

Reviving Scheler's Phenomenological Account of the Person for the 21st Century

J. Edward Hackett

ABSTRACT In the following article, I discuss the root of Scheler's account of the person, its origin in phenomenology and the larger impact that view has as an alternative to other conceptions of the person. My thesis in this article intends to show why we should start with Scheler's phenomenology over other approaches to the person. First, I take a look at what theoretical resources Scheler's phenomenology has to offer us, and secondly, I outline the cultural conditions as to why the value of the person must be affirmed in light of the 20th century and past philosophical mistakes in ethics. I, then, end on affirming the reasons why we ought to revive Scheler's account of the person.

KEYWORDS ethics; intentional acts; person; phenomenology; Scheler, Max; self-givenness

Phenomenology looks at how human life is given to itself purged of the natural attitude. The natural attitude is the third-personal standpoint that looks at how objects causally relate to each other, and within this perspective, one sometimes takes it for granted that the objects of experience do not necessarily explain how it is that the first-personal standpoint constitutes experience in the world. When the natural attitude forgets the subjective orientation of experience, the sphere of the person is obliterated. In fact, Husserl once outlined this crisis long ago in his *Crisis in the European Sciences*. In that work, the loss of subjectivity, of spirit, indicated to Husserl that the problems of reason would no longer transform European culture and they would no longer be found meaningful.

The paper relies, in part, on the author's PhD dissertation, "Scheler's Phenomenological Ontology of Value: Implications and Reflections for Ethical Theory"

[T]he *problems of reason*—reason in all its particular forms. Reason is the explicit theme in the disciplines concerning knowledge (i.e. of true and genuine rational knowledge), of true and genuine valuation (genuine values as values of reason), of ethical action (truly good acting, acting from practical reason); here reason is a title for “absolute,” “eternal,” “supertemporal,” “unconditionally” valid ideas and ideals.¹

The problems of reason are those of the ultimate and highest questions. They are the questions grounded in philosophy and they provide an intellectual basis for the other sciences. By putting a philosophy dedicated to experience and illuminating these mysteries, a phenomenologically informed personalism can help avert the crisis of depersonalization embedded in the lifeworld.

This threat to spirit is a shared Western affair and not solely belonging to Europe. We, in the United States, feel this threat as much as those in European culture. Phenomenological insight can shed light on the problems of the loss of meaning and subjectivity. Phenomenology recovers the source of meaning in the very person experiencing the world. In short, Husserl thought that all scientific achievements were part of an unreflective collectively shared intersubjective background. The act-center of the person and the life of intentional acts constitute the reason why scientific achievements make sense. Husserl’s phenomenology recovers the *person* as a participant in the lifeworld. As I will press later, Scheler’s phenomenological approach takes its point of departure from the same orientation such that science, culture, and ethics should learn from this same phenomenological orientation.²

Each respective phenomenological thinker has had a term for human life revealed through phenomenological analysis: “Dasein” in Heidegger, “transcendental subjectivity” in Husserl, and for Scheler, the term is “person.” Parvis Emad agrees,

1. Edmund Husserl, *The Crisis of European Sciences and Transcendental Phenomenology*, trans. David Carr (Evanston, IL: Northwestern University Press, 1970), 9.

2. I find it a mistake to abstract Scheler’s conception of the person from its phenomenological inauguration. For instance, while phenomenology is mentioned in the recent volume of *Appraisal*, Alicja A. Gescinska’s article “Realizing Moral Values: On Acting Persons and Moral Values in Max Scheler’s Ethics” articulates aspects of the person and feeling acts with only minor attention to the phenomenological background of these insights. The article appears in *Appraisal* 8, no. 4 (2011): 12–20. In truth, the only hope for a personalist approach in Christianity must depart from the overly metaphysical language of Thomistic personalism in Catholicism and the overly idealistic form in Methodist metaphysics of Bowne and Brightman.

Notwithstanding their unmistakable differences, major contemporary German thinkers (Husserl, Heidegger and Scheler) seem to share a common philosophical interest which can be seen in their attempt to develop a notion of man without objectivizing him.³

Why is it so necessary to “develop a notion of man without objectivizing him?” Let us take a look at a few contributions to this question.

The 20th century has seen atrocious evils in which a host of genocidal massacres have occurred and alongside those massacres ideologies, like totalitarianism, promulgate the view that all persons are replaceable, substitutable and expendable bodies. We can see this point poignantly made by Hannah Arendt:

Difficult as it is to conceive of an absolute evil in the face of [totalitarianism's] factual existence, it seems to be closely connected with the invention of a system in which all men are equally superfluous. The manipulators of this system believe in their own superfluosity as much as in that of all others, and the totalitarian murderers are all more dangerous because they do not care if they themselves are alive or dead, if they ever lived or never were born. The danger of the corpse factories and holes of oblivion is that today, with populations and homelessness everywhere on the increase, masses of people are continuously rendered superfluous.⁴

Beyond totalitarianism, people are continually rendered superfluous, and this de-personalization occurs in subtler ways apart from totalitarianism. One could recall Max Weber's “iron cage thesis” about bureaucracies as the subtler tendency of reducing persons to objects or the more contemporary Hannah Arendt who defined the bureaucracy as “the rule of nobody” that forces conformity such that persons are normalized to a set of rules preventing spontaneous action and the celebration of achievement.⁵ In my native United States, citizens are “consumers” and every so often “voters,” but little more than that. The American saying “being only a number” as if one awaits service at the deli counter is reminiscent of this bureaucratic sense. Herbert Marcuse spent years criticizing “democratic

3. Parvis Emad, “Person, Death and World,” in *Max Scheler (1874–1928): Centennial Essays*, ed. Manfred S. Frings (The Hague: Nijhoff, 1974): 58–84, cited here 58.

4. Hannah Arendt, *Origins of Totalitarianism* (New York: Harcourt Bruce & World, 1966), 433.

5. Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), 40, 45.

unfreedom” and subliminal totalitarianism of modern industrial societies that wilt the individuality of citizens by effecting a mass conformism (one-dimensionality) in order to sustain the growth of capitalism.⁶

There are other atrocious and ethically more significant examples of objectification and de-personalization we should elicit. During the Rwandan genocide, the Hutu called their Tutsi victims “cockroaches.” One could recall the end scene of Elie Wiesel’s *Night* where the Jews were put into livestock railcars, and in this scene, one immediately understands the victims of the Holocaust were less than cattle being absent a roof in the dead of winter. As a culture, the value of person never enters the calculation to restrain US military force. Innocent civilian deaths are represented in the media and US State Department by the category “collateral damage.” Collateral damage is the very same term that describes the rubble of a fallen structure hit by munitions. The fallen structure and accidental victims are equated in that strange term. It has come to characterize the mass of bodies often killed when a drone strike goes awry with the same indifference regarding fallen rubble. Even the term “mass grave” accepts the same sense of indifference meaning a heap of undifferentiated bodies, and within the past year, the world has seen religious fundamentalism in ISIS. If the reports are to be believed, then they have committed atrocities against homosexuals, people of other faiths, and women. These examples, while political in nature, prove the tendency of the 20th and 21st century to reduce the person to objects or categories inspired by objects without preserving a sense of the person as a nonobjectifiable, singular and unique individual.

Scheler’s term “the person” is a refusal to universalize and establish a theory of agency such as one might find in moral philosophy, and while it might seem distracting to digress to a few examples, it will bear on explicating Scheler’s phenomenological interpretation of the person. Like the previous political examples, past moral philosophies often ignore the self-giveness of the person as well.

If, for instance, I define everyone through a presupposed conception of human nature hostile to others and grounded in self-interest, I have pre-delineated all possible formations of experience before looking into experience itself. I have imposed a ready-made interpretation upon all individuals such that I prevent any vision of others as radically unique unto themselves can be *given*. Consider Thomas Hobbes’s words: “[t]he condi-

6. I really have to thank Eric Mohr for drawing my attention to this insight. For more information on Herbert Marcuse’s view see his entire *One Dimensional Man: Studies in the Ideology of Advanced Industrial Societies* (Boston: Beacon Press, 1991).

tion of man . . . is a condition of war of every one against every one . . . in such a condition every man has a right to every thing.”⁷ The Hobbesian example defines human beings in a state of nature, and later will define a person as a being of speech and deed authored by the Sovereign. The person is associated only with the Latinate origin of the term “persona” meaning “to speak through.” In Hobbes’s conception, human beings are only material bodies seeking to satisfy their selfish nature through their “appetites” and “aversions.” Whence these Hobbesian humans realize the necessity to restrain themselves, or so we are told, they realize the danger of human nature itself and give up their unrestrained liberty to the state. As such, Hobbes assumed at the very outset what others were like in their natures, motivated by self-interest, and like all moral theorists, he painted everyone in the same light as he put it in *De cive: bellum omnium contra omnes*.

All moral theories in the modern period are guilty of this quickness to generalize without so much as looking to how the person can be given in experience.⁸ They generalize the whole of humanity rashly about the assumptions they bring to the table, and in doing so, they often make an “object” out of individuals rather than deriving an ethical theory from the radical uniqueness of an individual person, which Scheler will later characterize as “the non-objectifiability of the person.” We can even see this tendency of objectification in the formalist approach in Kant’s *Groundwork* to which Scheler thought had advanced the dignity of the person far beyond any approach. Scheler frames his personalism precisely in relation to the rationalistic and individualistic account of the subject in Kant. Even still, Kant’s ethics cannot capture the givenness of the person, and this inability should be noted.

In Kant, human beings are rationally autonomous in their ability to set ends for themselves. However, Kant did not think that a metaphysics of the person could be demonstrated. At best, philosophy can only demonstrate the regulative nature of concepts, but could never extend these concepts to apprehend what constituted the noumenal realm and this includes the operation of our own practical faculties. In *Groundwork* III, Kant places human beings ultimately in the very noumenal realm to which we have

7. Hobbes, *Leviathan*, xiv, 1,64. Text and page numbering according to the Oxford University Press 1909 edition. This edition reproduces the text and pagination of the 1651 “Head” edition.

8. This might be a reason to complete an account of Scheler’s unfinished philosophical anthropology where the central questions consist of three relations: man to man, man to nature and man to God.

no access and this inaccessibility must be assumed in order to make sense of moral action.

[W]e must admit and assume behind appearances something else that is not appearance, namely things-in-themselves, although since we can never become acquainted with them but only with how they affect us, we resign ourselves to being unable to come any closer to them or ever to know what they are in themselves. This must yield a distinction, although a crude one, between a *world of sense* and the *world of understanding*.⁹

For Kant, the will operates under the guise of freedom, and that freedom of our consciousness to reason is placed in the world of understanding, the intellectual world as opposed to thinking of objects as they appear to us in the world of sense. Given that ethical actions necessitate the standpoint of freedom in the world of understanding, persons are mysterious. Consequently, all we can know about “persons” is their very inaccessibility and limited function of those capacities that links rationality and person together. “Rational beings are called *persons*.”¹⁰ As Scheler spoke directly of this insight: “being of the person is nothing but and exhausts itself in a lawful rational will or a practical rational activity.” Beings who can execute solely rational acts are not persons because a person must be a center of all kinds of intentional acts.

Equally assumptive, utilitarians presuppose elements that vitiate the givenness of the person. Instead, the person is a being with natural faculties preferring pleasure over pain and will actively seek to minimize pain if the choice presents itself between only painful outcomes. “So obvious does this appear to me that I expect it will hardly be disputed.”¹¹ The utilitarian offers an identification of what ought to be with feeling, and as human beings are part of nature, the person’s feelings and capacities could only be an outgrowth of nature. There is nothing more to be said about persons. “As is my own belief, the moral feelings are not innate, but acquired . . . moral faculty, if not part of our nature is a natural outgrowth of it.”¹² Mill did not consider anything essential to the human being, and any descrip-

9. Immanuel Kant, *Groundwork of the Metaphysics of Morals*, in Immanuel Kant *Practical Philosophy*, trans. and ed. Mary J. Gregor (Cambridge: Cambridge University Press, 2008), 3.44 [4:451, 99 in translation].

10. *Ibid.*, 2.32 [4:428, 79 in trans.].

11. John Stuart Mill, *Utilitarianism with Critical Essays*, ed. Samuel Gorovitz (Bobbs Merrill, 1971), 40.

12. Mill, *Utilitarianism*, 34.

tion of our moral psychology merely illustrated the naturalism inherent in his appeal to psychological fact about persons.

Whether the psychological explanation of Mill, the *homo noumenon* of Kant, or selfishly-directed conception in Hobbes, in every case, moral philosophers succumb to a vision in which the theorizing obliterates the person. This de-personalizing everyone occurs when every person is transformed into "agents" in modern moral philosophy and the presupposed constraints on how each understood the practical dimension of human life. For modern moral philosophy supplants the organic conception of humanity with a mechanistic vision of humanity.

Let me take stock of what we have done so far. First, I outlined some examples of cultural practices in 20th century political life that epitomize de-personalization. Second, I pinpointed the infectious ways in which some highly regarded moral philosophers tend to depersonalize the person. In every case, these philosophies and ideologies generalize about the nature of human beings without seeking to develop a concept of the person immune to objectification. Let me transition to a more detailed conception of the person in Scheler's texts.

Among the earliest mentioning of the "person" in the *Formalism in Ethics*, Scheler defines the person.

For the person is not a thing; nor does the person possess the nature of thingness, as is necessarily the case with all value-things. As a concrete unity of all possible acts, the person is *outside* the entire sphere of all possible "objects" (including the objects of internal or external perception, i.e., psychic or physical objects); the person is, above all, outside the entire sphere of thingness, which is part of the sphere of objects. The person exists solely in pursuance of his acts.¹³

In other words, the phenomenological perspective describes what it is to undergo an experience from the perspective of the person, and in phenomenology the perspective of the person is preserved as a unique focus of intentionally lived-experience. If a perspective is taken to describe experience outside the perspective of the one undergoing the experience, such a perspective transforms the person into thing-like language. Such a perspective makes an object out of the person, and situates that person

13. Max Scheler, *Formalism in Ethics and Non-Formal Ethics of Values: A New Attempt Toward the Foundation of an Ethical Personalism*, trans. Manfred S. Frings and Roger L. Funk (Evanston, IL: Northwestern University Press, 1973), 29. Hereafter referred to in text as *FiE*.

in the sphere of causal objects similar to other objects. For instance, if I started explaining the experience of love as a necessary adaptation to promote the propagation of the species through evolutionary psychology, I would have imposed several frameworks that objectify the experience in such an analysis and lose perspective as to *how the givenness at the level of acts is experienced*.

Scheler thinks that science receives its ultimate justification from the self-givenness of our contact with the world. In this way, science can still posit and explain as it typically does, but science is not a privileged form of inquiry. Instead, Scheler's phenomenological attitude attempts to retrieve the primordial pre-reflective content of experience as it is revealed first through emotive intuition and intentional feeling. Accordingly, the person cannot be made into an object at all since the person is the source of meaning and content in experience. Moreover, this commitment explains why Scheler's motif emphasizes the phenomenology's priority over the sciences. As he reminds his reader at one point in the *Formalism*, "we are attempting to found psychology and ethics simultaneously in a phenomenological fashion" (*FiE*, 201). Such an ethics comes from persons as the source of meaning in the world, and the same would be true for a psychology (or any social science for that matter). Phenomenological priority of the uniqueness of the person pays attention to how the person is the center of lived-experience.

For Scheler, the person is concrete, unique and the sole basis of experiencing. As Scheler put it,

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. (FiE, 383)

The person is revealed in every act spontaneously and creatively. The person is the source of acts, but never itself an objectifiable thing. For a person is not like a thing, inert and predictable, as one might predict what happens to a round rock kicked downhill. With things, we have a concordant expectation about how a rock will act in my perception of it. We have experienced similar size rocks before in our garden, and likewise, we will have a sense of the rock's weight simply by looking at it. This accrued sense (*Sinn*) will form the anticipative apprehension we have of rocks over the course of our lives. My perception is constantly unfolding and form-

ing these concordant expectations. Just as with perception, my body is also forming these concordant expectations about the unity of sense in a passive manner. I can readily move my body without foresight or deliberation when it comes to my apartment staircase. By contrast, concordant expectations of a person are not like the concordant sense and expectation we have of perceived rocks or the kinematically habituated movements in familiar apartment staircases. Persons outstrip both passive and static givenness. In fact, Scheler's notion of the person is the same in Husserl's "Fifth Meditation" in the *Cartesian Meditations*. The other is given to us *in the mode of its inaccessibility*. The characteristic givenness of the other is given as "what is not originally accessible."¹⁴ The person outstrips our ability to ever know it, or represent it as we could know and represent an object. This is why, again, for Scheler that the person is non-objectifiable. Persons are spontaneous and of spirit.

For Scheler, the person is more than a non-objectifiable concept. "Concept" is not even the proper word for it. The person is the unity that stands behind every possible concrete intentional act. The person is a surplus of fullness, never completely present to the point it could become an object. As Arthur Luther described,

Person is never given as a finished thing, but rather as a dynamic orientation. Person is a radically unique being lived out of the past through the present into the future, varying qualitatively in and through each executed act.¹⁵

At this point, Luther describes the ongoing unfolding dynamism of the person, and its rich fullness. The person's fullness comes to the fore in its relation to acts. Scheler agrees,

Surely the person is and experiences himself only as a being that executes acts, and he is in no sense "behind" or "above" acts, or something standing "above" the execution and processes of acts, like a point at rest. . . . The whole person is contained in every full concrete act—without being exhausted in his being in any of these acts, and without "changing" like a thing in time. (*FiE*, 385)

14. Edmund Husserl. *Cartesian Meditations: An Introduction to Phenomenology*, trans. Dorion Cairns (The Hague: Nijhoff, 1960), 114 (144 Strasser).

15. Arthur R Luther, "The Articulated Unity of Being in Scheler's Phenomenology: Basic Drive and Spirit," in *Max Scheler: Centennial Essays*, ed. Manfred S. Frings (The Hague: Nijhoff, 1974), 14.

There is not a time in which a person is absent in any given act. Only a person for Scheler is capable of loving, willing, preferring and understanding the world and others. If I meet someone on the street handing out pamphlets, I cannot grasp what he is doing without seeing his very person in the activity. The person is non-objectifiable. When I grasp the activity of "handing out pamphlets," I can only grasp his personal being by re-creating his cognitive and emotional life by re-feeling or co-experiencing with him. Scheler thinks this is part of everyday life. We constantly enter the cognitive and emotional life of others. When I see the man handing out pamphlets on a street corner, I might understand this is the only work he can find, and it doesn't pay enough to afford housing. We might not entirely get this re-creation right within our own life of feeling acts, yet we might be partially successful. The success very much depends in principle about how we collectively value persons in the cultural lifeworld.

One more point should come to our attention regarding persons. In the above passage, the person is present though we experience variation and changeability. The whole person is not exhausted by changes it experiences. For Scheler, the person is atemporal. "Thus we can say that the person lives into time and executes his acts into time in becoming different. But the person does not live within phenomenal time . . . nor does he live in the objective time of physics" (*FiE*, 385). Instead, personal acts can only be reached by a phenomenological description of the person apart from the ego. Even with this limitation and insistence upon looking at experience, the person seems out of time, only present in the unity and execution of intentional acts, and therefore little can be said about persons ontologically. We could accuse a phenomenological approach as not saying enough about the ontology of persons. For instance, Stephen Schneck has often asked if persons are unity of acts. "Scheler is perhaps over-much restrained in his answer."¹⁶ Phil Blosser has objected that Scheler's language about the person is plagued with *prima facie* inconsistencies.¹⁷ Let me offer some brief observations of this ontological indeterminacy.¹⁸

16. Stephen Schneck, *Person and Polis: Max Scheler's Personalism as a Form of Political Theory* (Albany: State University of New York Press, 1987), 50.

17. Phil Blosser, "Scheler's Concept of the Person Against its Kantian Background," in *Max Scheler's Acting Persons: New Perspectives*, ed. Stephen Schneck (Amsterdam; New York: Rodopi, 2002), 56–57.

18. I am only making claims about the person as an individual person. It is the individual person existing in intrapersonal relationships that is at the heart of any normative theory of ethics. I do not intend to draw out the discussion on Scheler's theory of the collective person (*Gesamtperson*).

The person forms a central concept of the *Formalism*. The subtitle of the *Formalism* reads “a new attempt toward the foundation of an ethical personalism,” and while this focus is undoubtedly central to his efforts the sixth chapter “Formalism and the Person,” he does not clarify this central concept of persons very well, even though it is the one mostly devoted to it. Alongside values, the person’s atemporal persistence and inexhaustible nature seem like a hypostatization, and yet we do not have that much text to conclude even that interpretation. The atemporal inexhaustibility likely removes it from full phenomenological attention, though at the same time phenomenological description of act life is the only way to establish the person’s givenness as a unity of sense. Therefore, the concept of the person is given phenomenologically in the act, but the overwhelming fullness of its initial givenness delimits a full articulation of its ontological nature. The person is a unity of sense, and this unity of sense pours out of every intentional act. Phenomenology can only determine the manner in which this unity of sense is given in experience.

To fully understand the significance of Scheler’s ontological indeterminacy of persons we must transition to acts.

Acts are inherently intentional in Scheler. They differ from psychic functions. In his words, “[Functions] never belong to the sphere of the person” (*FiE*, 388). Functions just happen to us as a matter of life. Functions are generated as reactions since “they happen by themselves” (*FiE*, 388). Examples of functions are: seeing, hearing, tasting, etc. These functions are objectifiable since they originate in life, and thus they are part of life’s causal order. To illustrate the concept of psychic functions think about any time one listens to several noises in the background of one’s apartment. Several noises can be “on” simultaneously, and one can listen to many things and not even know what it is exactly one is listening to. Only by listening specifically and acknowledging the object of one’s attention in listening can one know what one is hearing. In other words, the attention functionalizes the sound into an object in the presence of the sound. As such, functions can become objectifiable whereas acts are fundamentally different.

Acts, on the other hand, issue forth from spirit, and this is clearly the reason Scheler suggests the constant non-objectifiability of persons and of acts, and why the person is excessively given in the act. The person interjects acts into time, and this arises in the performative aspect of the intentional act. Importantly, Scheler’s non-objectifiability does not mean “ego” either. The ego arises, according to Scheler, only when we describe the act of inner perception. An inner perception is a perception of the in-

ner life of consciousness, and like Sartre in the *Transcendence of the Ego*, it is only within specific concrete attention to that inner perception that an ego appears to us. Thus, we should not confuse person and acts with anything like a transcendental ego, soul-substance, or monad. In addition, the person cannot be reduced to any particular ontic entity, and moreover, it cannot be reduced to any one particular state, function, disposition or to any psychological or biological nature. To reduce a person's givenness to any biological or psychological category is to lose phenomenological perspective altogether,¹⁹ and we would lose the person's distinctly spiritual mode of givenness. This mode of givenness is at the cultural and phenomenological level in which the person experiences the whatness given in intentional acts—in other words, where the “spiritual seeing” of the phenomenological analysis is efficacious and where the acting-center of the person realizes those acts-into-action can be seen. According to Scheler, the phenomenological analysis may take place at all levels of being, from the being of the sensible all the way into the vital sphere and lived body, but Scheler reserves a place for examining the act-classes of spirit. These, he reminds, are “distinguished from the sensible sphere” and exhibit an “independent lawfulness” from the “activity of sensations” (*FiE*, 65). At this level of analysis, the person comes into view as being that transcends the lower animality of lower feeling and values.

Scheler's phenomenological attention to values focuses on how values are given to us in a unique mode of intuitive apprehension in feeling acts. This givenness pertains to the act essences revealed in feeling. As such, the acts while spontaneous and issuing forth from spirit must not be confused with anything other than themselves. Their unique mode of givenness demonstrates a lawfulness far different than other typical modes of consciousness like reason. For most of the 20th century, many analytic philosophers construed the most basic form of experience from an epistemically-situated subject, or as reason itself. However, this is not the case in Scheler's thought.

[T]here is a type of experiencing whose “objects” are completely inaccessible to reason; reason is as blind to them as ears and hearing are blind to colors. It is a kind of experience that leads us to *genuinely* objective objects and the eternal order among them, i.e., to *values* and the order of ranks among

19. In so doing, one would similarly interpret the radical uniqueness of the person to what Lévinas calls the reduction of the other to sameness. See his *Totality and Infinity: An Essay on Exteriority*, trans. Alphonso Lingis (Pittsburgh: Duquesne University Press, 1961), 127: “To reduce a reality to its content thought is to reduce it to the same.”

them. And the order and laws contained in this experience are as exact and evident as those of logic and mathematics; that is, there are evident interconnections and oppositions among values and value-attitudes and among the acts of preferring, etc., which are built on them. (*FiE*, 255)

The acts of intentional life are rooted in emotional life, and they are the object of phenomenological analysis.

By emphasizing the primordially of emotional structures constituting human life and that reason is subordinate to them (i.e. its “blindness”), Scheler is simultaneously arguing no principle or rule of reason can convince a person to value an object or way of acting. There is no argument why I should love holiness, life, or beauty in an artwork; instead the personal act-sphere picks up on how various phenomena are given to us. The artwork is *given as* beautiful, and reason is blind to the given order revealed in the act-center of the person. Put another way, the blindness of reason to values is the impotence of reason itself and one central strain against the Kantian to which much of the *Formalism* is directed. The acts of preferring, choosing, willing, loving and hating are therefore the primary sphere of how it is we experience life-in-spirit, and values can emerge as revealed in the act-center of spirit. In this way, the person is what Scheler calls the “bearer of value.” The acts have a lawfulness demonstrated phenomenologically, and internal to themselves the acts lead to their own type of knowledge of value-contents, received through *insight* of values apart from any other type of knowing achieved through reason. In fact, Scheler even describes the “coming of age” of a moral person as one who can differentiate one’s own acts are from those not that of another. It is only the ability to understand intuitively that the acts of intentional life represent their own lawfulness within my experience that allows one entrance into moral life (*FiE*, 478–479).²⁰

By contrast, one who is incapable of distinguishing one’s acts from the acts of others is incapable of moral life. Scheler describes a young adolescent who cannot discern and perceive the value content inside his own acts as the effect of contagion, cooperation, and tradition. Therefore, it is not only important that we recognize that Scheler’s phenomenology of value rests on discerning the eidetic structure of acts in emotional life, but that a level of maturity parallels the insight that being a person requires

20. In addition, just as I said pertaining to the collective person, I do not focus on what Scheler calls “social acts.” These are acts that require the presence of the other against what Scheler observes as singularizing acts that are ways the self relates to itself in an interconnection.

us to be open to the very structure of acts discerned in emotional life and the value-correlates of those acts.

Ontological indeterminacy remains a problem for persons and acts in Scheler's thought. This problem persists insofar as the concepts remain in a phenomenological register. Phenomenological description is never aware of the ontology of what is given, but only pays attention to the modes of what is given. The difficulty of phenomenology is, then, how long a sustaining gaze can be fixed on the modes of givenness without transitioning to the inevitable curiosity the modes of givenness invite for ontological speculation. Several commentators have offered Scheler's later metaphysics is at odds with his earlier efforts of describing the person in the *Formalism*. For instance, Eugene Kelly's emphatically put it best. Scheler's speculative metaphysics is "an unfulfilled promise, a noble ruin, a ruined torso of speculative metaphysics."²¹ While I will not speak to the later metaphysics here, the negative inclination of phenomenology to offer us categories for ontological and metaphysical speculation is a danger I acknowledge and one worth embracing despite the tendency of phenomenology collapsing into ontology. Phenomenology creates a space where the inviolability of the person can be shown due to the person's spiritual givenness. The inviolability of spirit is due to the person's givenness. The person cannot be contained by any ontic description due to its overwhelming and excessive givenness, and even then phenomenology can barely do justice to the fullness of the person. The person's inability to be modeled and explained is because the person is that which brings meaning and value into being. Knowledge, values, and the meaning of human life all emanate from persons realizing them into being. Phenomenology is the only discipline to have picked up on this dimension and transcendental condition of the acting person that is necessary for a world so readily given to the objectification of the person, and it offers us the best chance to recognize why persons should never be objectified.²²

21. Eugene Kelly, *Structure and Diversity: Studies in the Phenomenological Philosophy of Max Scheler* (Dordrecht: Kluwer, 1997), 196.

22. I want to thank Eric Mohr for his detailed comments on an earlier draft of this paper.

BIBLIOGRAPHY

- Arendt, Hannah. *Origins of Totalitarianism*. New York: Harcourt Bruce & World, 1966.
- . *The Human Condition*. Chicago, IL: University of Chicago Press, 1958.
- Blosser, Phil. "Scheler's Concept of the Person Against its Kantian Background." In *Max Scheler's Acting Persons: New Perspectives*. Edited by Stephen Schneck. Amsterdam; New York: Rodopi, 2002.
- Emad, Parvis. "Person, Death and World." In *Max Scheler (1874–1928): Centennial Essays*. Edited by Manfred S. Frings. The Hague: Nijhoff, 1974.
- Gescinska, Alicja A. "Realizing Moral Values: On Acting Persons and Moral Values in Max Scheler's Ethics." *Appraisal* 8, no. 4 (2011): 12–20.
- Hobbes, Thomas. *Leviathan*. Oxford: Clarendon Press, 1909.
- Husserl, Edmund. *Cartesian Meditations: An Introduction to Phenomenology*. Translated by Dorion Cairns. The Hague: Nijhoff, 1960.
- . *The Crisis of European Sciences and Transcendental Phenomenology*. Translated by David Carr. Evanston, IL: Northwestern University Press, 1970.
- Kant, Immanuel. "Groundwork of the Metaphysics of Morals." In Immanuel Kant *Practical Philosophy*. Translated and edited by Mary J. Gregor. Cambridge: Cambridge University Press, 2008, 39–108.
- Kelly, Eugene. *Structure and Diversity: Studies in the Phenomenological Philosophy of Max Scheler*. Dordrecht: Kluwer, 1997.
- Lévinas, Emmanuel. *Totality and Infinity: An Essay on Exteriority*. Translated by Alphonso Lingis. Pittsburgh: Duquesne University Press, 1969.
- Luther, R., Arthur. "The Articulated Unity of Being in Scheler's Phenomenology: Basic Drive and Spirit." In *Max Scheler (1874–1928): Centennial Essays*. Edited by Manfred S. Frings. The Hague: Nijhoff, 1974.
- Marcuse, Herbert. *One Dimensional Man: Studies in the Ideology of Advanced Industrial Societies*. Boston: Beacon Press, 1991.
- Mill, John Stuart. *Utilitarianism with Critical Essays*. Edited by Samuel Gorovitz. Bobbs Merrill, 1971.
- FiE Scheler, Max. *Formalism in Ethics and Non-Formal Ethics of Values: A New Attempt Toward the Foundation of an Ethical Personalism*. Translated by Manfred S. Frings, Roger L. Funk. Evanston, IL: Northwestern University Press, 1973.
- Schneck, Stephen. *Person and Polis: Max Scheler's Personalism as a Form of Political Theory*. Albany: State University of New York Press, 1987.