

Summary

„Verwaltung und Ethik“

by Heinrich Scholler

The article mainly deals with the administration of health and medicine in conflict with ethical problems. It starts by setting out the historical development of education of rulers and persons who executed public power in order to achieve good governance. The development of the relationship between administrative power and ethical control is discussed by referring to four different philosophers, starting with Wundt and Jellinek and ending with Radbruch and Schmitt Glaeser. These authors showed the function of ethics in very different ways calling ethical rule either a minimum or a maximum of law in relation to the existing public order. More recently, ethical rule was identified as meta-law (Radbruch) or as necessary element of any modern liberal public order or even organization. In the last section, different recent problems which had been analyzed by the German Ethics Council established in 2008 are discussed. This council is composed of lawyers, theologians and psychologists. The council's decisions have no binding force, but are still very influential. Main topics were or still are the living will, euthanasia and anonymous birth. The latter was just practiced, but recently condemned by the council by a long and extensive statement. Xenophobia is also discussed with regard to a recent, carefully done statement to show the changing of attitude, especially of young people towards foreigners.