

## Scheler's Ethics vs. the Ethics of Success

Max Scheler's ethical personalism is rooted in a novel understanding of both non-formal values and the person, an understanding which he believed freed them from the contingency of the empirical without having to retreat to the formalism of Kant. Yet, for Scheler, moral values are co-realized along with the realization of non-moral values, and at least in some cases these non-moral values are realized in the physical world. How, then, can Scheler save moral values from dependence upon our success in the physical world? In short, how is Scheler's ethics not an ethics of success? It is the goal of this paper to answer this question, and in doing so to shed light on the new path in ethics which Scheler pioneers.

In order to see why Scheler's ethics is not an ethics of empirical success, we must begin with a short development of Scheler's understanding of values. From the beginnings of his work Scheler distinguished between values and the empirical. For Scheler, values are not things or goods (*Güter*). Values are pure essences, pure *quale*. Although Scheler shows this by focusing us on the experience of values, he also draws a number of distinctions which help to illuminate the difference between values and the empirical. The first is between values and their bearers. As he states in a key passage in the *Formalism in Ethics and Non-Formal Ethics of Values: A New Attempt toward the Foundation of an Ethical Personalism* (*Der Formalismus in der Ethik und die Materiale Wertethik: Neuer Versuch der Grundlegung eines Ethischen Personalismus*): "The ultimate independence of the being of values with regard to things, goods, and states of affairs appears clearly in a number of facts. We know of a stage in the grasping of values wherein the *value* of an object is already very clearly and evidentially given *apart from* the givenness of the *bearer* of the value. Thus, for example, a man can be distressing and repugnant, agreeable, or sympathetic to us without our being able to indicate *how* this comes about; in like manner we can for the

longest time consider a poem or another work of art 'beautiful' or 'ugly', 'distinguished' or 'common', without knowing in the least which properties of the contents of the work prompt this. Again, a landscape or a room in a house can appear 'friendly' or 'distressing', and the same holds for a sojourn in a room, without our knowing the *bearers of such values*. This applies equally to physical and psychical realities." (GW II, 40)<sup>1</sup>

Pure values are not the same as their bearers, and so we can grasp both values and their relationships without dependence upon their physical (or for that matter their non-physical) bearers. Scheler had noted earlier that: "there are *authentic* and *true* value-qualities and that they constitute a special domain of objectivities, have their own *distinct* relations and correlations, and, as value-*qualities*, can be, for example, higher or lower. This being the case, there can be among these value-qualities an *order* and an *order of ranks*, both of which are independent of the presence of a *realm of goods* in which they appear, entirely independent of the movement and changes of these goods in history, and '*a priori*' to the experience of this realm of goods." (GW II, 37–38)<sup>2</sup>

The importance of the distinction between values and their bearers for our concern is also signaled by the fact that when Scheler began to sketch the *a priori* relationships between values in the *Formalism* he did not start with the relationships between the ranks of value-modalities which are so central to his view of the world of values. Instead he began with the "*A Priori* Relations between the Heights of Values and 'Pure' Bearers of Value", and the fourth distinction he makes is between the "Values of the Basic Moral Tenor [*Gesinnungswerte*], Values of Deeds, and Values of Success" (GW II, 118)<sup>3</sup>. Scheler clearly wishes to distinguish between moral values and values of success. To see how he can do so even in the face of the realization of values we need to next turn to Scheler's quite novel understanding of the bearers of moral values – the person.

Just as Scheler rejects the idea that values are things, he rejects the idea that persons are or can be objects. To find the person we must

<sup>1</sup> Max Scheler, *Formalism in Ethics and Non-Formal Ethics of Values. A New Attempt toward the Foundation of an Ethical Personalism*, Translated by Manfred S. Frings and Roger L. Funk, Evanston, Ill. 1973, p. 17.

<sup>2</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 15.

<sup>3</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 101.

look to acts, not objects, because: "the person is the concrete and essential unity of being of acts of different essences which in itself [...] precedes all essential act differences (especially the difference between inner and outer perception, inner and outer willing, inner and outer feeling, loving and hating, etc.). The being of the person is therefore the 'foundation' of all essentially different acts." (GW II, 382–383)<sup>4</sup>

Furthermore, for Scheler the person is not a substance separate from the acts he or she performs. Instead: "the whole person is contained in every fully concrete act, and the whole person 'varies' in and through every act – without being exhausted in his being in any of these acts, and without 'changing' like a thing in time. But this concept of 'variation' as a pure 'becoming different' implies no time that makes change possible, nor does it imply a fortiori any thinglike changes. Nor is anything given here of a 'succession' in this becoming different [...] And for this very reason there is no necessity for an enduring being that subsists in this succession in order to safeguard the 'identity of the individual person'. Identity lies solely in the qualitative direction of this pure becoming different." (GW II, 384–385)<sup>5</sup>

Indeed, not only is the person as the unity of acts separate from objects and things, the value of the person is separate as well. The very first distinction Scheler makes between values and their bearers is that between the "Values of Persons and the Values of Things (*Sachwerte*)" and: "The values of the person pertain to the person himself, without any mediation. Values of things pertain to things of value as represented in 'goods'. (*Güter*) Again, goods may be material (goods of enjoyment, of usefulness), vital (all economic goods), or spiritual (science and art, which are also called cultural goods). In contrast to these values there are two kinds of values that belong to the human person: (1) the value of the person 'himself', and (2) the values of virtue. In this sense the values of the person are higher than those of things. This lies in their essence." (GW II, 117)<sup>6</sup>

From these passages it is clear that Scheler believes that both values and persons are separate from the physical. Yet Scheler is, in these passages, pointing to another important distinction when he

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<sup>4</sup> Max Scheler, *Formalism in Ethics*, op. cit., pp. 382–383.

<sup>5</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 385.

<sup>6</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 100.

contrasts values of the person and values of things: the distinction between moral and non-moral values. For Scheler a moral value, such as the good, is co-realized along with the realization of non-moral values, or as he puts it: "The value 'good' – in an absolute sense – is the value that appears, by way of essential necessity, on the *act of realizing* the value which (with respect to the measure of cognition of that being which realizes it) is the highest. The value 'evil' – in an absolute sense – is the value that appears on the act of realizing the lowest value." (GW II, 47)<sup>7</sup>

Clearly there is a distinction here between the value "good" and the non-moral value which, when it is realized, co-realizes the value good. Although the moral value "*appears on*" (*erscheint ... an*) the act of realization of a non-moral value, we must be very careful not to conflate the two values, or their bearers. As Scheler says (while agreeing with Kant that the moral values cannot be the "content" of willing, but disagreeing that moral values are formal): "The value 'good' appears by our realizing a higher positive value (given in preferring). This value appears *on* the act of willing. It is for this reason that it can *never* be the content of an act of willing. It is located, so to speak, on the back of this act, and this by way of essential necessity; it can therefore *never* be intended in this act." (GW II, 48–49)<sup>8</sup>

A number of things hang on this distinction. At this point in the *Formalism* Scheler is making this distinction to show that one does not become morally good by trying to "do good" directly (this approach leads to pharisaism). Yet this distinction is also a key element in saving morality and the person from dependence on the empirically contingent, for it emphasizes the independence of the moral value and its realization from the realization of the non-moral value. The realization of the moral value in the person is separate from, though related to, the realization of non-moral value. Thus neither the person nor the moral values are empirical.

The distinction between the moral values (good and evil), and both the non-moral values and their bearers, still does not fully show the *relationships* between the moral values, the non-moral values, the realization of these non-moral values which co-realize the moral values, and the bearers of these now realized values. Scheler must not only show that the roots of morality lie in the person and are not

<sup>7</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 25.

<sup>8</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 27.

dependent upon the physical, empirical world, or other "bearers" of the non-moral values for that matter; he must also show how morality in the person is *related to* these bearers. Letting the moral sphere become dependent upon the physical is fatal to any ethics. Cutting off the roots of morality totally from the real world (including the real physical world) is equally fatal. Indeed, a core test of Scheler's ethics is his ability to show how the moral values are related to the non-moral values and their bearers in the case where we are talking about physical realization. In this case how can Scheler *not* make good and evil dependent upon our success in the real physical world?

Scheler devotes an entire section of the *Formalism*, entitled "Non-Formal Ethics and Ethics of Success", to countering the claim by Kant that all non-formal ethics must be ethics of success. He recognized the importance of this challenge by making the claim that "every non-formal ethics is of necessity an ethics of success" (GW II, 30)<sup>9</sup> the third Kantian "presupposition" which the *Formalism* was to counter.

Scheler begins his defense against this Kantian "presupposition" by agreeing with Kant that: "It is, in principle, nonsense to make the moral relevance of practical acting dependent upon a calculation of probable consequences based on real states of affairs and their causal relationships." (GW II, 127)<sup>10</sup>

Scheler then explores Kant's attempt to locate the values of good and evil within the "basic moral tenor" of a person. Although he approves of Kant's attempt to free this basic moral tenor from the empirical, he believes it is ultimately flawed because of Kant's retreat to the formal. For Scheler the "basic moral tenor" is not simply an unexperiencable form of positing an intention. It is, rather, "the directedness of willing toward a higher (or lower) value and its content", and it "contains a *non-formal value-quality* (*Wertmaterie*) that is independent of success, even of all further levels of an act of willing." (GW II, 130)<sup>11</sup>

Now what Scheler is here, following Kant, calling the "basic moral tenor", is rooted in what Scheler calls the "*Ordo Amoris*". For Scheler what we can see of the range of non-moral values is hedged in by our loves and hates. As he notes in the aptly entitled

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<sup>9</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 7.

<sup>10</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 111.

<sup>11</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 115.

*Ordo Amoris* (GW X, 347–376)<sup>12</sup> essay: "Man, before he is an *ens cogitans* or an *ens volens*, is an *ens amans*. The fullness, the gradations, the differentiations, and the power of his love circumscribe the fullness, the functional specificity, and the power of his possible spirit and of the possible *range* of contact with the universe. Of all that is actually worthy of love – the essences of which circumscribe a priori the concrete goods which are accessible to his power of comprehension – he has access to only a part." (GW X, 356)<sup>13</sup>

The *Ordo Amoris* is at the core of the person. As Scheler says: "Whoever has the *ordo amoris* of a man has the man himself. He has for the man as a moral subject what the crystallization formula is for a crystal. He sees through him as far as one possibly can. He sees before him the constantly simple and basic lines of his heart [*Gemüt*] running beneath all his empirical many-sidedness and complexity. And heart deserves to be called the core of man as a spiritual being much more than knowing and willing do. He has a spiritual model of the primary source which secretly nourishes everything emanating from this man. Even more, he possesses the primary determinant of what always appears to surround and enclose the man: in space, his moral environment; in time, his fate, that is, the quintessence [*Inbegriff*] of possibilities belonging to him and him alone. Nothing in nature which is independent of man can confront him and have an effect on him even as a stimulus, of whatever kind or degree, without the cooperation of his *ordo amoris*. Man is encased, as though in a shell, in the particular ranking of the simplest values and value-qualities which represent the objective side of his *ordo amoris*, values which have not yet been shaped into things and goods. He carries this shell along with him wherever he goes and cannot escape from it no matter how quickly he runs." (GW X, 348)<sup>14</sup>

The connection between the *Ordo Amoris* and the basic moral tenor is confirmed in the 'Ethics of Success' section of the *Formalism* as Scheler says: "Therefore the basic moral tenor does not unilaterally determine intentions, something done on purpose, or deeds. But

<sup>12</sup> Max Scheler, *Ordo Amoris*, in: *Selected Philosophical Essays*, Translated, with an Introduction, by David R. Lachterman, Evanston, Ill. 1973, pp. 98–135. This Latin phrase can be translated as the "order or ordering of love", but since it marks such a basic element in Scheler's thought the tradition is to leave it untranslated. This essay will be referred to below as Max Scheler, *Ordo Amoris*.

<sup>13</sup> Max Scheler, *Ordo Amoris*, op. cit., pp. 110–111.

<sup>14</sup> Max Scheler, *Ordo Amoris*, op. cit., p. 100.

whatever *can* become their content is nevertheless dependent on the value-content of the basic tenor in that the peculiarity of its content determines what *can* become in a special case of intention, something done on purpose, or a deed. Hence the importance of the basic moral tenor consists in the delineation of a *non-formal a priori field* for the formation of possible intentions, acts done on purpose, and deeds, *including* the kinematic intention that directly guides a deed. The basic moral tenor permeates all levels of a deed up to its success with its own value-content." (GW II, 130–131)<sup>15</sup>

As we see Scheler tracing the moral tenor to its roots in the *Ordo Amoris*, we see the moral tenor is not dependent upon the empirical. It is not totally disconnected from it either, however. The basic moral tenor is the ground of the moral. Yet as we will now show, the realization of non-moral values, even when it is physical realization, is important too. How can Scheler show this without, however indirectly, making his ethics an ethics of success?

The exact relationship Scheler works out between the basic moral tenor and intention, willing and deeds is complex and we will not reproduce all of it here in detail, but there are several points important for our present concerns. First is the definition of an ethics of success. As Scheler points out in the *Formalism*, an ethics of success is "an ethics which makes the value of persons and acts of willing – indeed, of all acting – dependent upon the experience of the practical *consequences* of their efficacy in the real world." (GW II, 127)<sup>16</sup> This is important to note, for it allows Scheler to distinguish between the immediate sense of realizing a value and the "remote" consequences of that realization.

We see this as Scheler develops his understanding of deeds (*Handlung*) (a deed is "the experience of the realization of a state of affairs in acting", GW II, 142).<sup>17</sup> Even here the moral value, dependent upon the realization of the non-moral value, is not dependent upon the remote *success* of this realization in the physical world. Scheler makes this especially clear in a passage in which he distinguishes between seven elements that are united in any deed. Element six is "the experienced realization of the content (the 'performance')." (GW II, 137)<sup>18</sup> This sounds very much like the experience

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<sup>15</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 115.

<sup>16</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 111.

<sup>17</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 127.

of success, but Scheler counters this reading of it immediately upon completing the list when he says of this sixth element: "No doubt the sixth belongs to a *deed*. But the causal effects of a deed, which can be *inferred* on the basis of an *assumption* of the realization of the content (*before* or *after* a deed), do *not* belong to a deed. A *deed* must be sharply distinguished from its *effects*; for the latter, unlike the realization of a deed, are not experienced in a deed itself. If one considers a deed or its ultimate component of realization as a mere 'effect' of willing, a *false* ethics of the moral tenor is introduced at once. Whereas a deed with its ultimate element (its experienced realization) is a *bearer of moral values*, its causal effects can *never* be regarded as such. If a deed were a mere 'effect of willing', it could not be considered a bearer of moral values. The realization of a deed, however, is a 'part' of it, belonging to its *unity*. This difference must not be taken as only a 'relative' or 'arbitrary' one. For *whatever* is *experienced as belonging* to my deed, and whatever is phenomenally manifested as its simple effect, can never be 'relative'. Objective causal relations that are *taken into consideration* in a deed have *nothing* to do with this fact. It may be that a *content of willing*, i. e., what I will to be *real*, represents a remote effect of what I am realizing in acting – e. g., an effect that I previously 'calculated'. But this effect does not belong to my *deed*, nor is it the 'success of my deed' [*Handlungserfolg*]; it is, rather, the 'success of my speculation and calculation'. At the beginning of a deed, then, *this* very content is 'given', not as *content* of the will-to-do, but as the 'consequence of this doing', which is not contained at all in the *phenomenal content* of acting. The fulfillment (or non-fulfillment, i. e., conflict) consists in the execution with respect to the *will-to-do* (when I *experience myself as doing what* I will to do), not in the execution with respect to *what* I will to be *real*. This distinction is clearly manifest in the differences between a *misdeed* [*Fehlhandlung*] and the mistakes and errors that we make in our calculations concerning causal relations in which we are about to be engaged, or concerning the means and tools that we use in such an engagement. The nature of a *misdeed* consists in my not actually experiencing my doing what I will to do, not in my not accomplishing what I will." (GW II, 137–138)<sup>19</sup>

Thus we see that the remote success of the realization in the

<sup>18</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 121.

<sup>19</sup> Max Scheler, *Formalism in Ethics*, op. cit., pp. 121–122.

deed is not part of the realization of the value. Yet despite this it may still be suggested that although Scheler does separate values and persons from dependence on the remote success (consequences), there is still the need to succeed in the physical world in that immediate experience (the deed). Does this not still make success (however immediate) necessary, and does this not still tie values and the person to this contingency of the empirical (at least in those cases where the realization is in the physical world), however limited that tie may be?

The answer is no, and this is shown when Scheler considers whether a physically disabled person can have moral worth equal to that of an able-bodied person. While defending the idea that the deed represents only a "symbolic value" of the moral tenor, Scheler states that: "But this is not to deny that a deed *as* a deed possesses its *own* value. An example may clarify this point. The ethics and the notion of the basic moral tenor that we are criticizing here would maintain the following in regard to this situation: If a paralyzed person happens to see someone drowning, he is *no less* moral than someone else not paralyzed who actually rescues the man – provided, of course, that the paralyzed person has the *will* to come to the rescue. In both cases the *same* type of moral tenor can be present, and hence the two men would be of equal moral value. But it would be too much to assert that the same act of willing with its moral value is present in the 'paralyzed' person. For this *cannot* be the case, simply because in his situation there is *no* possibility of a 'willing-to-do'. Much as the paralyzed man may '*wish*' to perform the rescuing act, he cannot '*will*' it. Concerning his relation to this willing-to-do and its value, he is in the same situation as someone absent from the scene who has the 'same moral tenor' and recognizes the fact that drowning people ought to be rescued. Hence we are *not* faced with the *same moral state of affairs* in these two cases. The paralyzed person is, of course, not at all subject to moral reproach. But neither is he subject to any part of the moral praise that belongs to the rescuer. Any opinion that would refute the above view and regard the moral tenor as the *only* bearer of moral value must be reduced to the *ressentiment* of 'disabled' people." (GW II, 134–135)<sup>20</sup>

Now this may sound as if Scheler is allowing that the moral worth is dependent upon the contingent realization of the rescue,

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<sup>20</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 119.

but it is not. The difference lies not in whether the paralyzed person actually realizes the rescue in the deed, but whether or not he can actually perform the deed. Willing is an integral part of the unity of the deed (GW II, 137)<sup>21</sup>, and as Scheler notes later: "I maintained that he is not in a *position* to will the rescue of the drowning man because he is not in a position to *will* the rescue. He may be 'prepared' to will, but not in reality. But in another case a different interpretation is possible, namely, when he *experiences* his paralyzed state on the occasion of such an event. For then he would have the experience of resistance, setting in against his kinematic intention and the subsequent graduated series of kinematic impulses, as an experience of the practically 'impossible'. In that case there is an attempt to act on his part which is equal to a factual deed of rescue (at least insofar as a moral evaluation is concerned)." (GW II, 136)<sup>22</sup>

Notice that in this last case the actual realization does not occur, yet because the willing does, it has some moral worth. For Scheler the deed, with its immediate realization of the value as part of its unity, does not control the moral worth of that unity of acts (that person). As he goes on to note: "a deed is immediately directed toward the realization of a specific value [...] a deed *emanates* from a moral tenor and is at the same time guided by it." (GW II, 136)<sup>23</sup>

The realization of a value, even the immediate realization as contrasted with the remote consequences (success) does not threaten the autonomy of values or the person because the realization of the non-moral values, even when it is a realization in the physical world, is the subordinate part of the unity that *is* the person. Although the deed is part of the co-realization of both the non-moral value in a physical bearer and the moral value in the person, the deed controls neither the act of realization, nor the person. Up from the acts of love and hate which determine the non-moral values accessible to the person, the acts of preference and "placing after" which place those values in their rank, on up through intention, willing and the deed – all

<sup>21</sup> It is the third of the seven elements Scheler distinguishes between. See Max Scheler, *Formalism in Ethics*, op. cit., p. 121.

<sup>22</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 120.

<sup>23</sup> Max Scheler, *Formalism in Ethics*, op. cit., p. 120.

of these acts are part of the unity that is the person. As a person that realization, that deed, is only a part of what is experienced in this unity when a moral value is being realized. Thus that small part which is empirical and contingent is in no way controlling of either the values realized or the person, even though physical realization is an integral part of the total unity of acts that is the person when moral value is realized in the person (and as we saw in the example of the paralyzed person, an important part).

What Scheler is developing here is of the greatest significance, and not only for his countering Kant's formal ethics or for his protecting the autonomy of non-formal values and the person. There has always been a complementary incompleteness to Kant's deontological ethics on the one side, and teleological ethics (such as utilitarianism) on the other. As it is somewhat simplistically put: deontological ethics ignore "consequences", while utilitarian ethics ignore "intentions". For Kant what really happens in the real physical world has little or no moral worth because it is contaminated with contingency. It is what I will that is morally significant, and so we must ignore what happens in the real world. For the utilitarian, the consequences are all, and the moral worth of what I do is thus determined, ultimately, by often remote physical consequences of my action, physical consequences over which I have, at best, only partial control or foreknowledge. Both approaches lead to absurdity, and worse, because both must leave out half the story of our moral life.

What Scheler is pointing out here is that our moral *experience* is not that of either of these extremes. My moral tenor is basic, but the deeds in which I realize a non-moral value are important too, for it is in the deed that moral values are co-realized in me as a person. Yet that realization of non-moral values is not some remote "causal consequence" of my deed, but what I experience as realized *in the deed, in the act*. What is created by me in the physical world may well, ultimately, *fail* in light of its ultimate consequences. Yet if, in the *actual* doing of "the deed", a positive, higher non-moral value is realized, as a person I become the bearer of the moral value good.

Once again, Scheler has displayed a grasp of subtle elements and distinctions rarely focused upon in ethics (or philosophy in general), elements and distinctions we live each day. If one does not see the distinctions he draws and uses, however, all sorts of apparent dilemmas arise. Recreating in yourself Scheler's insights is not easy, for his writings are as incomplete as they are intriguing. He has left us the

maps of a pioneer. Yet careful study of his texts, and the continual turn and return to lived experience, helps us to understand both Scheler and ourselves. It is well worth the trouble, for I believe Max Scheler's ethical personalism opens before us one of the most promising approaches in ethics ever envisioned.