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On Denial of Individuals' or Organizational Activities - Decisionism Considered

Tuomo Takala

Abstract

The purpose of this article is to put forth some relevant, but complex, issues which still exist in modern ethics. I shall present axiology and deontology shortly. After this, I take a not so well-known ethical theory called decisionism into consideration. In this context, we are interested in the one burning ethical problem or phenomenon "Why prohibit or deny the action of an organization or association?" At the end of the paper, some considerations are provided to solve some issues of misbehaving, or to solve actual social problems like discrimination, abuse of workforce, or racial or gender-based discrimination.

Key Words: Value-ethics, decisionism, associations

Introduction

Recently, a theme has emerged in general debate that can be described as interesting but also problematic. It is about freedom of action, or freedom in general, which is also a very philosophical question.

Why should any activity be banned? We do not usually want to be denied anything. The action must therefore be in some way undesirable. Inaction, or doing nothing, could also be punishable or at least reprehensible.

Thus, there are at least two parties in the denying process: the subject who does the denying and the object that is denied of something. Such an object can be an individual or an association, and the reason for this denial is, for example, the nature of the organization's activities. Organizational action can be insulting to the members of a community. The law is drafted and presumed to be complied with. Why is moral requirement not enough? It can be argued that moral demands are not binding and strong enough. The government cannot, or does not want to, impose face-masks using during the COVID epidemic, for example, because this would severely restrict an individual's fundamental rights. On what grounds could or should certain symbols be denied? That is, for example, the use of certain types of signs or symbols when valuing the good or evil of an organization's activities. This is a line drawn in the sand. In this case, the symbols of evil are hunted and sought and so, we need to define what the term "evil" means (see e.g. Pitkänen, 2020). Pitkänen states that since the 1990s, the concept of evil has gone through a philosophical "renaissance". In contemporary philosophy of evil, the eliminative naturalism typical of the earlier twentieth century is usually rejected, and evil is conceived of as an irreducible concept essential for understanding human moral life in practice. The roots of contemporary thought on evil according to Immanuel Kant, who worked out his theory of "radical evil" at the end of the eighteenth century, are set forth. According to Kant's theory, taking our moral agency seriously requires not only philosophical justification of

freedom from the causality of nature and the ability to present moral duties to ourselves, but also an innate propensity to subordinate those duties to our selfish will, that is, a propensity to do evil. Kant introduced an anti-naturalistic conception of evil which is also free from theological presumptions. Pitkänen refers to this kind of view as "a purely moral conception of evil". He argues that a purely moral conception of evil is vulnerable to Friedrich Nietzsche's genealogical and moral psychological critique, in which the idea of evil is judged as subjective, historical, and ultimately based on will to power (Pitkänen, 2020).

So the main question here is "where we can find norms to act?" "If human or organizational action is evil or bad, it should be denied", we can claim.

Ethics, Norms, Values and Decisionism

Ethics reflects on moral phenomena. Value theory, or axiology, looks at which things are good or bad, how good or bad they are, and most fundamentally, what it means to be good or bad. There are questions about value and what is valuable or important to value to moral philosophers, since most moral theories hold that we ought to promote the good (even if this is not the only thing we ought to do).

Another part of the discussion is so called deontology or normative ethics. The deontological nature of the supreme principle of Kantian ethics has led many people to focus almost exclusively on issues about duty, universalization, autonomy and dignity when engaging with Kantian ethics. This has resulted in an unfortunate situation with value-based considerations largely being ignored, and Kant being criticized for supposedly failing to appreciate the importance of happiness. All of this has happened despite the fact that Kant's ethical theory does not restrict itself to duty but contains a well-developed account of a value that plays a central role in the overall theory and that recognizes the significance of happiness. After all, the groundwork starts with the axiological claim that the only thing unconditionally good is will.

Likewise, the highest good, which is meant to represent the culmination of Kant's ethical system, is an axiological notion that includes happiness. (Bader, 2015).

It is often disputed which term is the primary: value or norm? Beauchamp (2010) asks whether there are moral beliefs, which are merely personal opinions and cultural conventions, or is there a moral standpoint that transcends the personal and cultural? In one type of theory, moral views are based on how a person feels, what an organization decides, or how a culture accommodates the desires and aspirations of its people. The idea of objective moral principles or properties plays no role in this theory. In another type of theory, valid moral standards such as human rights govern all conduct and are not relative to cultures, nations, organizations, or individuals. Could it be that both perspectives are correct, or do we have two competing research philosophies that cannot be rendered coherent?

The main topics to be addressed in this article are moral relativism, universal morality and particular moralities, moral conflict and disagreement, human rights, multiculturalism, and global justice. Questions of whether there are universal moral norms and, if so, whether some norms are relative to organizations, groups, or individuals are discussed. Can we agree that although a relativism of all moral standards is an untenable position, a lower level relativism of moral judgement and multiculturalism are morally warranted? If it so, as Beauchamp states, there is a universal common morality but it allows for moral disagreement and legitimate differences of opinions about how to render universal norms specific for organizational contexts. So, certain norms constrain corporate activities, for example, in all cultures, but other norms constrain organizational conduct only in specific contexts.

Decisionism is a value theory doctrine with manifestations in ethics, social and political philosophy, and legal theory. Historically, the doctrine is old but it has been quite popular this century among many philosophical traditions, such as German philosophy of life, phenomenology, existentialism, American pragmatism. Decisionism has been understood (1) as a doctrine that individuals should be freed from the rules of conventionality and be ashamed when they have to rely on even one rule. (2) the doctrine that there is self-deception, dishonest pretense, and escapism to rely on norms and rules that already exist. (3) the doctrine that the authentic individual decides for himself and acts as his own judge. (4) as an analysis of "the myth that the laws enacted affect judges and other members of society, legalistic ideology. (5) Decisions made in social emergencies are theoretically primary because people have to take their lives seriously at that time. (Patoluoto, 1982, 79).

One can distinguish between the weak and strong decisionism as doctrines. It is natural to ask, because there are complex social situations in which the question of the primacy between norms and exceptions is central. The answer is easy to see – when exceptional situations last a long time, like during times of crisis (Patoluoto 1982, 82), for example, Germany between the two World Wars.

Who gives the rights to govern us, for ruling, controlling and to be in a power? Decisionism explains and begins its argument from the fact that the state of emergency gives power to a sovereign ruler who, as it were, usurps the power. Such a situation arises when society and the system of government are in a state of intense transformation; the democratic system is in a crisis and a mode of disintegration. A leader who rises to take sovereign power is probably a charismatic person. Carl Schmitt was a renowned political scientist and proponent of decisionism. Schmitt changed universities in 1926, when he became

professor of law at the Handelshochschule in Berlin, and again in 1932, when he accepted a position in Cologne. It was from lectures at the Deutsche Hochschule für Politik in Berlin that he wrote his most famous paper, "Der Begriff des Politischen" ("The Concept of the Political"), in which he developed his theory of "the political." Distinct from party politics, "the political" is the essence of politics. While churches are predominant in religion or society is predominant in economics, the state is predominant in politics. Yet for Schmitt, the political was not an autonomous domain equivalent to the other domains, but rather the existential basis that would determine any other domain should it reach the point of politics (e.g. religion ceases to be merely theological when it makes a clear distinction between the "friend" and the "enemy"). The political is not equal to any other domain such as the economic (which distinguishes between profitable and not profitable), but instead is the most essential to identity.

Schmitt, in perhaps his best-known formulation, bases his conceptual realm of state sovereignty and autonomy upon the distinction between friend and enemy. This distinction is to be determined "existentially", which is to say that the enemy is whoever is "in a specially intense way, existentially something different and alien, so that in the extreme case conflicts with him are possible." Such an enemy need not even be based on nationality. So long as the conflict is potentially intense enough to become a violent one between political entities, the actual substance of enmity may be anything. Although there have been many interpretations of this work, there is a broad agreement that "The Concept of the Political" is an attempt to achieve state unity by defining the content of politics as opposition to the "other" (that is to say, an enemy or stranger. This applies to any person or entity that represents a serious threat or conflict to one's own interests.) Additionally, the prominence of the state stands as an arbitrary force dominating a potentially fractious civil society, whose various antagonisms must not be allowed to affect politics, lest civil war result.

In Thomas Hobbes' political theory, the "natural state" plays an important role. However, for him, the role of the concept of natural state is different from that of Schmitt. According to Hobbes, the natural state is a conceptual possibility, but it is not a real possibility. In Hobbes' mind, the state of nature is a means for explaining the origin and nature of communities. Schmitt, on the other hand, thinks that the state of nature is a necessary thing because man is inherently animal by his or her character. Despite the fact that Hobbes is considered the most significant of the defenders of absolute tyranny at the beginning of the new age, in his theory he seeks to tame the natural and morally reprehensible animal evil prevailing in a human being. Schmitt, on the other hand, seeks to emphasize the importance of animal evil as a basis of the political. This foundation, he says, is not conceptual but factual, evil inhabited by human nature. (see Patoluoto 1982).

Some Implications and Conclusions

What does decisionist thinking mean when it comes to banning organizations? Decisionism assumes that a universally valid norm cannot and should not be given, but people must act in accordance with the norm specific and according to the strongest actor's will. Normal situations are normal because the justification for action in them is based on routines. The statement of reasons shall refer to a rule, norm, law or other similar principle, relevant to the activity.

A person acting in a state of emergency does not have such rules

that allow them to justify their actions. Decisionism is the value theory of exceptional situations, which requires that they be more prime than the normal situation in value theory. Routines guided by norms and rules are always ultimately based on exceptional situations, as the latter create the norms that people follow when they are in normal situations (see Patoluoto 1982).

Criminalized or forbidden organizations seek to create activities that violate the normal state of affairs, and thus create space for exceptional situations where the forbidden organizations try to create a "new normal." It has been empirically proven that prohibited activity is sought in new forms when the old activity is prohibited. Creating a new name for the organization (i.e. continue the old banned activity in "new clothes") is a common way to continue the criminalized action. Criminal organizations usually try to maximize the utilitarian benefits of their activities. Non-profit associations with some ideal value, clubs or networks, on the other hand, are often driven by some "summum bonum" (e.g. to save the world etc.). Their actions may be pursued by any means, often violently, in which case legal precedence easily prohibits the activities of the organization. The same applies to associations' symbols. These exist to help creating a sense of belonging and at the same time act as hallmarks symbolizing freedom, strength, power, brotherhood, superstition. The symbols of organizations are valuable to the group who sees them as valuable to themselves, and on the other hand, those outside the groups may perceive these signs as threatening and hateful. The symbols of goodness are to some are symbols of evil to others, and vice versa.

Is it therefore effective to ban organizations using activities and symbols? Forbidden organizations' names and symbols are changed to some extent, but the core of actions remains the same but disguised. I do not think that banning is effective and we need to find other ways. Is the prevailing social order legitimate? This fact largely determines what is allowed and what is forbidden. There is an activity in the grey area that threatens precedence but has a certain good moral weight. Non-violent demonstrations are allowed and, on the other hand, excessive use of force by the police, for example, will be universally condemned. The victims become martyrs who gain the sympathy from the general public. Often questionable organizations consciously seek to create martyrs. There are well-known characters and consciously created martyrs who have become icons of their organizations

Identity Politics and Recognition of Human Value

How does racism work when it is understood as an ideology-based phenomenon? I argue that there is a great value in knowing how racism works for the development of an anti-racist and non-discriminating organization. Although any of the many traditions on ethical thinking do not give direct answer to the question of how to develop and manage an anti-racist business organization, but connected with the understanding of racism, they can be useful tools for the leader of a multicultural organization. The conceptions of racism have varied quite a lot and have been often vague and controversial. There have been two main lines of division in the approaches to racism. On the one hand, there is an ontological dispute over the biological or cultural character of racism. This problem imposes either some important limitations or positive possibilities on the anti-racist ethics in business organizations. If racism is possible to reduce to biological features, it does not form an ethical problem for business organization because then the "racial" order can be considered as natural and inevitable. This view is, however, ethically very problematic since it erases and sweeps away all ethical

reasoning by reducing all ethical principles to one single source: human nature. Racism understood as cultural phenomena, however, provides interesting prospects for the development of anti-racist organization culture. Contrary to nature, culture is always open to changes, transformations, improvements and re-definitions. When naturalist views fix all features of human beings in to biological and primordial nature, cultural views untie the naturalist predestination. Because cultural identities, customs, values, and so forth, can be subjects of deliberate reasoning, they can also be altered and modified. They are constructed and redefined constantly in social negotiations. Thus, the relation between culture and human beings is dialogical. The possibility to redefine and/or dismantle the old conventions of organization culture and reconstruct something new (anti-racist, managing and valuing diversity, etc.) is crucial for every learning organization. On the other hand, there is the practical question of the primacy of behaviour or representations of racism. In other words, is racism manifested primary in the actions and behaviour of people or in their ideological and symbolic statements and conceptions of reality? In the former case, it has been approached as a form of behaviour or action. The question has been what kinds of actions and ways of behaving are racist. In the latter case, a certain ideology is regarded as the core of racism. This ideology states that the outward appearance of people (skin colour is usually the most significant feature) defines their capabilities and position in society. By the term 'ideology' I refer to a certain kind of composition of ideas which is used as a justification for asymmetric balance of power in society. This kind of ideology is manifested in discursively and symbolically mediated systems of communication. Its hidden function is to secure and guarantee the prevailing social order and division of power. The use of this kind of conceptualization of ideology is not limited to the field of politics. It can be applied to any field where there exists an action mediated by meanings, like ethnic and women studies and business ethics. Without recognizing the ideological component, no behaviour or action can be identified as racist; every action identified as racist should be seen as having an ideological cause or basis. Furthermore, any action that is ideologically based on racism entails discriminating practices in corporations and society. Those practices typically constitute the most visible dimension of racism. Here also lies the point at which racism becomes connected with business ethics. Racist ideology produces discriminating practices that isolate ethnic minorities from the resources provided by society and the economy. (see Sintonen & Takala, 2002).

Identities and identity policies are often intertwined with hate speech or manipulative communication. Fukuyama (2020) mentioned that one problem with identities is that they can threaten freedom of speech and, more broadly, the rational debate needed to sustain democracy. Liberal democracies have considered it their right to protect the right of everyone to express their ideas, especially in politics. The obsession with identity, however, has not matched the need for a systematic discussion. Identity groups focus on lived experiences, valuing experiencing their inner selves emotionally rather than exploring them rationally. At the micro level, our political culture is characterized by the fact that each person's opinion is seen to merge with something that is assumed to be his or her permanent and actual self. Opinions expressed in good faith therefore take precedence over rational reasoning, which could lead the opinion-owner to reject their own position. If an argument offends a sense of self-worth, it is often considered that this offense is sufficient to challenge the validity of the argument. This trend is empowered by short-form wording fueled by social

media.

I can agree with Fukuyama, who states that becoming recognized is the key factor in the positive solutions to various problems of mankind. According to Hegel, human history was driven by the quest to be recognized. He argued that the

only rational solution was that the desire to be recognized was universal, the recognition of the dignity of every human being. Fukuyama continues by saying that one of the major threats to modern liberal democracies is the rise of identity politics within them.

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