

REALIZING MORAL VALUES

ON ACTING PERSONS AND MORAL VALUES IN MAX SCHELER'S ETHICS

Abstract

This article explores some important aspects of how Max Scheler conceived of the relationship between persons and actions. The primary source to do so is Scheler's *Formalism in Ethics and Non-Formal Ethics of Values*, but it will also be observed that the concept of the person as an *act-accomplishing being* figures as a leitmotiv in Scheler's entire oeuvre: from the writings on sympathy and love to the late writings in which Scheler developed his controversial metaphysics.

Keywords:

Human person, Moral act, Personalism, Resentment, Values

1. Introduction

Max Scheler's philosophical magnum opus – *Formalism in Ethics* – is an attempt to elaborate the philosophical foundations of ethical personalism. Personalism is a term that is rather difficult to define very precisely, and there is a wide range of philosophers that have been called *personalists*. Albeit that the term *personalism* – which goes back to Friedrich Schleiermacher – seems itself sometimes too broad, it is a fact that in the first half of the twentieth century, several thinkers – often Christian thinkers indeed – focussed on the concept of the person in their writings, and that these thinkers considered themselves (or were seen by others) as *personalists*.

It was not merely a concern for the human person that linked these thinkers, but similar views on individualism and modern society, freedom as a positive concept (which often entailed fiery critiques of negative freedom), intersubjectivity and love. These are some of the topics around which thinkers like Berdjajev, Marcel, Mounier, Maritain, Scheler, Wojtyła and several others elaborated their thought.

A keen interest in the human (and especially) moral act is another one of these connecting threads between the above-mentioned philosophers. An increased interest in the subject of the human/moral act could be noticed in the first half of the 20th century, and especially among philosophers who also made the concept of the human person central in their ethics. To underpin this thesis one only needs to take a quick look at Berdjajev's *The Meaning of Creation* and his concept of *tvorčestvo* (moral creativity), to Blondel's *L'action*, or the second chapter of Maritain's *Court Traité de l'existence et de l'existant*.

All these writings offer an analysis of human agency, which is closely interwoven with the topics of human freedom and personhood. Furthermore, it is important to notice that a following generation of philosophers, profoundly influenced by (some of) the above-mentioned early twentieth century thinkers (see Wojtyła's *The Acting Person* or Vladimir Jankélévitch's active philosophy and demanding ethics of permanent vigilance), equally emphasized the concept of the human/moral act in their ethics (Wojtyła adopted the Thomistic term *actus humanus* to denote this concept, a term which indeed qualifies well to describe this concept).

A similar interest in the phenomenon of the human act is also one of the salient features of Max Scheler's ethics, and of his philosophy in general. It has often been said that Scheler was a rather impulsive and inconsistent thinker, a view which was especially nurtured by the fact that Scheler had abandoned Catholicism in his later writings in order to develop an anthropocentric concept of *Gottwerdung* (with an emphasis on the *becoming* rather than on the *being* of God) which seems incompatible with the concept of God that traditionally features in Catholicism. However, Scheler never seemed disloyal to his ethical beliefs, and in all of his writings a similar concept of the person and human agency – the person as an *act-accomplishing being* – occupies a distinct and central place.¹

2. Persons and Moral Values

2.1. Persons and Acts

Scheler's concept of the person is highly complex and cannot be entirely explained within the framework of a single article. I will therefore focus on one salient feature of that concept, namely the intrinsic relationship between personhood and action. It is evident that this is only one aspect – though a most crucial one – of Scheler's concept of the person. Of equal importance is for example Scheler's concept of *ordo amoris*, without which little meaningful can be said about Scheler's concept of the person. A recurrent theme in Scheler's thought and writings is that human persons are not the rational beings Kant thought they were. Man is not a rational animal or a *Vernunftswesen*, but an *ens amans*. 'Man is – before being an *ens cogitans* or an *ens volens* – an *ens amans*.'²

This implies that what a man does, thinks and wants is determined by the spectrum of what he loves and hates, and consequently, that a person and his moral worth are equally determined by this spectrum, which Scheler calls the *ordo amoris*. Heinz Leonardy nicely summarized the immense importance of the *ordo amoris* in Scheler's concept of the person: 'The actual essence of the person, that which makes the person being a person [...] is the *ordo amoris*.'³

Though I shall not extensively discuss the *ordo amoris* (its normative and descriptive meaning) throughout this article, it has to be emphasized that the way in which Scheler conceived of the relationship between persons and acts is also determined by his views on love and the *ordo amoris*. In many of his writings Scheler analyzes how love is a dynamic force of human agency. Love is *motion* rather than *emotion*, it increases our insight in how we can do good or evil, and can motivate us to pursue the former rather than the latter.⁴

Love fundamentally determines the acts we perform, and it is not only the fact that we love, but also that we act which makes the person being a person. 'A person *acts* [and] it belongs to the essence of the person that he only exists and lives in the performance of intentional acts.'⁵

The question is then of course whether the person constitutes acts or whether the acts constitute the person. That is the apparently simple but highly complex question around which Scheler develops his concept of the person as an *Aktussein* (a dynamic synthesis of the being and the acting of the person). According to Scheler, the person is not the necessary or causal correlate of human activity, rather the person is the unifying principle that encompasses the entirety of this activity, and of which the person is also the driving force. Furthermore, persons are themselves modified and determined by these acts.⁶

This concept of the human person is 'the happy medium [...] between a (static) *substantialism* and an exclusively dynamic *actualism*.'⁷ The person constitutes all human acts in which it is always entirely involved. Similarly these acts constitute the person, without the person being merely a *mosaic of acts*, and the person entirely coinciding with the acts he performs, and of which he would thus be nothing but the sum.

This view – as opposed to some recent and popular theories (some of which being influenced by Eastern spirituality) which deny that there is such a thing as a person or a core from which human agency springs, but partly in line with other recent theories of the human person (eg. Richard Hallam too argues that the person really exists as an act-accomplishing foundational being, though he claims that the person is the origin and not the outcome of acts) – is determined by a mutual interaction and interdependence of persons and acts. The person constitutes acts, and yet these acts also determine the human person itself. 'The person is both the actor and the product of the act.'⁸

The person is not a static thing or subject, the passive outcome of the acts man performs, neither do these acts originate in a vacuous space without any coherence or consistency. This would entail the view that the being of a person is merely the succession of singular and independent actions, and rather a virtual reality than real existence, a view which Scheler explicitly rejected. Persons are not the empty starting point of acts, neither are they the mere coincidence of acts.⁹

Scheler's conceptualization of the person as a unity of acts undoubtedly raises many questions that Scheler perhaps not fully answers. It has been objected for example by Stephen Schneck that the ontological question – if person's are unities of acts, what exactly are these unities? – remains largely unanswered. 'Scheler is perhaps over-much restrained in his answer', as Schneck contends.¹⁰ Similarly,

Philip Blosser objected that Scheler's language about the person (as is his language about the ontological nature of values) is too ambiguous and characterized by *prima facie* inconsistencies.¹¹

It is anyhow clear that according to Scheler persons are capable of performing acts (of which the complexity will be discussed in part three of this article), and by defining the ability to accomplish acts as a salient feature of the person, Scheler turns the human act itself into the centre and core of his ethics. Not only the being of the person is determined by human agency, also the being (or to be more precisely the *realization*) of moral values depends on human agency.¹² 'All good and evil necessarily depend on *acts of realization*.'¹³

The person is an *act-accomplishing being* and it is through the accomplishment of acts that moral values are realized, and that persons manifest themselves as being good or evil. Scheler does not only elaborate this view in *Formalism in Ethics*; it constantly returns in many of his writings. In *The Nature of Sympathy*, Scheler includes a small chapter on personhood, love and moral values, but the overall significance of the concept of the person in Scheler's theory of sympathy can hardly be overestimated. Schneck even claimed that Scheler never dealt more rigorously and carefully with the ontogenetic and psychological aspects of personhood than in *The Nature of Sympathy*.¹⁴

Though it still seems that Scheler more extensively elaborated his concept of the person in *Formalism in Ethics* (which Scheler himself also stresses in *The Nature of Sympathy*), it is a fact that many aspects of Scheler's ethical system, as elaborated in *Formalism in Ethics*, are incorporated in Scheler's theory of sympathy, so that Scheler's psychological, phenomenological and ethical observations are closely interwoven with each other.¹⁵ As regards the concept of the person, it is relevant to notice that Scheler again maintains that the person is not a static object or thing, but the individually experienced *Einheitssubstanz* (substantial unity) of all acts, acts which the person accomplishes.¹⁶

In the late writings too, the concept of the person as an *act-accomplishing being* is of great importance. In Scheler's late metaphysics Scheler again emphasizes that the person is the locus of morality, but it is not merely the being (again: the realization) of moral values that depends on the human person and his acts, but also the being (or realization) of God. The following description of the person could have easily fitted in *Formalism in Ethics*, still it is an important fragment of *The Place of Man in the Cosmos*: 'The person is [...] a structured constellation of acts, which ceaselessly brings itself forth. The person exists only in and through his acts.'¹⁷

2.2. Good and Evil as Values of the Person

In Scheler's thought, the good is not a static object of desire or preference, but a value which belongs (originally) to the person, depending on the person's concrete acting and how values are realized through those acts. It is the latter which I shall now briefly try to clarify, i.e. the relationship between moral values and the human person in Scheler's ethics.

In both the third and sixth chapter of *Formalism in Ethics* Scheler extensively analyzes the (moral) meaning of man's ability to perform acts, while it appears as a crucial concept in many of the other chapters as well. *Formalism in Ethics* is such a complex piece of thinking, that it is impossible to grasp and represent its essence in a few simple lines. Perhaps it could best be characterized as an attempt to elaborate an objective hierarchy of values, whilst fully recognizing the affective foundations of our moral agency.

Formalism in Ethics presents a value theory in which an objective hierarchy of non-moral values is essential as regards the realization of moral values. This hierarchy consists of four types of values.¹⁸ The lowest of these non-moral values are the sensory values, based on feelings of agreeableness or uncomfotableness, pleasure or pain. The modality of the second kind of values is entirely different, since these values – vital or life values – cannot be reduced to that which is agreeable or useful. The vital values relate to vital feelings, and encompass that which we call noble and excellent or vulgar and bad (by which Scheler indicates that these values should not be confused with moral values, i.e. good and evil).

At a higher level of the value hierarchy we find spiritual values, which differ from the vital values as they are detached from the sphere of the lived body and environment (health, sickness, strength, weakness, courage, cowardice, nobility, vulgarity). The spiritual values consist of aesthetic values (beauty or

ugliness), values of justice (right or wrong), and values of truth cognition (true or false).¹⁹ The last value-modality consists of the *holy* or *unholy*, which cannot be further defined. The only thing we can say about them is the way by which they are *given* to us; as absolute *Materiale*. By this Scheler intends to say that these values are absolute and independent of a) feeling states of happiness or unhappiness, and of b) *material goods* (of what people correctly or incorrectly hold as being holy or unholy).²⁰

Scheler distinguishes between higher and lower values and – at each echelon of the hierarchy – between positive and negative values (pleasure versus pain, beauty versus ugliness, etc.). The peculiarity of Scheler's value theory is of course that moral values are not included in his hierarchy of (non-moral) values, but that he makes use of this hierarchy to conceptualize moral values nonetheless. Non-moral values relate to each other in an objective hierarchy, and moral values – good and evil – depend on the ability to comprehend this internal relationship and rank among values and to pursue those values that are of a higher or positive kind. In other words, moral values come into being (are *realized*) through the person's ability to *will* and pursue the realization of non-moral values of a higher or positive kind.

The spectrum of non-moral values is thus of a constitutive kind as regards the realization of moral values. Moral values *ride on the back* of non-moral values, as Scheler says. Scheler not only maintains that the moral value of the good comes into being due to the act of preference in which a higher value (eg. education) is preferred to a lower value (wasting one's money on luxury things at the expense of educating one's children). He also adds that the good occurs when a positive value is *willed*, and at each echelon of the hierarchy of values such positive and negative values exist. This is put central in several axioms which are essential to Scheler's ethics: good is the value that relates to the realization (grounded in the sphere of willing) of positive and high values, evil is the value that relates to the realization (grounded in the sphere of willing) of a negative or low value.²¹

Many critics have argued that such a value theory confronts us with a problem. Non-moral values can occur, it is objected, without them necessarily entailing a moral good. This critique has been repeatedly put forth by Philip Blosser, which Blosser attributes to Scheler's alleged failure to fully conceptualize the distinction between moral and non-moral values. Blosser argues that the realization of non-moral values does not always require human preference, willing or agency. Nature is perfectly capable of creating beauty, but it would be rather absurd to say that nature for example is behaving in a morally good way when it offers us a beautiful sunrise; that it does good (moral value) when realizing a beautiful sunrise (non-moral value).²²

The critique that the realization of non-moral values does not always require human agency – and that it would be incongruous to call nature morally corrupt or sublime, depending on its beauty – and that Scheler fails to acknowledge or explain this, is fundamentally incorrect. Scheler's theory of values could never give way to such absurd claims about the moral nature of other beings than the human person. Moral values necessarily relate to the person, and there can be *no* moral values *without* the human person (the person's will and agency). Hence Scheler would never say that the existence of positive non-moral values (eg. the beauty of a sunrise) itself intrinsically entails moral values. Moral values can only (originally) apply to the human person:

What could rather be *originally* called 'good' and 'evil' [is] the 'person', the being of the person itself. [...] 'Good' and 'Evil' are values of the person (*Personwerte*).²³

What is important in Scheler's conceptualization of the relationship between moral values, human agency, and willing, is the explicit and intrinsic relation between *doing* and *being*, between the human act, the being of the person and the realization of moral values. As Schneck nicely observed: 'Literally, it would appear, to be (in the sense of being a person) is to do.'²⁴ And indeed to do is to realize (moral) values, or values of the person. In Scheler's own words: 'The value 'good' appears when we realize the higher, positive value'²⁵

As such, Scheler defines moral values in proportion to the realization or accomplishment of acts (*Realisierung der Akte*) by the person. 'The value *good* is that value which sticks to the acts of realization; which realize a positive value (opposed to a negative value) within a higher value level.'²⁶ The *realization* or accomplishment of acts, by the human person, is thus of great importance in Scheler's ethics, as a

consequence of which Scheler's ethics indeed revolves around the concept of the person as an *act-accomplishing being*.

3. The Accomplishment of an Act

3.1. Realizing a basic moral tenor

Since Scheler considers the person's ability to perform acts essential for the being of both the person and moral values, the evident question is then: what is it exactly to accomplish an act? Not everything man does, qualifies as an *act*. Scheler for example explicitly indicates that acts require intentionality, and sensory functions are therefore not to be understood as personal acts.²⁷

Intentionality is however only one feature of the accomplishment of acts, and Scheler distinguishes between at least seven levels or aspects of accomplishing an act, which is particularly relevant regarding the realization of moral values. The question we are concerned with here is, in other words: what is precisely required for doing good and realizing moral values? The following aspects need to be distinguished²⁸:

1. The present situation and the object of the act.
2. The content which has to be *realized* in the act.
3. The willing of this content by the person.
4. The capabilities and activities which move the person (towards the performance of the act), i.e. a *willing-to-do* (*Tunwollen*).
5. The experiences and feelings that accompany this *willing-to-do*.
6. The (experienced) realization or accomplishment of the content that was willed (performance).
7. The experiences and feelings that accompany the content that has been realized.²⁹

What is particularly interesting, is that Scheler as such rejects any ethical theory in which the phenomenological complexity of the accomplishment of acts is simplified, and in which moral values (good and evil) solely depend on the intentions of a person. The entire act-accomplishing process that follows is of no importance in such ethics. As Wolfhart Henckmann correctly observed: 'With this theory, Scheler opposes to the much simpler view, according to which an act only consists of the inner determination of the will.'³⁰

Indeed the rejection of such a *Gesinnungsethik* seems to be the broader purpose of this particular aspect of Scheler's ethical theory. Scheler emphasizes that there can be no good acts without the basic moral tenor being good. The basic moral tenor determines all other and subsequent aspects of the act. But that is only a preliminary, though fundamental, condition of accomplishing (moral) acts, and it does not suffice itself for realizing (moral) values.

That the other aspects of accomplishing an act, by which a person *does* good and *is* good (the good that is done, being a *personal value*), is made clear by Scheler through the example of a paralyzed man who witnesses how somebody drowns. He may experience the same *will* to rescue the person in need as any other man (who is able to swim), but he can never transform this will into an act, since his *willing-to-do* (*Tunwollen*) does not coalesce with an *ability-to-do* (*Tunkönnen*). It would be incorrect to say that the paralyzed man is morally corrupt for not rescuing the person in need, but equally it would be incorrect to say both the paralyzed man and the rescuer deserve equal moral praise.³¹

We can only speak of such (moral) values of the person if the basic tenor is *realized* in an accomplished act.³² A virtuous person is both *willing* and *able* to accomplish acts in which moral values are realized. We must therefore explicitly stress the importance of the concepts of *Tunwollen* and *Tunkönnen* in Scheler's concept of the person and in his thought in general.³³

3.2. Able Persons

A person must be *able* to accomplish this complex process of acting. Further on in *Formalism in Ethics*, Scheler indicates that a *moral person* (by which he means: a person who is capable of performing acts which entail a moral value) must have specific capabilities, so that in a most strict sense not all people are persons (insofar as those who aren't, lack the capabilities to perform acts): 'Therefore, the place where the

essence of the person first flares up, has to be sought only within a specific group of people, not in man in general.³⁴

That probably sounds more controversial than Scheler intends. What he means to say is that the accomplishment of acts which entail moral values – and which are thus essential to the being of the person – is not an easy thing, and that it requires knowledge, maturity, and specific capabilities. A person must be sane, capable of understanding the unity of the acts he performs himself (identifying and taking responsibility for one's own acts).³⁵

A person must also have a correct awareness of what he is exactly capable of. The things he wishes to pursue must be *realistic*, in the sense that it must be possible to pursue the willed content with one's own acts. A child may be willing that the stars drop from the sky into its own hands, Scheler states, but this pure act of willing, cannot be the basis of an actual pursuit of the willed content. The creative, active realization of moral values always requires an actual willingness and ability to perform moral acts (again *Tunwollen* and *Tunkönnen*), and the moral elevation of man precisely depends on this synthesis between what one wills and what one is capable of. 'The primary phenomenon that characterizes all spiritual maturing is a continuous involvement of the will into the sphere of acting (*die Sphäre des "Tunlichen"*).'³⁶

Without such a balanced awareness of what one is actually capable of, much of the person's powers to accomplish an act – and to do good – will remain latent.

Many powers sleep in man and will never be realized due to the fact that he lacks a correct awareness of his abilities (*Könnensbewußtsein*). [...] Pedagogues have therefore correctly claimed that one has to focus on the enhancement of this awareness in pupils.³⁷

In short, a person must be able to transform his will into action, and that is only possible if he has a correct awareness of what he is capable of. If someone constantly pursues (or wills) things he cannot possibly accomplish, this will be detrimental to both the feelings and mental states of that person, and this will not be conducive to his willingness and ability to do good. If the gap between what one wishes for and what one does is too big, this will give way to negative feelings, resentment, hatred and eventually acts which don't entail a positive or high value. Because of that, Scheler repeatedly stressed the importance of a correct *Könnensbewußtsein*, and emphasized the dangers of *Ohnmacht* (impotency, as Frings translated it in *The Mind of Max Scheler*): the inability to accomplish those positive acts in the pursuit of a willed content. *Ohnmacht* is the breeding ground of resentment, hatred and vice.

In Scheler's thought 'virtue is the experienced *power* to be or to do something that ought to be or to be done.'³⁸ Vice is the opposite: 'The word *vice* springs from the impotency towards an ideal *ought*.'³⁹

3.3. *Ohnmacht* and resentment

It is noteworthy that Scheler frequently morally rejects impotency, though this should not be all too surprising either. At the heart of his ethics stands the person as an *act-accomplishing being*. The accomplishment of acts which entail high or positive values is a very complex process, and impotency, simply put, disturbs this process.

Only persons can do good, and they can only do good because they are able to act and to love. That is basically the core of Scheler's concept of the person and of how he thought person's capable of doing good. Impotency, however is a hindrance to these two crucial aspects of personhood, for hatred and inaction spring from impotency. Since his specific concept of the person is a constant leitmotiv in Scheler's entire oeuvre, it is no surprise that the concept of impotency also appears in many of Scheler's writings.

In *Schriften zur Soziologie und Weltanschauungslehre*, Scheler recapitulates the view that there must be a balanced synthesis between *Tunwollen* and *Tunkönnen*. Hatred is always a consequence of a lack of such an equilibrium: a conflict between reality (*faktische Realität*) and the object of the will which turns out to be a mere fantasy. The experience of this inability gives way to hatred, while hatred itself is an obstacle in the accomplishment of (good) acts.⁴⁰

In *Ordo amoris* too Scheler observes that the inability to transform one's will into action, is the primary source of hatred and resentment. This inability (again called *Ohnmacht* or impotency) leads to a *désordre*

du coeur: the *ordo amoris* as the core of the person is affected by this, and therefore also the core of the person as an act-accomplishing being. The person's ability to do good is thus hampered by this phenomenon.⁴¹

The problem of *impotency* is indeed a severe moral problem. In his theory of resentment, Scheler elaborates this view more thoroughly, and explicitly links the problem of resentment to that of moral indolence and impotency. The inability to act and *react* is the primal breeding ground of resentment. Secondary origins of resentment, like vengeance, jealousy and envy, can only give way to resentment from the moment man is *unable* to transform his (negative) feelings into (positive) action.

Feelings of revenge, envy, jealousy, malice, malicious delight and malevolence first appear in the formation of resentment where no moral conquest (in the case of revenge for example *real* forgiveness), nor an act [...] occur; and where those don't occur because a manifest awareness of the impotency (*Ohnmacht*) hampers such an act or such an expression.⁴²

Scheler believed that the rise of resentment was essential to the crisis of his times, due to which his *Kulturkritik* of man, politics and society was essentially a moral critique. According to Scheler, man, in the first half of the twentieth century, lived in times of resentment which was stimulated by the specific structure of modern society.⁴³

The reasons for this are to be sought in the discrepancy between a merely formal (juridical) equality, and the major inequalities in actual access to power, property and education. Furthermore, Scheler believed that the democratic political system itself was defective and infected with resentment at all echelons.

In *Man in an Era of Adjustment*, Scheler also maintains that politics should be concerned with the moral elevation of man. Political means ought to be applied in such a way that they stimulate and guide (Scheler uses the words *leiten und lenken*) a change of heart, a *Wertsteigerung* (rise of values) of man, which is necessary to overcome the crisis of interwar Europe.⁴⁴

The rise of resentment however obstructs this rise of values. Moreover, Scheler identified this crisis as a moral crisis, because the rise of resentment is essentially synonymous with the moral downfall of society: hatred, resentment, and indeed impotency lead to a distortion of values, instead of a *Wertsteigerung*. Resentment is a *moral* disease, a moral self-poisoning and embitterment of human personality.⁴⁵ It leads to a counterfeit of value images (*Fälschen des Wertbildes*), a forgery and a subversion of the value hierarchy.⁴⁶

It has already been observed previously in this article that according to Scheler, love increases our insight in the value hierarchy. Due to hatred and resentment, that insight decreases. The realization of moral values depends on the person as an *ens amans* and an *act-accomplishing being*. That is a leitmotiv in many of Scheler's writings, and it should therefore not surprise us that Scheler also deals in many of these writings with the opposite of love and acting, namely hatred (and also resentment) and impotency, which are always *tathemmend* (hindering positive action).⁴⁷

4. Conclusion

This article has sought to explore some features of the way in which persons, acts and moral values relate to each other in Scheler's ethical theory. The first part of this article mainly focused on how Scheler, in several of his writings, defined the ability to perform acts as a salient feature of both the person and the realization of values of the person (good and evil as *Personwerte*). The elaboration of this concept of the person is strongly connected with Scheler's value hierarchy, and thus of immense importance in Scheler's ethical theory in general.

The second part of this article explored the phenomenological complexity of acting. Such a further exploration was indispensable in order to come to a better understanding of Scheler's concept of the person. If one says that a person is an *act-accomplishing being*, and that moral values are realized through the person's acts, it has to be made clear what the process of acting exactly involves. This also allowed us to consider more thoroughly the concepts of *Tunwollen* and *Tunkönnen*, and the concept of *Ohnmacht*.

Scheler's concept of the person is essentially about the ability and the power of man to perform acts. A good person has both the will *and* the power to accomplish acts which entail positive or higher values, whereas a lack of this power appears to be a serious moral problem. It might be clear now why Scheler

repeatedly links *Ohnmacht* to hatred, resentment, and vice. Good persons are able, loving persons, whose acts are not inspired by resentment or hatred, but by love and a correct insight in the objective hierarchy of values.

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Notes

1. In chapter 13 of *God, Goodness and Philosophy* (Ashgate, 2011) I already argued that Scheler always remained loyal to the key principles of his ethical system, and that the rejection of Scheler's late metaphysics by critics like Nota, De Raeymaeker, Becker, Hildebrand and several others – a rejection based on an alleged innate inadequacy of Scheler as a man and as a thinker – does little justice to Scheler as a man and as a thinker. Scheler had his reasons to change his metaphysics, and these reasons were not of a personal but of a philosophical kind: they root in Scheler's ethical beliefs (something which Scheler declared himself in the preface to the third edition of *Formalism in Ethics*).
2. M. Scheler, 'Ordo amoris', in: M. Scheler, *Schriften aus dem Nachlass*, Berlin, Der Neue Geist Verlag, Vol. 1, 1933, p. 238. (further referred to as OA, all translations in this article are from the author)
3. H. Leonardy, *Liebe und Person: Max Schelers Versuch eines 'Phänomenologischen' Personalismus*, Den Haag, Martinus Nijhof, 1976, p. 145.
4. In *Ordo amoris* love is described as the wake-up call of our moral agency, our will and reason. Similarly, in *The Nature of Sympathy* and the essay *Love and Knowledge* love is considered by Scheler as a fundamental determinant of both human agency and the realization of moral values.
5. M. Scheler, *Der Formalismus in der Ethik und die Materiale Wertethik*, Bern/München, Francke Verlag, 1966, p. 389. (further referred to as *FORM*)
6. R. Perrin, *Max Scheler's Concept of the Person: An Ethics of Humanism*, Houndmills/London, MacMillan, 1991, pp. 90-91.
7. H. Leonardy, op.cit., p. 138.
8. Idem, p. 142.

9. M. Scheler, *FORM*, pp. 382-384.
10. S. Schneck, *Person and Polis: Max Scheler's Personalism as Political Theory*, Albany, University of New York Press, 1987, p. 50.
11. P. Blosser, 'Scheler's Concept of the Person Against its Kantian Background, in: S. Schneck (ed.), *Max Scheler's Acting Persons: New Perspectives*, Amsterdam/New York, Rodopi, 2002, pp. 56-57.
12. The being of values definitely belongs to one of the most interesting aspects of studying and interpreting Scheler's ethics. Scheler is not always very clear about what a value actually *is*. At times Scheler seems more eager to argue what values are not, rather than clearly arguing what they are. They are not purposes, aims, consequences, objects or things *an sich*, neither are they merely properties of objects, and even though an objective hierarchy of values can be found at the core of Scheler's ethics, this did not immediately force Scheler to defend a peculiar kind of ontological value objectivism. In his doctoral thesis, finished in 1897, Scheler for example explicitly stated that values, strictly speaking, do not exist objectively. Still, values seem to have some sort of objective meaning in Scheler's ethics. This has been clarified by Manfred Frings, who offered an important incentive to come to a better understanding of the *being* of values in Scheler's ethics, by speaking of the *functional existence* of values. Values don't *objectively exist* in Scheler's value theory; they *become*. Values *become* extant through their bearers like the colour green becomes extant through the green surface.
13. M. Scheler, *FORM*, p. 49.
14. S. Schneck, *op.cit.*, p. 53.
15. Scheler's hierarchy of values and the corresponding hierarchy of model type persons play for example a crucial role in the way in which Scheler distinguishes between several forms of love and hatred in *The Nature of Sympathy*.
16. M. Scheler, *Wesen und Formen der Sympathie*, Bern, Francke Verlag, 1973, pp. 167-168.
17. M. Scheler, 'Die Stellung des Menschen im Kosmos', in: M. Scheler, *Späte Schriften*, Bern, Francke Verlag, 1976, p. 39.
18. In Manfred Frings' reconstruction of Scheler's hierarchy of values there are five types of values, since Frings also differentiates sensory values from values of use. That seems plausible, inasmuch as Scheler speaks of both values of pleasure and of values of usefulness regarding the lowest kind of values.
19. M. Scheler, *FORM*, pp. 124-125.
20. *Ibidem*, pp. 125-126.
21. *Ibidem*, p. 48.
22. P. Blosser, 'Max Scheler: A Sketch of His Moral Philosophy', in: J. Drummond, L. Embree (eds.), *Phenomenological Approaches to Moral Philosophy: a Handbook*, Dordrecht, Kluwer Academic Publishers, 2002, pp. 409-410.
23. M. Scheler, *FORM*, p. 49.
24. S. Schneck, *op. cit.*, p. 51.
25. M. Scheler, *FORM*, p. 48.
26. *Ibidem*, pp. 47-48.
27. *Ibidem*, p. 387.
28. In this specific part of *Formalism in Ethics* Scheler speaks of *Handlung* (deed) rather than of acts. However, whereas Scheler distinguishes acts from (sensory) functions, the terms *Handlung* and *Akt* seem almost entirely interchangeable. This also seems to be suggested by Henckmann in his discussion of the meaning of the moral act (*Begriff der Sittlichen Handlung*) in *Formalism in Ethics*.
29. M. Scheler, *FORM*, p. 137.
30. W. Henckmann, *Max Scheler*, München, Verlag C.H. Beck, 1998, p. 125.
31. M. Scheler, *FORM*, p. 136.
32. Scheler speaks of *tatbereite* and *tatfähige* Gesinnung, i.e. the moral tenor plus a willingness and ability to accomplish a specific act.
33. M. Scheler, *FORM*, p. 144.
34. *Ibidem*, p. 470.
35. *Ibidem*, pp. 471-474.
36. *Ibidem*, p. 141.
37. *Ibidem*, p. 240.
38. M. Frings, *The Mind of Max Scheler*, Milwaukee, Marquette University Press, 2001, p. 34.
39. M. Scheler, *FORM*, p. 213.
40. M. Scheler, *Schriften zur Soziologie und Weltanschauungslehre*, Bern/München, Francke Verlag, 1963, p. 200-201. (further referred to as SSW)

41. M. Scheler, *OA*, p. 253.
42. M. Scheler, *Vom Umsturz der Werte*, Berlin, Francke Verlag, 1955, p. 41. (further referred to as VUW)
43. Ibidem, p. 43.
44. M. Scheler, 'Der Mensch im Weltalter des Ausgleichs', in M. Scheler, *Späte Schriften*, Bern/München, Francke Verlag, 1976, p. 152.
45. M. Scheler, *VUW*, p. 41.
46. Ibidem, p. 67.
47. M. Scheler, *SSW*, p. 20