

# Perspektiven der Ethik

Edited by Reiner Anselm, Thomas Gutmann, and Corinna Mieth

Whether general or applied, ethics deals with the relationship between the possible and the necessary and about the way in which we communicate our basis for the decisions we make or fail to make every day. The *Perspectives on Ethics* series contains innovative contributions on general and applied ethics whose purpose is to clarify basic concepts of ethics or deal with precise yes-no questions in certain areas of application. Ideally, these should link theory and practice. The series focuses on philosophy, theology, law and economics as disciplines that deal with human actions. Its aim is to create an interdisciplinary platform for ethical issues and connect these disciplines, which are all part of our publishing programme. The titles are at the same time embedded in their own disciplines and able to enter a transdisciplinary discussion. The series is not bound to any particular school or ideology but rather promotes scholarly discourse on ethics as a whole.

All three editors are jointly responsible for the series. All volumes published were reviewed in detail and their inclusion in the series was unanimous.

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ISSN: 2198-3933 - Suggested citation: PE

Last updated: 28/11/2022. Prices are subject to change.

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Krauß, Kerstin

## Ethik der Empathie

### Eine Grundlegung

2023. Approx. 320 pages.  
forthcoming in April

ISBN 9783161614835  
sewn paper approx. 85,00 €

ISBN 9783161614842  
eBook PDF approx. 85,00 €

Empathy is difficult to cast in the form of normative ethics if it is to be suitable for the contexts of life. However, as Kerstin Krauß shows, in the sense of a life lived consciously, it is not only possible, but also necessary that we ourselves understand how we should or would like to encounter others.

Pietsch, Nora

## Nichtschädigung als Verantwortung

### Eine Minimalmoral für ökonomisches Handeln

Volume 18  
2022. IX, 241 pages.  
forthcoming in January

ISBN 9783161614194  
sewn paper 89,00 €

ISBN 9783161614200  
eBook PDF 89,00 €

What do individual action situations demand ethically of economic actors? To answer this question, a specific principle of the avoidance of harm in business ethics and an understanding of responsibility provide helpful guidance. Economic actors are responsible for the situation, and sometimes also for the rectification of damages not caused by the actor himself.

## Menschenwürde

### Zur Frage ihrer Unverfügbarkeit

#### Herausgegeben von Dietmar von der Pfordten und Philipp Gisbertz-Astolfi

Volume 17  
2022. VI, 269 pages.

ISBN 9783161610066  
sewn paper 74,00 €

ISBN 9783161611506  
eBook PDF 74,00 €

Human dignity is inherent in every individual human being, does not depend on the recognition of others and is therefore not at the disposition of others. This inalienability, however, is neither uncontroversial nor clearly and unambiguously understood in all its details and consequences. The need for clarification can only be satisfied in an interdisciplinary discussion among several academic disciplines.

Survey of contents

*Dietmar von der Pfordten/Philipp Gisbertz-Astolfi:* Einleitung – *Dietmar von der Pfordten:* Zur Unverfügbarkeit der Menschenwürde – *Georg Lohmann:* »Menschenwürde« als Begriff der internationalen Menschenrechtskonzeption: »angeboren«, »gleich«, »innewohnend« – aber auch unverfügbar? – *Thomas Buchheim:* Das Axiom der Menschenwürde und die Ontologie der Person – *Markus Rothhaar:* Die Menschenwürde als anerkennungstheoretische Meta-Norm der Menschenrechte – *Walter Schweidler:* Uneinholbare Distanz. Zur Relevanz des Naturbegriffs im Diskurs um die Menschenwürde – *Philipp Gisbertz-Astolfi:* Unverfügbarkeit oder Kontingenz? Gemeinsamkeiten und Trennlinien philosophischer Positionen – *Franz-Josef Bormann:* Gottebenbildlichkeit und Menschenwürde – *Stephan Kirste:* Die Würde des Menschen als Menschenrecht und Fundament der Menschenrechte – *Angelika Siehr:* Die Unverfügbarkeit der Menschenwürde unter Geltung des Grundgesetzes – *Friederike Löbbert/Friederike Wapler:* Die Unverfügbarkeit der Menschenwürde im geltenden Recht: ein Überblick – *Benno Zabel:* Strafe und Demütigung. Über Menschenwürde, Kontingenz und reflexives Recht

Bauer, Katharina

## Was ich tun muss

### Praktische Notwendigkeit und persönliche Grenzen

Volume 16  
2021. X, 387 pages.

ISBN 9783161596803  
sewn paper 69,00 €

ISBN 9783161597473  
eBook PDF 69,00 €

'I must do this – I cannot do otherwise.' A personal practical necessity can reveal the limits of one's personality. Based on a distinction between personal and moral necessity, Katharina Bauer investigates the relationship between the individual need to be in accordance with oneself and universal moral demands.

Sohrabi, Vanda

## Risikoethik der Banken

Große Banken, systemische Risiken und globale Finanzkrisen als Herausforderungen einer modernen Ethik des Risikos

Volume 15  
2020. VIII, 410 pages.

ISBN 9783161591976  
sewn paper 94,00 €

ISBN 9783161591983  
eBook PDF

The collapse of the Lehman Brothers bank triggered a global financial crisis that cost millions of people their jobs, their homes and, in some cases, their lives. Systemic risks are therefore an ethical as well as an economic challenge. Vanda Sohrabi examines »too big to fail« as a risk structure from a risk-ethics perspective and answers the key question of whether TBTF banks are a tolerable risk in efficient market economies, or if they are unacceptable risk impositions that need to be regulated. An answer to this question is more urgent than ever: more than a decade following the financial crisis, big banks are even bigger, the level of debt in the global economy even higher, and the financial system even more fragile. As the time for action runs out, this book seeks solutions to make the financial system safer.

Moser, Elias

## Unveräußerliche Rechte

A holder of an inalienable right cannot waive or transfer it. It is not only fundamental rights which are inalienable; there is also a range of different legal relations implying inalienability. The author questions why their holder should not be allowed to dispose of these rights and considers answers from various fields, such as for example legal theory or applied ethics.

Volume 14  
2020. XIII, 245 pages.

ISBN 9783161577277  
sewn paper 49,00 €

ISBN 9783161577284  
eBook PDF 49,00 €

Heepe, Moritz

## Verdientes Wohlergehen

Philosophische Gerechtigkeit und empirische Moralforschung

Volume 13  
2019. XI, 261 pages.

ISBN 9783161566424  
sewn paper 64,00 €

ISBN 9783161566431  
eBook PDF 64,00 €

Moritz Heepe formulates a principle of justice and examines how aspects of the proportionality of well-being to moral desert combine with aspects of reciprocity. This places the principle partly in an Aristotelian tradition and very much at odds with the liberal mainstream of the contemporary philosophy of justice. The starting point is an informed survey of the empirical, especially psychological research of how common sense justice is conceived. Here, proportional reciprocity proves itself to be a central characteristic of our sense of justice. After a coherent reconstruction of its concept proportional reciprocity's various systematic properties and problems are discussed and, against a background of central positions in the history of ethics, also juxtaposed with the most important contemporary concepts of justice. The author finally derives concrete norms of action (heuristics) from the abstract-reciprocal basic principle and is thus able to present a highly innovative blueprint of philosophical justice.

de Villiers, Etienne

## Revisiting Max Weber's Ethic of Responsibility



Volume 12  
2018. XI, 243 pages.

ISBN 9783161558160  
sewn paper 49,00 €  
ISBN 9783161558252  
eBook PDF 49,00 €

To what extent could Max Weber's ethic of responsibility serve as a model for us today? An adequate answer to this question could only be given on the basis of a satisfactory interpretation and thorough assessment of his ethic of responsibility. In this monograph Etienne de Villiers sets himself the task of doing just that. He establishes that, in spite of serious shortcomings, Weber's ethic points to the contemporary need for an ethic of responsibility as a second-level normative ethical approach that would address the undermining effect of modernisation on ethical living. Such a contemporary ethic of responsibility would provide guidelines on how ethical living could be responsibly enhanced in our time. The author also presents a brief proposal on how a contemporary ethic of responsibility might be designed.

## Die Begründung der Menschenrechte

Kontroversen im Spannungsfeld von positivem Recht, Naturrecht und Vernunftrecht

Hrsg. v. Margit Wasmaier-Sailer u. Matthias Hoesch

Volume 11  
2017. VI, 311 pages.

ISBN 9783161540578  
cloth 69,00 €  
ISBN 9783161543708  
eBook PDF 69,00 €

The validity of human rights is today internationally recognised across nations and cultures. The question as to whether and how their validity can be justified is – on the other hand – a bone of contention. Is this based on legal positivism alone? Or can human rights be understood as moral rights amenable to a kind of justification capable of convincing the skeptic? If so, can such arguments be derived from the tradition of natural law or be defended by means of the laws of reason? Does this require anthropological or metaphysical assumptions – or do discourse-theoretical premises suffice? This volume, which specifically latches onto the traditions of legal positivism, natural and rational law, systematically juxtaposes these questions in a bid for reconciliation.

Survey of contents

- I. Was kann eine Begründung der Menschenrechte leisten?
- II. Menschenrechte und positives Recht
- III. Menschenrechte und das kantische Vernunftrecht
- IV. Menschenrechte im nach-kantischen Vernunftrecht
- V. (Neo-)Aristotelische Ansätze zur Menschenrechtsbegründung

Braun, Matthias

## Zwang und Anerkennung

Sozialanthropologische Herausforderungen und theologisch-ethische Implikationen im Umgang mit psychischer Devianz

Volume 10  
2017. VIII, 372 pages.

ISBN 9783161551987  
sewn paper 54,00 €  
ISBN 9783161551994  
eBook PDF 54,00 €

Recognition is acknowledged as a key concept in a viable understanding of the conduct of human social life. Answers to the questions of who we are, who may have their say, and whose voice is heard are negotiated in processes of recognition. At the same time, the phenomenon of psychiatric disorder paradigmatically shows just how fragile, and sometimes precarious, processes of recognition are. Matthias Braun asks how the relationship between recognition and applying coercion for the well-being of others can be conceived. He scrutinizes how fundamental the vulnerability of embodied self-relating is to the negotiation of normative claims. Whilst following a concrete ethics approach, the theoretical considerations are systematically intertwined to develop honed and sustainable ethical and legal orientation markers for the use of coercion in dealing with psychiatric disorders.

Erber-Schropp, Julia Maria

## Schuld und Strafe

Eine strafrechtsphilosophische Untersuchung des Schuldprinzips

Volume 9  
2016. X, 201 pages.

ISBN 9783161539930  
sewn paper 49,00 €  
ISBN 9783161543791  
eBook PDF 49,00 €

The principle of guilt in criminal law – the awarding of personal guilt in judgments to legitimise the punitive sanction – is a much discussed and contested issue within the world of academic law. In the context of the discussion on the question of free will, which is held by some as a prerequisite for criminal responsibility, the issue is also relevant to philosophy. Critics view the principle of guilt as being misleading and ineffective in the legitimation of punishment. They demand the transformation of guilt-based criminal law into a set of sentencing guidelines orientated on the social need to prevent crime. Julia Maria Erber-Schropp shows why the principle of guilt is of fundamental importance to criminal law and that it is unassailable in the free will debate.

## Umweltethik interdisziplinär

Hrsg. v. Daniela Demko, Bernice S. Elger, Corinna Jung u. Georg Pfeleiderer

Volume 8  
2016. X, 227 pages.

ISBN 9783161536458  
sewn paper 59,00 €

ISBN 9783161540295  
eBook PDF 59,00 €

The contributions to this collection stem from a series of lectures given at Basel University during the spring semester of 2013. The wide variety of topics covered reaches from the philosophical question as to the connection between ethics and aesthetics in relation to the protection of the environment, to environmental economics and theological and religious study issues in their relation to the safeguarding of creation, right up to the controversial debate on to whom mankind owes moral responsibility. The theoretical reflections to these and further subjects hereby find recourse to their practical areas of application – from biodiversity to landscape protection, urban development and sense of homeland.

Survey of contents

*Bruno Baur:* Wer trägt die Verantwortung für die Erhaltung der Biodiversität? – *Andreas Brenner:* Das große Wesen achten. Ecocid-Act und Gaia-Theorie – *Hartmut Leser:* Herren und Meister der Natur und Umwelt: Maßlosigkeit oder Zukunftssicherung? – Dargestellt am Beispiel der sogenannten »Zwischenstadt« – *Georg Pfeleiderer:* Natur als »Schöpfung«? Zu Problematik und Produktivität theologischer Umweltethik – *Dietmar von der Pfordten:* Naturschutz jenseits des Menschen – *Silvia Tobias/Corinna Jung/Franz Conen/Christine Alewell:* Kreislaufwirtschaft im Bodenverbrauch: Ein richtiger Weg zur nachhaltigen Bodennutzung – *Markus Vogt:* Ökologische Humanität. Elemente einer Grundlegung der Umweltethik – *Carl Friedrich Gethmann:* Naturveränderung und Natur-Heimatrecht. Normative Fragen der Strukturveränderung des ländlichen Raumes – *Angelika Krebs:* »Und was da war, es nahm uns an.« Landschaft, Stimmung und Heimat – *Andreas Dietrich:* Der Garten – heilig oder profan? Zur Kulturgeschichte eines exemplarischen Stücks Landschaft in umweltethischer Perspektive – *Daniela Demko:* »Eigenwert der Natur« und »Würde« als Fragen der Umweltethik

Munzinger, André

## Gemeinsame Welt denken

Bedingungen interkultureller Koexistenz bei Jürgen Habermas und Eilert Herms

Volume 7  
2015. XVIII, 385 pages.

ISBN 9783161534195  
sewn paper 74,00 €

ISBN 9783161534201  
eBook PDF 74,00 €

How can people of different cultures and religions face the challenge of peaceful coexistence? On what basis can a common world be thought? In this study André Munzinger interacts with the philosopher Jürgen Habermas and the theologian Eilert Herms as they answer these questions in opposing ways. For Habermas the basis for intercultural coexistence lies in communicative reason, which connects humans above and apart from religious differences. For Herms reason is bound to our perception of the world, which in turn is based on our most basic religious experiences. The difference between these conceptions is productive as the author argues, because reason and religion can be seen as rivaling but complementary means of comprehending diversity in unity. Peaceful coexistence is dependent on discursive processes of working through our most basic religious and cultural differences. These processes must in turn be embedded in globalized political and societal institutions.

Görder, Björn

## Milton Friedmans Freiheitsverständnis

Systematische Rekonstruktion und wirtschaftsethische Diskussion

Volume 6  
2015. XVI, 508 pages.

ISBN 9783161536656  
sewn paper 79,00 €

ISBN 9783161537486  
eBook PDF 79,00 €

Milton Friedman polarizes. He regards the »freedom to starve« to be the ultimate social goal which can be made by society and rejects the idea that businesses should be socially responsible. Björn Gördér analyzes Friedman's negative concept of freedom in the context of its epistemological and anthropological assumptions and illustrates its political consequences. The author then goes on to discuss Friedman's normative theory of freedom with references to philosophical, theological and empirical approaches. Affirming Friedman's commitment for individual self-determination, he develops his own theory of freedom. His central claim, based on anthropological reasoning, is: that a more enhanced concept of freedom is required if people really are to be able to lead a self-determined life.

## Das Band der Gesellschaft

Verbindlichkeitsdiskurse im 18. Jahrhundert

Hrsg. v. Simon Bunke, Katerina Mihaylova und Daniela Ringkamp



Volume 5  
2015. IX, 306 pages.

ISBN 9783161535482  
sewn paper 64,00 €

ISBN 9783161535499  
eBook PDF 64,00 €

The articles contained in this collection look at the displacements, upheavals and dislocations in the traditional definition of obligation as experienced in the 18th and early 19th centuries from the perspective of the humanities and cultural studies. The works in this volume not only focus on Kantian moral philosophy, as the pinnacle of a specific modern development, but also examine the diverse other concepts of obligation and how they were formulated through literature, aesthetics, politics and pedagogy.

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Einleitung

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**Zum Verbindlichkeitsmodell der praktischen Philosophie Immanuel Kants**

*Stephan Zimmermann:* Praktische Kontingenz. Kant über Verbindlichkeit aus reiner praktischer Vernunft – *Günter Zöllner:* »Ohne Hoffnung und Furcht« – Kants Naturrecht Feyerabend über den Grund der Verbindlichkeit zu einer Handlung – *Bernhard Jakl:* Die Verbindlichkeit des Rechts. Kantische Überlegungen zum Verhältnis von privater und staatlicher Normenbegründung – *Daniela Ringkamp:* Erlaubnis, Erlaubnisgesetz und Verbindlichkeit in Kants Praktischer Philosophie – *Michael Städtler:* Warum ist »[d]er Ursprung der obersten Gewalt [...] für das Volk, das unter derselben steht, in praktischer Absicht unerforschlich«? Über systematische Gründe politisch-juridischer Verbindlichkeit bei Kant

**Rechtlich-politische, pädagogische und ästhetisch-literarische Auseinandersetzungen mit Verbindlichkeit**

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Rothhaar, Markus

## Die Menschenwürde als Prinzip des Rechts

### Eine rechtsphilosophische Rekonstruktion

Volume 4  
2015. XIII, 364 pages.

ISBN 9783161535581  
cloth 99,00 €

ISBN 9783161538261  
eBook PDF 99,00 €

The concept of human dignity has experienced something of a crisis in recent years. Next to accusations of arbitrariness and lack of clarity, there are aporia which result from the idea that human dignity figures as a special right besides and above the other basic human rights. The philosophical discomfiture with human dignity as a principle of law is intensified by the fact, that for most of the time in European history it hadn't been understood as a concept of law, but rather as a ground of duties against oneself. In contrast, the contemporary concept of human dignity serves as the foundation of rights, and at the same time as a deontological constraint to the weighing of rights. By recourse to Fichte and Hegel, Markus Rothhaar shows how these two seemingly heterogeneous roles could be reconciled on the basis of a recognition theory-oriented foundation of law.

Kim, Sung Hyun

## Ethik als Gütertheorie

### Eine systematisch-historische Relektüre von G. E. Moores »Principia Ethica«

Volume 3  
2015. XII, 239 pages.

ISBN 9783161536793  
sewn paper 64,00 €

ISBN 9783161537509  
eBook PDF 64,00 €

According to G.E. Moore, all confusions and errors of ethical theory could be disposed of if the subject-matter of ethics was made clear. This is apparent to anyone who poses the question: »What is good?« By reflecting on the things which are »good in themselves« in his book *Principia Ethica*, G.E. Moore endeavours to establish ethics as a theory of the good. Sung Hyun Kim shows that if the implications of this prolegomenous claim are taken to their full extent in their relation to ethics, it can be seen that the quest for certainty is the fundamental question of any ethics.

Schulte, Patrick

## Wirtschaftsethik und die Grenzen des Marktes

Volume 2  
2014. XII, 259 pages.

ISBN 9783161525636  
sewn paper 64,00 €  
ISBN 9783161533075  
eBook PDF 64,00 €

What are the limits of the market? Which social inequalities are open to criticism and which are justified? How can the structural inferiority of employees be counteracted? It is Patrick Schulte's intention to open the discussion on business ethics to these questions. He argues that market transactions can only be called free transactions if the social background conditions guarantee fairness and equal opportunities. Thus, extreme inequalities and exploitative transactional relationships have to be prevented. In addition, the author justifies a general minimum wage as a necessary prerequisite for self-determination and dignity. The author also shows the extent to which general employees' rights can be seen as derivative positive rights which are justified due to their significance for constitutive human rights.

Bottek, Carl

## Unterlassungen und ihre Folgen

### Handlungs- und kausalitätstheoretische Überlegungen

Volume 1  
2014. XII, 371 pages.

ISBN 9783161531613  
cloth 89,00 €  
ISBN 9783161531767  
eBook PDF 89,00 €

Omissions are phenomena that are of great relevance in ethical and juridical contexts but are very difficult to grasp for theories of action and causality and thus for normative evaluation. The question of the relationship between the two terms, »omission« and »action,« is of particular interest for the theory of action: Are these concepts mutually exclusive, or does the concept of »action« include its negative counterpart? The more important question however is whether omissions can have consequences. Carl Bottek argues that although there is no plausible theory of causality, most of the theories presented have no problem in seeing omissions as causally relevant. These considerations are also of importance for the evaluation of passive euthanasia.

