

# Scheler, Heidegger, and the Hermeneutics of Value

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## Abstract

In this paper, the author examines two different phenomenological frameworks for values: Heidegger's hermeneutic phenomenology and Scheler's phenomenology. Given the popularity of hermeneutic phenomenology inspired by Heidegger's efforts, the author openly questions if values can be accommodated in that framework. The author suggests that those paying attention to the lived-experience of values consider Scheler's phenomenology of value as a more refined alternative to make sense of value-experience and cultural practices more generally.

## Keywords

ethics, givenness, Heidegger, Scheler, value

In this paper, I explore the possibility of how value can be *given* in both Heidegger and Scheler. The "how of givenness" is the manner in which some thing can be given, or accessed phenomenologically. Thus, if we take a look at both Scheler and Heidegger, we can address their conceptions of phenomenology as limiting and enabling the givenness of value. On a whole, phenomenology's development issues more from Heidegger's influence than Scheler. Heidegger interprets value as *present-at-hand* and I argue this follows from the limits imposed by his hermeneutic phenomenology. Values are ontic for Heidegger. In Scheler's magnum opus the *Formalismus*, he is silent on what values are exactly, but describes them as given. Scholars familiar with Scheler's work will note that many times in the *Formalismus*, Scheler will assert the

ideality of value and refer to the rank of values as an eternal order. However, he will never spell out the ontological nature of value nor how it is that they are eternal. Thus, if we can establish the givenness of value itself and what that requires independently of either phenomenology, then we can recommend either Heidegger or Scheler's phenomenological approach. Thus, this paper is not an analysis of the historical relation between Scheler and Heidegger. Rather, this paper works out value's givenness itself in relation by considering two phenomenological frameworks together.

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After working out value's givenness and seeing which phenomenology can best accommodate value, I will show the applicable upshot of Scheler's thought to an applied problem. I will show that disagreements over the management and accessibility to health care in the United States invert the absolute value and overwhelming fullness of persons. This example serves to show the theoretical benefit of adopting a hermeneutics of value rooted in Scheler's thought more generally and further evinces the problematic silence plaguing Heidegger's hermeneutic phenomenology about the prominent role values play in our experience at a fundamental and ontological level.

### Introduction to the Problem

Scheler offered tiny clues in the *Formalismus* as to what he thought phenomenology could do for him. These insights were given in the introduction between the central preoccupations of method. For Heidegger, phenomenology was the way into working out the problem of Being in his fundamental ontology in *Being and Time*, yet the problem presented itself when Heidegger construed phenomenology as a hermeneutic turn. While Scheler was not necessarily preoccupied with method in the same way Heidegger responded to Husserl, Scheler can still be analyzed in terms of what he claimed about phenomenology in the *Formalismus*. Primarily, Scheler was interested in developing his personalism against the background of Kant's moral philosophy. We must look passed the *Formalismus*. Heidegger was preoccupied with method, but Heidegger's "method" comes across indirectly as a consequence of interrogating Dasein about the question of the meaning of Being and the history of ontology.

In what follows, I want to ask the questions: What is the givenness of value? How is value experienced in its givenness? If I can

answer these questions, then it is the phenomenological criterion of value itself that can answer which phenomenological framework better suits value's givenness. I will first discuss Scheler and then move to Heidegger.

### I. Scheler's Intuition of Essences

Scheler's conception of phenomenology is given in Chapter 2 of the *Formalismus*. In the *Formalismus*, he outlined his concepts of the a priori and phenomenological intuition, or what he called "essential intuiting" (*We-sensschau*). Scheler designated "as 'a priori' all those ideal units of meaning and those propositions that are self-given by way of an immediate intuitive content in the absence of any kind of positing" (Scheler, 1973a, p. 48). Like Husserl, phenomenology is opposed to the natural attitude and is therefore a special type of experience (Frings, 1996, p. 18). In the natural attitude, we regard phenomena as a natural fact described by the sciences, and in this standpoint, phenomena are described from a third-person perspective. The natural attitude seeks only to describe from an objective or impartial perspective. It does not pay attention to how phenomena are disclosed to us in the first-person perspective, and the natural attitude takes for granted the sense-constituting role of subjectivity in experience. The natural attitude reveals phenomena in their non-experienced features and has, therefore, a skewed interpretation. Phenomenological description is the attempt to render experiential elements clear that undergird and constitute experience itself *as we truly live through them* by remaining true to both the subjectivity of the experiencer and the enjoined constituted object. If I told my wife that *love* is merely the evolutionary adaptive strategy to facilitate human pair-bonding and that we need not concern ourselves with the actual content of love (as it is lived), I would seriously disregard what it means to be in love in the first place. Moreover, the third-

person perspective does not and cannot address *what it is like to be in love*.<sup>1</sup> Thus, Scheler opposed the propensity of the natural attitude to posit and take for granted the origins of how acts constitute the meaning of phenomena. Instead, meaning-constitution of an act can only be apprehended in absolute immanence and we must pay specific attention to what is *given* in experience. What is given in experience is how a phenomenon is lived through *within* experience. For Scheler, attempting a description is more in line with an attitudinal approach than a well-established method. This also marks a considerable difference between him and Husserl.

...phenomenology is neither the name of a new science nor a substitute for the word philosophy; it is the name of an attitude of spiritual seeing in which one can see or experience something which otherwise remains hidden, namely, a realm of facts of a particular kind. I say attitude, not method. A method is a goal-directed procedure for *thinking about* facts...before they have been fixed by logic, and second, of a procedure of *seeing*... That which is seen and experienced is given only in the seeing and experiencing of the act itself, in its being acted out; it appears in that act and only in it. (Scheler, 1973b, pp. 137-138)

For Scheler, phenomenological description is about describing the sphere of acts in which we experience the world. As products of “spiritual seeing,” these descriptions aim at the primordial acts prior to all other cognition and experience. In such a way, the phenomenologist attempts to retrieve the “most intensely vital and most immediate contact with the world itself, that is with those things in the world with which it is concerned and these things as they are immediately given to experience” (Scheler, 1973b, p. 138). Experience, according to Scheler, means the immediately

given nature of phenomena and these phenomena “are ‘in themselves there’ only in this act (Scheler, 1973b, p. 138). It is only within the sphere of acts in which we have a living contact with the world, and it is only as a unity of these acts we experience each other as persons.

For Scheler, the immediate apprehension of whatness/essence cannot be disclosed by scientific thinking at all. Instead, the content of that immediate apprehension is what enables our efforts to understand science. Essences reveal the intelligibility and meaning of the world given in experience. Then, science is an abstraction of phenomenological experience. In Scheler’s terms, “we can also say that essences and their interconnections are a priori “given” “prior” to all experience” (Scheler, 1973a, p. 49). Scheler equated phenomenological intuition with phenomenological experience (Scheler, 1973a, p. 48).

In phenomenology, this connection between act-center and the world is collapsed in how experience is undergone, and this is called “intentionality.” The act-center is consciousness of something. Anytime I am fearful, I am fearful of the spider. When I perceive, I am perceiving the tree. There is no moment in which consciousness is not taking an object. Thus, we are constantly undergoing moments of intentional relation with the world, and it is phenomenology that attempts to retrieve how it is that experience is undergone by careful attention to what we intuit as given within this intentional structure. Scheler’s term for intentionality that emphasizes the constant unfolding linkage of acts and the world is *interconnection*.

An essence is not mysterious for the phenomenologist. Instead, essence refers only to ‘what-ness’ of a thing (*Was-sein*). For Scheler, it does not refer to a universal or particular *concept* of a thing. For example, if I have a

blue thing in front of me, the essence “blue” is given in the universal concept of the thing as well as the particular experience of the thing in question. Therefore, the essence is the whatness that carries over into both the universal and particular conception of a thing. In this way, the phenomenological essence is neither a particular thing, or a universal abstraction or ideality. Instead, the phenomenological essence is the mode of givenness exhibited within experience and these modes of givenness constitute experience of the phenomenon as such. Therefore, it is wrong to say that the phenomenological content can be reified to support any particular ontology, and this is the reason why Philip Blosser articulated the weakness of Scheler’s thought and relationship it has acquired in relation to Heidegger’s fundamental ontology. On this, Blosser wrote

...the chief defect of Scheler’s phenomenology, like all philosophies of value, was the weakness of his treatment of the *ontology* of values. The insufficient development of this fundamental aspect of Value Theory has left it especially vulnerable in a philosophical climate that has been distinguished, since the 1930s, by the major “growth industry” of Heideggerian ontology, making this appear probably the most critical defect of Scheler’s *Formalismus*. (Blosser, 1995, p. 16)

Blosser is not alone in his assessment. In addition, Stephen Schneck claimed “(i)n accepting phenomenology, Scheler was already steeped in the life philosophies and was committed to an *unrefined metaphysical position* to an as yet undefined metaphysical position” (Schneck, 1987, p. 31). Scheler’s sense of ontology remained tenuous and was not fully developed in the *Formalismus* in a complete sense. Support for this interpretation can also be seen in what little Scheler wrote about essences.

Essences fill out both sides of the interconnection in terms of acts and propositions. Let me describe the latter. Scheler wrote

Whenever we have such essences and such interconnections among them, the *truth* of propositions that find their fulfillment in such essences is totally independent of the entire sphere of observation and description, as well as of what is established in inductive experience. This truth is also independent, quite obviously of all that enters into causal explanation. It can neither be verified nor refuted by this kind of “experience.” (Scheler, 1973a, p. 49)

In other words, essences locate the interconnections between what is given originally prior to experience to such an extent that this originally prior sense is *independent* of the empirical determinations about experience. However, he did not develop what it means for phenomenology to be *independent*. The term “independent” follows from Scheler’s description of “immanent experience.” By immanent, he meant “only *what* is *intuitively in an act* of experiencing” and by contrast, “non-phenomenological experience is in principle an experience through or by means of symbols and, hence *mediated* experience that never gives things “themselves” (Scheler, 1973a, p. 51). Thus, phenomenological descriptions are independent from *mediation* of any symbols, or representations. In other words, they are not conditioned in any way, and immanence can only be disclosed to acts of experience, the being-in-an-act of experience.

While Scheler may not have developed how phenomenological descriptions are independent from the empirical sciences, Scheler did develop what he meant by phenomenological independence in other works. In his *Lehre*

*von den drei Tatsachen*, Scheler described three levels of “pure facts.” First, the pure fact must identify a positive something (*Etwas*) as the sensory function through which this intuitive identity is established will be varied. Second, pure facts must serve as an ultimate foundation of the intuitive identified essence despite the changing nature of sensory content in which they are first experienced. Finally, the pure facts must be independent from the symbolic order in two ways. First, they must be independent from “the symbols with which it is possible for us to designate them” and second, they must be independent from “the symbols which are used in presenting the facts of which they are parts” (Scheler, 1973c, p. 299ff). If they are independent, then the connection between act and object must be independent as well, and this will allow the phenomenological descriptions to represent “what is not given in person” to others when sharing phenomenological results with others. Phenomenological facts are disclosed in acts but without any mediation. In this way, Scheler described the essential interconnections that are possible to address phenomenologically.

(1) the essences (and their interconnections) of the *qualities* and other thing-contents (*Sachgehalte*) given in acts (things-phenomenology) (*Sächphanomenologie*);

(2) the essences of *acts themselves* and their relations of foundation (phenomenology of acts or foundational orders);

(3) their interconnections *between the essence of acts and those of things* [*zwischen Akt- und Sachwesenheiten*] (e.g. values are given in feeling, colors in seeing, sounds in hearing etc.) (Scheler, 1973a, pp. 71-72)

Scheler’s ontological commitments are inadequately developed, and this makes them unclear. Did Scheler want to secure an onto-

logical underpinning for his personalism from the brief treatment he gave it in the *Formalismus*? A passage in the *Phenomenology and the Theory of Cognition* provides support to such a reading linking his phenomenological efforts to future efforts of ontology. “Essential connections and essences have an ontological meeting from the start...the *ontology of the spirit and world* precedes any theory of cognition” (Scheler, 1973b, p. 158). Here, Scheler emphasized the independence of phenomenological description from the causal sciences, in particular various epistemic theories of cognition, *must first presuppose the phenomenological priority of how spirit and world are first encountered in conscious acts*. Those very same acts are accessed through the essential intuiting of the phenomenological attitude to render it clear how being-in-an-act relates to the world.

In concluding this section, I explained some of the problematic features that accompany Scheler’s thought about experience and how phenomena are *given*. I find Scheler’s *Formalismus* wanting because by itself the language of phenomenology cannot get us very far when it concerns the ontology of value unless phenomenology becomes ontology. Clearly, Heidegger’s hermeneutic phenomenology provides an example of how phenomenology breaks into ontology, and it is where I turn to next.

## II. Heidegger’s Hermeneutical Phenomenology

Heidegger operated with a more skeptical, but equally complex conception of phenomenology. For Scheler, phenomenology accesses the foundations of meaning in personal acts that later become concealed and taken for granted in the empirical sciences, or what he called “mediated” through signs and symbols. Heidegger denied that a conception of phenomenological experience can access imme-

diately pure phenomena. For him, the hermeneutic conception of phenomenology that arose in *Being and Time* conceives of the possibility of givenness as that which is always mediated, but brought into the clear. This difference will become apparent as I explain it from Section 31 and Section 32. Moreover, such focused attention on these two sections will illuminate methodological commitments Heidegger's thought never abandoned.

In what follows, I pay special attention to how this conception of phenomenology arises within the project of fundamental ontology and *Being and Time* as a whole. An entire work could trace out the consequences of hermeneutic phenomenology. Such an effort is certainly beyond the task of this work, but it is important also to keep in mind the methodological differences between Scheler and Heidegger before any exposition of Scheler's concepts and subsequent remedy can be introduced to the problem of dearth of value in Heidegger's fundamental ontology.

A central feature of Heidegger's fundamental ontology *qua* phenomenology involves the analysis of human beings not as epistemic agents, but as "Dasein." Dasein is being-in-the-world (*Sein-in-der-Welt*) and his name for "us." Heidegger sought a solution to the meaning of Being in the very being that can pose the question before itself. It is therefore within Dasein (what Heidegger used as a phenomenological term to stand for any being that can pose the question of its own existence to itself) that this concern arises. Dasein is described as Being-in-the-world. By understanding Dasein as being-in-the-world, Heidegger explicated the question of being in terms of the practical orientation we exhibit towards the world and others.

At the same time, Being-in-the-world is a collapse between Dasein and world. We come to understand ourselves only in light of the

everyday contexts we find ourselves already in. We do not know a hammer from the detached perspective as just another epistemic object. Rather, we know the hammer from the contextual significance it possesses in a nexus of instrumental relationships in which it is used. Thus, phenomenology attempts to bring to light that which is concealed over or taken for granted. Phenomenological description brings into explicit relief the hidden contexts and purposes that underscore practical interaction with the world. This point can only further be clarified if we explain understanding.

Under a hermeneutic conception, Dasein is centrally characterized as understanding, but as I have already emphasized this conception of understanding does not mean understanding only as knowledge. Understanding is not primarily a formal conception of knowledge that epistemologists analyze and consider primitively - basic to human experience. Rather, understanding is the implicit intelligibility that characterizes human activities as meaningful and already familiar in practice. When we understand objects, we understand them as neither objects with external properties, nor an explanation that attempts to stand over a phenomenon in a transhistorical sense either (Heidegger, 1962, p. 182/143). Instead, understanding is a primordial disclosure of possibilities of the world as a whole or the possibilities that pertain to my self-understanding as a historically mediated being thrown into the world.

Ontically, we often claim "to understand something" but for Heidegger we have to be clear. The ontic interpretations are those concealed over in the public cliché attitudes and natural attitude in Husserl and Scheler. Ontic explanations are unexamined and offer no primordial investigation of a fundamental ontology that hermeneutic phenomenology can. Heidegger offered a fundamental ontology through a hermeneutic phenomenology. He

described the ontological facticity of Dasein as the structure of care (*Sorge*). In the structure of care Heidegger described understanding as an *existentiale* - an ontologically constitutive characteristic of Dasein at pre-cognitive the layer of experience. Through the *existentiales*, one experiences the world. Accordingly, understanding is not a competence, but Being as existing, or what we might call a Being-possible. It is a *way of existing*. A candidate passage might help clarify:

In understanding, as an *existentiale*, that which we have such competence over is not a “what”, but Being as existing. The kind of Being which Dasein has, as potentiality-for-being, lies existentially in understanding. Dasein is not something present-at-hand which possesses its competence for something by way of an extra; it is primarily Being-possible. (Heidegger, 1962, p. 183/143)

As seen above, Dasein is its “possibilities,” and those possibilities pertain not only to itself but how it understands Being as existing, as it already is thrown into the world. These possibilities are never *independent* of the world in the way we described in Scheler. In other words, Heidegger does not think that possibilities are “free-floating potentiality-for-being in the sense of the liberty of indifference” (Heidegger, 1962, p. 183/144). In this way, possibilities are not like the “propositionalized” maxims of Kantian moral philosophy that have their source in something else other than being-in-the-world. Instead, Dasein is ontologically understood as its possibilities.

However, possibilities come already furnished in a world not of our own making. Heidegger wrote

As the potentiality-for-being which is *is*, it has let such possibilities pass by; it is constantly waiving the possibilities of its Be-

ing, or else it seizes upon them and makes mistakes. But this means that Dasein is Being-possible which has been delivered over to itself - *thrown possibility* through and through. Dasein is the possibility of Being-free *for* its ownmost potentiality-for-being. Its Being-possible is transparent to itself in different possible ways and degrees. (Heidegger, 1962, p. 183/144)

In other words, Dasein is an undetermined potentiality full of possibilities it may choose for itself. Sometimes, it will make mistakes in that choosing, but it seizes upon those possibilities nonetheless. Accordingly, Dasein must be handed over to itself as a field of potential possibilities it may choose, and the formation of these possibilities is not completely within human control. There is a world already underway we are born into. We are *thrown* into the world. There are legacies shaping the direction and field of history I must and cannot help but respond to in my vocation. When I teach philosophy, I have come to expect that students from poorer areas have less developed writing skills on average than those that come from more affluent areas. While this is not always the case, a part of this problem places undue burdens on me as a teacher of philosophy in a public American university. I have to work harder at getting clear what a text says to my students due in large measure by their lack of preparation for university life. I have to develop cultural references that might be analogous to the life of students far removed from philosophical texts. These legacies of under-preparation, failing high schools, and open admissions subsist even if I had never chosen to be a philosopher teaching at a public university. In another sense, however, these possibilities are mine and mine alone. I am the one who was assigned such and such a course with enrolling first-year students. All of these factors shape my situation. As Heidegger insisted, it is a matter of “degree.”

Dasein is thrown, and thus understanding takes into account the whole of a situation, and has a basic idea of its capabilities already but possession of this self-knowledge is not guaranteed. Dasein can fail to recognize that it is essentially its ownmost possibility. Understanding can go astray. Heidegger summarized his complete definition of understanding: “Understanding is the existential Being of Dasein’s own potentiality-for-being; and it is so in such a way that this Being discloses in itself what its Being is capable of” (Heidegger, 1962, p. 184/144). To unpack this conception, Dasein is that which has its own being as it issue for it. We are in possession of our own possibility. This possession is not mysterious, but it is a structure exhibited in our everyday daily experience. In this way, the possibilities are concrete. In an intimate way, we know what we are capable of since an intimate familiarity with our own being is disclosed in a very practical orientation towards the world.

Let me take stock of what has been established thus far. For Heidegger, possibilities were not a deliberated choice, or a detached belief that will inform action later on. These possibilities are concretized in a particular context of significance. These possibilities are already present in a world we are thrown into, and the possession of these possibilities occur in matters of degree. These possibilities are always relative to a worldly situation. Understanding is always practically-oriented in a context - this is what Heidegger meant by calling the projected understanding a “for-the-sake-of-which” (Heidegger, 1962, p. 182/143). By being constantly affixed to the worldly concrete possibilities and situational character, Heidegger introduced a distinction between factuality and facticity. Let me explain the distinction.

Many past thinkers have argued what is possible by connecting those inferences about

possibility to what someone is “factually.” For example, Aristotle’s doctrine of natural slavery in the *Politics* largely depends on metaphysical assumptions. (Aristotle, 1254a, pp. 28-32) For Aristotle, a thing possesses its nature inherent within it, and as such, the distinction between those that rule and those that are ruled inheres in the nature of individuals. In another way, the pseudoscience of phrenology in the 19<sup>th</sup> century “secured” the truth of racist attitudes. In addition, understanding “agency” in moral philosophy has gravitated towards attempting to construct moral theories by first examining how humans operate socially through social psychology.<sup>2</sup> This is an attempt at establishing what we are factually rather than looking at how it is we exist as being-in-the-world. The latter emphasizes the facticity of human life over what Aristotle, pseudoscience or the use of moral psychology can do for us in ethics. The point in raising these examples is to open up Dasein’s worldly structure but at the same time being aware of what Heidegger is not claiming. Dasein could never be discerned from what it is factually. Instead, “Dasein is ‘more’ than it factually is, supposing that one might want to make an inventory of it as something-at-hand and list the contents of its Being... ” (Heidegger, 1962, p. 185/145). Therefore, again, Dasein cannot be known by simply listing off the properties of its being as a scientific perspective might insist. Instead, Heidegger’s analysis is an existential-ontological account of how the projection of self-understanding can become “what it is by becoming what is possible for it to be” (Hoy, 1993, p. 181). In order to understand what one may become, interpretation is required since we must be able to interpret the already possessed conception of who we want to become. For my purposes here, the possibilities can thus be interpreted as “modes of givenness” and interpretation imposes the limit of how those modes of givenness can be understood.

By interpretation (*Auslegung*), Heidegger meant a practically-oriented capacity of understanding to bring into view the parts and wholes of an entire possibility and context. Put another way, interpretation is the development of the understanding's projection upon what is inherently possible. In Heidegger's words, an interpretation is "the working out of possibilities projected in understanding" (Heidegger, 1962, p. 189/148). Thus, we must already have a worked out understanding of possibilities prior to interpretation since interpretation is grounded in the understanding. Understanding is never generated out of interpretation. Instead, understanding is the pre-reflective, pre-linguistic, and pre-cognitive practical orientation that makes it possible to interpret the world at all. We understand aspects of the world already; we understand *something-as-something*. When I engage in reading a book, I understand the book as something to be read. The book occurs in the in-order-to relationships that constitute the whole world and the possible interpretations of it:

That which is disclosed in understanding - that which is understood - is already accessible I such a way that its 'as which' can be made to stand out explicitly. The 'as' makes up the structure of explicitness of something that is understood. It constitutes the interpretation. (Heidegger, 1962, p. 189/149)

In other words, there is an implicit background to the world, a nexus of practical relationships behind understanding and interpreting the world that Heidegger called the "totality of involvements." I possess an intimate familiarity with many of these practical relationships already. For Heidegger, we are born into a world already underway within its own historicity and, likewise, all interpretations are a working out of projective understanding in that historicity and totality of involvements.

The totality of involvements is always understood not as a grasping of facts independently of that historicity and already understood contexts of significance. Instead, the totality of involvements is what Heidegger called "ready-to-hand" (*Zuhanden*). We do not apprehend properties about objects outside of the interpretively-laden contexts we inhabit. Such an apprehension would exemplify what Heidegger called "present-at-hand" (*Vorhanden*). Moreover, this holds for value too. As Heidegger put it, "in interpreting we do not throw a signification over some naked thing which is present-at-hand, we do not stick a value on it..." (Heidegger, 1962, p. 190/150). In other words, interpretations cannot get outside of the contextual significance. Instead, this hermeneutic threshold holds for value. For instance, values are not disclosed as a mind-independent property through a type of moral intuition.<sup>3</sup> In the totality of involvements, there are three pre-linguistic/pre-cognitive features that condition interpretation and further the hermeneutic threshold already described. As Heidegger put it, "an interpretation is never a presuppositionless apprehending" (Heidegger, 1962, p. 191/150).

First, there is fore-having (*Vorhabe*). We have a prior understanding that does not stand out clearly from the background. We understand the bridge is something to cross prior the practical involvement of driving. Secondly, there is fore-sight (*Vorsicht*). This is the act of appropriation in which the interpreter brings into relief an already understood but veiled aspect of a thing, and this is what is responsible for conceptualization of a thing for interpretation. Finally, Heidegger described fore-conception (*Vorgriff*). This is the already decided and definite way of conceiving the thing to be interpreted "either with finality or with reservations; it is grounded in *something we grasp in advance*—in a fore-conception" (Heidegger, 1962, p. 191/150).

All three factors describe the fore-structure. These three features constitute the hermeneutic threshold that interpretation imposes upon what is possible for us.

Hermeneutic phenomenology is not simply a description about the limits of understanding and interpretations. Those are certainly part of it, yet it is more. For me, hermeneutic phenomenology is the fusion of the as-structure and fore-structure in Heidegger. The fore-structure is the particular way in which the whole “must already have understood what is to be interpreted” (Heidegger, 1962, p. 194/152). Hermeneutic phenomenology is the descriptive attempt to bring the as-structures and fore-structures *together* in which together they form an articulation.<sup>4</sup> The as-structure is the thing “as its own” but such a thing is given as part of a contextual whole. Their togetherness delimits how projective understanding actually works. In projective understanding,

...entities are disclosed in their possibility. The character of the possibility corresponds, on each occasion, with the kind of the entity which is understood. Entities within-the-world generally are projected upon the world—that is, upon the whole of significance, to whose reference-relations concern, as Being-in-the-world, has been tied up in advance. (Heidegger, 1962, p. 192/151)

In other words, projective understanding is limited by the part-whole relation disclosed in the as-structure and fore-structure.

To say that understanding works out possibilities for interpretation within the part-whole relationship is not to commit oneself to circular reasoning. It is not a “vicious circle” as Heidegger insisted. Instead, interpretation is an effort to see more than simply an ideal of knowledge operating as pure philosophizing but rather “a positive possibility of the

most primordial kind of knowing” (Heidegger, 1962, p. 195/153). Heidegger’s phenomenological description of understanding limits the very possibility of phenomenological ontology itself. More generally, many philosophers have imposed the standards of deductive rigor upon discourses in philosophy. These rigorous discourses attempt to get at the truth of a discourse. Yet, such an imposition of an ideal of knowledge is still a species of projective understanding. In the *Crisis of the European Sciences*, Husserl phenomenologically retrieved how the sedimentation of historical meaning in Galileo had “mathematized” nature to the point that nature itself could only be understood scientifically as an event within space-time.<sup>5</sup> Such events could not be *given* any other way. Quite similarly, Heidegger’s insistence on the priority of practical engagement with the world is a similar insight. Heidegger’s efforts return to *what is given*, and at the same time, the return establishes a limit that neither understanding nor interpretation can surpass. This would include how values could be given, if at all.

### III. Phenomenological Tensions

The differences in these respective philosophies illustrate two ways values can be interpreted. First, Scheler’s silence on the ontology of value follows from his phenomenological attitude. From the earlier passage, Scheler regarded the “given only in the seeing and experiencing of the act itself.” In the sphere of acts, we could discern the essences of things, but this essential insight cannot glean any ontological insight. Scheler was a thoroughly committed pure phenomenologist at that point, and the ontological neutrality of the attitude of “spiritual seeing” does not seek to delimit that which can be given. Scheler’s insistence on the immediate givenness of value through emotional intuition expresses that spirit may discern the what-ness of a phenomenon, yet we are never told anything about what es-

sences are anymore than how it is that values are given as an eternal a priori order of ranks. On the other hand, Dasein cannot immediately intuitively apprehend a phenomenon. According to Heidegger, all understanding is – to put it in Scheler’s words – “mediated” through “signs and symbols.” Therefore, it is clear that insofar as the analysis regards the *Formalismus* and *Being and Time*, there are clear contradictory commitments to either a phenomenology that can discern essences immediately through intuition or a hermeneutic phenomenology in which the understanding works out its interpretive possibilities mediated through the as-and-for-structures of experience. If someone is given the choice between these two approaches, the question can be asked: Which approach allows for a better understanding of value’s givenness?

In the *Nature of Sympathy*, Scheler argued that existence is pervasively already mooded – that is to say, Scheler’s insistence that affectivity pervades human life is that such affectivity is being-in-the-world. I offer the following passage as evidence of this interpretation:

...the *value*-qualities of objects are already given in *advance* at a level where their imaged and conceptual features are not yet vouchsafed to us, and hence that the apprehension of values is the basis of our subsequent apprehension of objects. (Scheler, 2008, p. 57-58)

We are actively borne into a world engrossed in an emotional tonality. Human life is thoroughly “mooded” in Scheler. Consequently, there is agreement with the Heideggerian insistence on Dasein as Being-in-the-world, and how the care structure unfolds emphasizing “moodedness.” Scheler’s analysis takes affectivity farther than *Being and Time*. He gives full phenomenological independence to affective intentionality whereas moods are just one *existentiale* in the care structure.

For it is our whole spiritual life – and not simply objective thinking in the sense of cognition of being – that possesses “pure” acts and laws of acts which are, according to their nature and contents, independent of the human organization. The emotive elements of spirit, such as feeling, preferring, loving, hating and willing, also possess original a priori contents which are not borrowed from “thinking”, and which ethics must show to be independent of logic. There is an a priori *ordre du Coeur*, or *logique du Coeur* as Blaise Pascal aptly calls it. (Scheler, 1973a, p. 63)

Scheler considered the experience of affectivity as the basis for all other experiences. In Heidegger, the moods are experienced in much the same way as Scheler. They are a co-penetrating part of the structure of care. Moods come from behind us, without our control, and we are constantly delivered over to them. Every situation is mooded, and therefore given as already mooded as such. In this way, both Scheler and Heidegger emphasized the same primordial level of affectivity in which all situations and the world itself is disclosed. Yet, there is a striking difference between both phenomenological approaches. In Scheler, the emotions form an *independent* autonomous logic disclosed in the structure of intentional acts. In Heidegger, the moods work alongside the other *existentiales*. This autonomous logic is the reason why Schelerian phenomenology is capable of grasping the values intended in emotions more fully than Heidegger’s hermeneutic phenomenology, and explains why Heidegger could not adequately grasp values in the everydayness of Dasein.

The givenness of value-qualities in experience, when successfully bracketed phenomenologically, perdure. That is, values are given as a form of intransient permanence as evidenced in acts of love. These acts are of spirit,

and they disclose values as objectively valid in their own way. Consider the experience of love. Love is a personal intentional act that opens up the grasp of value's givenness of another's spiritual essence. These others could be other persons, an anonymous other – such as other Americans, or maybe an idea like justice. Either way, the structure of love is the same intentional act and offers us phenomenological insight into the experience of values itself. In love, I will adopt a permanent intransient orientation to sacrifice all my effort to bring the other to proper fruition. I will not attempt to control, manipulate, or dominate this other. Control, domination, or manipulation would only attempt to bring about an imposed conception of what the other should be rather than allowing the unique other to be. Hence, love is the movement or ascendancy of Scheler's value-rankings that allows the valued good to become more than what it is, and at the highest level is the absolute value of the person. Being capable of experiencing value's givenness requires eliminating any mediation such that the experience can pick upon value's overwhelming fullness. The overwhelming fullness of value's givenness is a conceptual feature of value itself.

It could be proposed that Heidegger picked up on the givenness of value as a form of permanence, but Heidegger held value to be an ontic phenomenon that naively regard values as present-at-hand. As Heidegger first mentioned ethics in *Being and Time*

Dasein's ways of behavior, its capacities, powers, possibilities, and vicissitudes, have been studied with varying extent in philosophical psychology, in anthropology, *ethics*, and 'political science', in poetry, biography and in the writing of history each in a different fashion...Only when the basic structures of Dasein have been adequately worked out with explicit orientation towards the problem of Being itself,

will what we have hitherto gained in interpreting Dasein gets its existential justification. (Heidegger, 1962, p. 37/16)

For Heidegger, ethics is but one example of an ontic interpretation that does not go far enough in elucidating the Being of Dasein. Heidegger thought that various ontic interpretations of Dasein's possibilities had been overlooked and concealed over. In a sense, Heidegger was correct, yet had Heidegger explored the ground of values as "felt in experience," he would have gleaned Scheler's insight. I hope the reader understands I am not simply "playing up" Scheler, but offering the givenness of value as a reason to regard Scheler's phenomenology more sophisticated on this point. Phenomenologically speaking and independent of Scheler, values are given as enduring beyond contexts of significance. If I face a similar situation later on in life, then *ceteris paribus* the same value will apply to the same context of significance. Hence, we can understand it when Scheler claimed that the determinate order of values "is independent of the form of being into which values enter - no matter, for instance, if they are present to us as purely objective qualities, as members of value-complexes (e.g., the being-agreeable or being-beautiful of something), or as values that 'a thing has'" (Scheler, 1973a, p. 17). Heidegger had only picked up on the givenness of value partly. Indeed, values are given as a presence perduring throughout time because the act-center of persons realizes them into time as goods.<sup>6</sup> The act-center of persons in realizing values exceeds representation, and so too do the values realized by persons.

An example might prove helpful. Scheler stated that values only matter in relation to the dignity of a person, and this is the highest value (which for Scheler is the *value of the Holy*). Therefore, if I enslave another person, I disregard how he is given to me in experi-

ence as a person. This insight is gleaned in the emotional apprehension I have in relation to a person. The dignity of a person does not come to us through the *a priori* form of the moral law as a Kantian would insist. Instead, the inviolable sense of the person is given in her inexhaustible richness as a wholly unique individuated being. The person emanates outward phenomenologically as absolute and unique. It does not matter if we are talking about the slaves of Ancient Egypt, or slaves in the American South of the 19<sup>th</sup> century. In all instances, the value of the person is felt in experience. There is no mediation of the value attached to the holy sense afforded to person. In much the same way, Levinas insisted on the transhistorical absolute value of the other. It is therefore no mistake that Levinas and Scheler insisted on the trans-historical and therefore trans-mediated sense that the other person possesses. No ethics can get off the ground if there was not a phenomenological givenness of the person and value itself. In short, ethicists assume the phenomenological existence of values and persons as a basis for their own inquiry.

A Heideggerian might counter we have simply paid too much attention to the as-structure, the immediate immanence of a person without paying attention to what context or fore-structure that allows us to make such claims as when Scheler opens in the *Second Preface* to the *Formalismus* with “The spirit behind my ethics is one of rigid ethical absolutism and objectivism” (Scheler, 1973a, p. xxiii). Consequently, it is no accident that the next sentence follows as “My position may in another respect be called emotional intuitionism” (Scheler 1973a, p. xxiii). By contrast, one could agree with Gadamer’s sentiments surrounding Scheler’s thought. Scheler’s major ethics merely “fused the tradition of Catholic moral philosophy for the first time with the most advanced positions in modern philosophy” (Gadamer, 2008, p. 135). By “mod-

ern philosophy,” Gadamer referred to phenomenology and its supplementary role to a metaphysics informed by philosophical anthropology. Scheler’s contribution is downplayed if a hermeneutic phenomenology in either Gadamer or Heidegger’s formation succeeds. Yet, hermeneutic phenomenology is limited by its inability to capture the absolute immanence of value-experience. There is no mediation in Scheler’s thought of value experience. This follows from Scheler’s commitment to a phenomenology of essences expressed in the interconnections between emotional acts and value-correlates.

Interconnections are, like essences, “given”. They are not a “product” of “understanding.” They are original thing-interconnections [*Sachzusammenhänge*], not laws of objects just because they are laws of acts apprehending objects.<sup>7</sup> They are “a priori” because they are grounded in essences [*Wesenheit*], not in objects and goods. They are a priori, but not because of “understanding” or “reason” “produces” them. The logos permeating the universe can be grasped only through them. (Scheler, 1973a, p. 68)

The givenness of value shares in a completely different mode of givenness - more than Heidegger could anticipate in *Being and Time* - and this is why it is unfair to insist upon the hermeneutic threshold without fully paying attention to the how-of-givenness and what that how-of-givenness entails for value in particular. The givenness of value could only be articulated in a phenomenology of emotional life where they are experienced directly. For instance, if I find myself likely to eat fish from Lake Erie, I will refrain. Lake Erie is very polluted, and the game wardens in Pennsylvania near Presque Isle warn of the dangers. The fish are *given* as threatening my health. Moreover, I come to value my health over the pleasurable desire to eat fish. I choose the vi-

tal value of health over the lower pleasurable value. To experience value is to be thrust in situations in which values are given in relation to each other, and the phenomenological evidence of preferring acts indicates the higher values are chosen at the expense of those experienced as lower.

Some might be dissatisfied with my interpretation that Heidegger missed out on the givenness of value. It is not enough to elicit the motivations for why a philosopher has defended a particular conclusion. Herein, I have offered the givenness of value as its own evidence and this is why if a moral phenomenology is to take shape, the phenomenology in question cannot adopt a Heideggerian frame. Instead, a moral phenomenology can only be founded on a phenomenology open to value in the first place, and unlike Heidegger, Scheler phenomenology accommodates value's givenness. However, there are some limitations even to Scheler's approach.

Scheler provided an account of moral phenomenology that disclosed the how-of-givenness of values. However, in his ethics, he never provided a clear account as to what the content of values are, nor how that content is experienced. Instead, we know what value might be operative in a particular value-complex or situation and the phenomenological form of moral experience more generally. I feel a calling of the Holy and the values correlated to spiritual feeling but there are no specific duties or prescriptions as to how I instantiate that calling in my actions. With its dearth of a prescriptive element, Scheler's moral phenomenology cannot take the form of a particular moral theory that privileges ways to decide what I ought to do, and by "moral theory," I mean a philosophical method that provides agents with set procedures for moral deliberation, e.g., Kant's categorical imperative or Mill's greatest happiness principle. At best, Scheler might endorse some

type of virtue ethics in which *phronesis* is involved in apprehending what values are salient to a particular value-complex, duty or person, but this is a topic for another time.<sup>8</sup>

In this paper, I have urged two conclusions regarding the differences spelled out between Scheler's intuition of essences and Heidegger's hermeneutic turn. First, I have argued that the experience of value could not help but be given in terms of its presence-at-hand nature. Persons and values, when viewed within time, resemble presence in the Heideggerian sense because of the excess of givenness overtakes the phenomenal appearance and that overwhelming givenness of value is given immanently without mediation. Heidegger's insistence that values are ontic follows from Heidegger's incomplete grasp of how values are given in experience. The intransience of value is simply *the manner in which it is given in experience*.

Scheler's silence about the ontology of value in the *Formalismus* is a product of seeking a phenomenological basis for ethics. Put simply, when we engage in phenomenological description, we are not to assume anything prior about the phenomenon, but let the phenomenon show itself from itself. From this phenomenological neutrality, Scheler cannot settle anything about the question of values ontologically, but unlike Heidegger, Scheler's phenomenology can capture the givenness of value. Scheler can say how values are experienced in emotional intuition in preferring, loving, and hating, and that there may be lessons to learn from Heidegger. Heidegger's efforts to "ontologize" phenomenological inquiry about factual life is a model for how Scheler's efforts may be better developed - though my audience must wait for another time to address the Heideggerian suggestions for Scheler's metaphysics yet to come. At present, Scheler's approach is more amiable to the givenness of persons and values and for

this reason. Scheler's approach should be regarded as the better hermeneutic framework whenever such frameworks concern values in lived-experience.

#### IV. Application

In this last section, I hope some of my efforts have opened up eidetic seeing about values. The earlier sections provide reasons why we ought to favor Scheler's phenomenology of value over and above Heidegger's hermeneutic phenomenology. Scheler's unique vision for a phenomenology of value has intellectual merit. His phenomenology of value accommodates the very experience of values. This unique vision is superior to Heidegger's hermeneutic phenomenology, and the overall ambition of this essay has appealed to the phenomenological evidence of value itself as a way to decide this issue. For non-phenomenologically-inclined thinkers, such a solution may seem rather obtuse. Put differently, the interest in hermeneutic approaches to problems of human experience cannot accommodate the experience of values if hermeneutics is restricted to embody Heideggerian-inspired approaches. I choose to address Heideggerian hermeneutic phenomenology since Heidegger's thought has inspired so many. Beyond the concerns with "theory," let me provide an example why this insight is crucial to those interested in hermeneutic method and application to cultural practices.

Over the last four years, health care accessibility has been the subject of intense debate in the United States. Ever since the passage of the Affordable Care Act (ACA hereafter), the politics of the United States have been divided between those that think reform need not involve any alteration of how health care is made accessible in the United States via private companies and those that believe in public insurance. Until the ACA, a person's ability to access health care service depended

very much on whether one's job provided health care insurance. In the United States, private companies provide insurance benefits attached to one's employment. For the underemployed, the jobless and those with preexisting conditions, these people cannot acquire insurance easily or not at all, and the only recourse these at risk populations is to access health care services provided by the Emergency Room in the hospital. Federal law prohibits hospitals from turning away anybody, but this option often puts the uninsured in extreme financial debt if the problem is severe, and hospitals will not go out of their way to serve the uninsured. In January 2014, however, the ACA will require all Americans to purchase insurance and employers of all types will be required now to offer insurance. This requirement is called the "universal mandate."

Let us, now, assume that one wanted to interpret this political situation. In light of feelings of the uninsured prior to the Affordable Care Act, a Heideggerian frame could pick up on the anxiety felt of those in the situation. The anxious mood and suffering of one's health might reveal aspects of our finitude, even possibly revealing aspects of our own being-towards-death depending on the severity of one's health problem. Anxiety can individuate the experiencer and even arrest us from our immersed social self to the point where we achieve an authentic existence (*Eigenlichkeit*). Yet, anxiety is not love. Anxiety only brings to light my possibilities for action as a finite being and, in its deepest revelation about my own possibilities in the call of conscience. I am not called to serve others as much as I am only aware of myself as anxious. My own freedom and the tenuous resolve to face my situation constitute all I am capable of doing. Applied to one's personal health, this deep revelation of anxiety can only inform me as to how I relate to the environment. For Scheler, anxiety is felt in the vital sphere of values. Love allows us to as-

end past this value sphere and acquire knowledge of values beyond the personal individuated experience anxiety causes within us. Heidegger has no order of preferring within his limited conception of hermeneutic phenomenology to acquire knowledge of values beyond the personal individuated experience of anxiety.

Love allows us to grasp higher values and realize them in the service of the other. Reliant upon Scheler's act of preferring, or what we could call value-ception (*Wertnehmung*), persons can glean the values given in our experience of the world whereas Heidegger can only pick up on the moodedness of a situation as it pertains to Dasein's concern only, but not the value-correlates attached to those moods. In this way, Heideggerian hermeneutics could not do appropriate justice in understanding the moral imperative necessary to engage in a political dialogue about how best to solve the anxiety of having little or no reliable access to health care services. Love is the name of those intentional acts where we ascend in Scheler's value rankings to the highest value of the person. In this way, love enables the growth beyond the vital sphere to solving the problem felt in the vital sphere. We can see this insight in Kenneth Stickers's work on Scheler. He wrote

Contemporary Western culture, for example, is to be understood as an utility-value ethos increasingly dominated by economy - what Scheler describes the "ethos of industrialism" - and to grasp this fact is to gain the single most penetrating insight into that culture. (Stickers, 1986, p. 250)

In light of this passage, Stickers continued and showed what the idea of economy looks like as we ascend in value. Starting from the lowest value at the top and ascending in love, economic concerns look very different at every level. Love is the grasping of higher values

over lower ones, and the movement in the various value-spheres, as the example of economic concerns below, would be based on love that would eventually culminate in the Holy. Thus, economics understood through the various value-spheres in Scheler's thought would resemble the following schema.

- pleasure: hedonistic consumerism
- utility: as measured, e.g., by money units
- vital values: as found in the original life-communal meaning of "Oikonomia" viz., care of the home
- spiritual values: e.g., when economies primary interest is justice
- the Holy: e.g., when labor is experienced as participation in God's ongoing creation and as an act of creation. (Stickers, 1986, p. 251)

The ACA's universal mandate that everyone buy public insurance is based on *love*. If healthier people buy into a nation-wide insurance pool, the cost of uninsured people will no longer drive up costs for those that have insurance, and the universal mandate compels obedience so that more people can afford to purchase it. The ACA is motivated by providing access to the economically disenfranchised already tending both towards the spiritual value of justice and the Holy.

Contrary to ascension, Conservative advocates mostly favor an entirely free market solution. Such solutions privilege the management of one's home and projection of one's own self-interest against what would be in the interest of others. The fact that the universal mandate compels people by law to purchase a service they might not want or need is interpreted as going against their own self-interest. In the vital sphere, we can feel the value of anxiousness, but anxiousness, as I criticize Heidegger is self-referential. The violation of liberty often spoken about by opponents of the ACA is based on a conception

of liberty-as-self-interested. Yet, the entire system prior to the ACA viewed the uninsured as people incapable of paying and excludes them economically. To this day, the health care system seeks to profit from treating patients as consumers rather than the individual person.

### V. Conclusion

When it comes to value-experience, there are few approaches in philosophy that can thematize experience. Phenomenology is one approach to describing lived-experience.<sup>9</sup> Yet, the lived-experience of value is unique. Values have a special mode of givenness, and as such, the phenomenological commitments of Scheler and Heidegger prevent or enable that mode of givenness to be seen. In this essay, I argued that if we pay attention to the givenness of value itself as an enduring immanent presence, I can determine which approach can accommodate the givenness of value. As a phenomenologist, I want to allow for the phenomenon of value to shine forth on its own merits, and I devoted considerable attention to see how value could manifest in both approaches.

In Heidegger's thought, values are either not gleaned at all or only partially. The principal figure in the development of twentieth century hermeneutics is Heidegger. Heidegger also eclipses the importance of Scheler's phenomenology, and yet only in Scheler's phenomenology is the core of value-experience truly manifest. For those outside of philosophy but still interested in the application of hermeneutic insight into cultural practices are better served by adopting Scheler's phenomenology when addressing the reality of value-experience. I attempted to show this insight in the example Stickers applied to economics itself. This application allowed for us to see that despite the prominent appeal of Heidegger's hermeneutic phenomenology,

Scheler's phenomenology of value allows for a deeper insight into cultural practices.

### References

- Blosser, P. (1995). *Scheler's critique of Kant's ethics*. Athens, OH: Ohio University Press.
- Frings, M.S. (1996). *Max Scheler: A concise introduction into a great thinker*. Milwaukee, WI: Marquette University Press.
- Gadamer, H.G. (2008). *Philosophical hermeneutics* (D. Linge, Trans.). Berkeley, CA: University of California Press.
- Heidegger, M. (1962). *Being and time* (J. Macquarrie & E. Robinson, Trans.). New York, NY: Harper & Row.
- Hoy, D.C. (1993). Heidegger and the hermeneutic turn. In C.B. Guignon (Ed.), *The Cambridge companion to Heidegger* (pp. 170-194). Cambridge, MA: Cambridge University Press.
- Scheler, M. (1973a). *Formalism in ethics and the non-formal ethics of value: A new attempt toward the foundation of an ethical personalism*. Evanston, IL: Northwestern University Press.
- Scheler, M. (1973b). Phenomenology and the theory of cognition In *Selected philosophical essays* (D. Lachtermann, Trans.) (pp. 136-201). Evanston, IL: Northwestern University Press.
- Scheler, M. (1973c). The theory of three facts. *Selected philosophical essays* (D. Lachterman, Trans.) (pp. 202-287)). Evanston, IL: Northwestern University Press.
- Scheler, M. (2008). *The nature of sympathy* (P. Heath, Trans.). New Brunswick, NJ: Transaction Publishers.

Schneek, S. (1987). *Person and polis: Max Scheler's personalism as political theory*. Albany, NY: State University of New York Press.

### Notes

<sup>1</sup> The priority of this type of act is central to the entire sphere of moral experience in Scheler.

<sup>2</sup> The turning point of this in the most recent literature and attraction to social psychology would probably be Gilbert Harman's "Moral Philosophy Meets Social Psychology: Virtue Ethics and the Fundamental Attribution Error" in *Proceedings of the Aristotelian Society* 99 (1998-1999): pp. 315-333. It is fair to say that this probably goes as far back Hume. In his *Treatise of Human Nature*, Hume's attempt at describing the moral sciences attempts to discern limited to normative theory by appeals to Hume's psychology about sympathetic identification.

<sup>3</sup> This holds really for any conception of philosophy that apprehends or discovers mind-independent truths. Such examples in some moral philosophy disobey this hermeneutic threshold that Heidegger sees as constraining all inquiry. R. Schafer-Landau is the most recent defense of moral intuitionism in his *Moral Realism: A Defense* (Oxford: Oxford University Press, 2003). Similarly, this hermeneutic limit has consequences for any realism about science, art, ethics or wherever such efforts attempt at grasping the structure itself without seeing such efforts as operative in a context already. These conditions also elicit Heidegger's suspicion about metaphysics and why it is that we must call for the de-structuring of metaphysics.

Stickers, K.W. (1986). 'Ethos,' Its relationship to real and ideal sociological factors in Scheler's philosophy of culture. *Listening: Journal of Religion and Culture*, 21(3), 243-252.

<sup>4</sup> It is no surprise that so much time is spent on *logos* as a gathering together (*legein*) and letting-be in Heidegger's essay *Early Greek Thinking*.

<sup>5</sup> It is fair to say that beyond a transcendental idealistic phenomenology, Husserl's draw to sedimentation is an influence of Heidegger's hermeneutic turn.

<sup>6</sup> This is a point of contention in Parvis Emad's brilliantly argued *Heidegger and the Phenomenology of Value* (Torey Press: Glen Ellyn, IL, 1984). In that work, Emad thinks the difference between Heidegger and Scheler turns on Scheler's acceptance of traditional concepts of the person that presuppose a temporality of presence. Heidegger, Emad insists, works out a completely different account of temporality that questions Scheler's acceptance of a traditional metaphysics concealed in his commitment to intentional acts as products of spirit (and likewise the whole of Western metaphysics for that matter). "The a-temporal nature of spirit is clearly manifest in its sole representative, the act. The nature of act is such that it does not exist *in time*. To use Scheler's terminology, acts exercise their influence *into* time without being extended in it...like the tradition criticized by Heidegger, Scheler is unaware of the subtle, hidden and elusive role of time" (p. 47) While I do not have the space here to revisit the entire presentation of Emad's argument, Emad's book only takes up the Heideggerian confidence in that line without asking first what the givenness of value is itself. The alternative explanation for

Scheler's lack of awareness about time is simple. Values are given in such excess that, like persons, they exhibit a type of givenness that cannot be captured in time. The givenness is a vertical dimension, given in height and only partially understood in the horizon of time articulated in hermeneutic phenomenology.

<sup>7</sup> On its own laws apprehending objects would be a form of naïve realism or version of either epistemic or moral intuitionism.

<sup>8</sup> While I do not have time to review the literature on this point, I am especially attracted to Eugene Kelly's recent efforts to marry virtue ethics, Scheler, and Hartmann. For more information on this view, see his "Between Scheler and Hartmann: Some Problems of a Material Value Ethics" in *Ethics and Phenomenology*. Ed. Mark Sanders and J. Jeremy Wisnewski (Lanham, Maryland: Lexington Books, 2012): p. 39-56. Those parties interested in Scheler may also read his "On the Rehabilitation of Virtue" trans. Eugene Kelly (2005) in *American Catholic Philosophical Quarterly*, 79(1), 21-37.

<sup>9</sup> American pragmatism is the other side of philosophy that regards experience as primary.