art - true art - always has to do with absolute, i.e. qualitative values. Experienced spirituality or transcendence is also a qualitative or absolute value: that's why enlightened people can't talk about their enlightenment experience at all, or only metaphorically and in a veiled way. If they do, then they translate their absolute experience into relative values. However, with that the uniqueness and also the quality of the experience is lost. On the other hand, there are **quantitative or relative values** - which always get **meaning only in comparison to other values**. Quantitative, relative values are usually related to other values and can be expressed in terms of "more or less." Monetary value or material value can always be expressed in terms of more or less dollars, euros, or francs. The same is true for any exchange value, because other monetary values can always be used as a reference quantity. A queen in chess is a quantitative value because it has "more" value compared to a pawn, among other things because, according to the rules of the game, it can make a greater number of moves than the pawns. In general, game rule-bound values are relative values. Hiorth (2009:24) believes that the value of a thing is expressed in terms of its being coveted or valued. According to Hiorth, the rarity of a thing-gold, for example-increases its value. Here Hiorth slips unawares into the realm of relative values. An absolute value, such as love, does not become more valuable when it is coveted. Love, to stay with this example, can also not be desired at all and still remain an absolute value. The solution can also not lie in the fact that simply absolute values are added, so for instance in the sense: 5000 lives save against sacrifice of 350 human lives, for example by the shooting down of an airplane hijacked by terrorists, which is flown against a housing estate. For if this were so, the value and thus the benefit that accrues to a smaller group of

people - or a numerically smaller population - would always have to be less than that of a large group of people or a large nation. In the last consequence, such a position can lead to euthanasia, genocide or the eradication of all "life unworthy of life".

A special form of utilitarianism is the so-called **rule utilitarianism**. According to Nida-Rümelin (2005:14), rule utilitarianism is characterized by the fact that ethical judgments of actions do **not depend solely on the value of the consequences**. Rather, an action is **judged** on the one hand by "whether it has **good consequences as a rule**" (Nida-Rümelin 2005:14) and on the other hand by whether its **general execution would have good consequences**. The point is to act in a way that conforms to a system of rules that would have positive consequences for all if followed by all.

According to Nida-Rümelin (2005:18), the assessment of consequences of action and the handling of risks are "part of every application-related ethical theory". If this is the case, from an ethical point of view, the possible consequences of a recognition under public law of, for example, Muslim communities in Switzerland would have to be assessed on the one hand, and the associated risk on the other. Accordingly, the ethical consideration of the recognition of Muslim communities under public law may not only be about the question of justice (equal treatment of religious communities), but also about its - possible or probable - consequences. If, for example, recognition of Muslim communities under public law were to lead to an increased risk of terrorism, it would be problematic. But the reverse is also conceivable - and perhaps even more likely: recognition of Muslim communities under public law could reduce the risk of terrorism, because it would be more likely to remove the ground from possible dissatisfaction among Muslims. But this would require empirical evidence that "integrated" Muslims are less inclined to radical attitudes than "non-integrated" Muslims. This is plausible, but has not yet been proven. Indeed, there is even evidence from fundamentalism research that, at the individual level, a good education and good job prospects do not reduce the propensity to commit terrorism.

2.5 The problem of corruption

Corruption

"Corruption is not a marginal note on the colorful pages of the daily newspapers. Corruption is unanimously regarded as a serious, structural problem in the political communities of our time, in Europe as well as throughout the world. ... Corruption is not only a legal problem. It is a great political myth. ... Corruption is a political myth because the outrage over corruption conceals central assumptions about good and bad politics, about morality and immorality, about modernity and pre-modernity."

Source: Engels 2014:12/13.

Political careers and positions of power result from political networks, patronage relationships, clientelism and personal relationships. Resources and favors - mostly immaterial - are exchanged, always with the expectation of later compensation. Such networks can function vertically hierarchically ("patronage") or horizontally, i.e., on the same level (cf. Engels 2014:33-35). Such networks follow their own ethics, symbolism, and semantics (Engels 2014:51), which can vary according to time, place, and cultural environment.

Since the 1990s, a stricter assessment of corruption has become prevalent (see Engels 2014:362). Recently, the corruption discussion has taken on a global dimension, partly as a result of the activities of non-governmental organizations such as Transparency International (cf. Engels 2014:363). But liberal economists and transnational corporations also increasingly focused attention on corruption in the awarding of government contracts in third world and emerging countries.

Jens Ivo Engels (2014:13) has argued that the fight against corruption cannot be won "because our conception of corruption does not allow corruption to be overcome." From this, one could conclude that any effective fight against corruption, which is more than a band-aid or fig leaf policy, must always question the basic social conditions of the state and the economy. This also means that the connection between liberal statecraft and political morality must be reconsidered and addressed from the ground up. Only completely clear,

enforced and controlled rules for political and economic processes and procedures can effectively combat corruption.

3. Control Questions

1. Briefly define "morality" and "ethics".
2. Why does Bobbio distinguish moral action from politics?
3. What four issues have been at the center of political philosophy since the early modern period?
4. Why are human dignity and discrimination important in political ethics?
5. On what theories is contractualism based?
6. Explain the concept of proceduralism!
7. What do contract theory and arbitrariness have to do with each other?
8. Which three important achievements of contractarianism does Lienemann name?
9. Name at least five weaknesses of contractarianism, or objections against this approach.
10. Why can a liberal state not promote and guarantee a substantial moral consciousness, but a procedural morality?
11. What are the two weaknesses or dangers of the procedural and substantive models of liberalism?
12. Is liberalism in your opinion exclusively western-western - give reasons for your opinion!
13. Why does liberalism have to be socio-culturally neutral, and why can it become a kind of "socio-cultural world culture" at the same time as "procedural liberalism"?
14. Why can - liberal - democracy also be called a form of life?
15. Which three demands does Kraus make on an intercultural procedural ethics?
16. Which five cornerstones and seven procedural steps does Kraus propose for an intercultural procedural ethics?
17. To which principle can utilitarianism be reduced?
18. What problem regarding values does utilitarianism pose?
19. What is meant by rule utilitarianism and which two criteria are essential?
20. What is meant by corruption?

21. Why are the enforcement of clear rules and a procedural understanding of the liberal state essential for fighting corruption?

4. Links

Definition Moral, Ethik und Sittlichkeit

<http://evoeco.forschungsseminar.de/moralðik.pdf>

Definition Moral

<http://wirtschaftslexikon.gabler.de/Definition/moral.html>

Definition Ethik

<http://wirtschaftslexikon.gabler.de/Definition/ethik.html>

Utilitarismus: Text von Christoph Lumer

http://www.lumer.info/wp-content/uploads/2012/04/A063_Lumer_Utilitarismus.pdf

Kontraktualistische Theorie der Moral

http://www.gkpn.de/narveson_2dt.pdf

Einwände gegen den Kontraktualismus

http://commonweb.unifr.ch/artsdean/pub/gestens/f/as/files/4610/6182_082950.pdf

Charles Taylors Essay über den Multikulturalismus: Politik der Differenz

<http://www.zeit.de/1993/49/politik-der-differenz>

Verfahrensethik

Text von Micha H. Werner

<http://www.micha-h-werner.de/verfahrensethik.pdf>

5. Cited literature an further readings

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