

Emotion and the Ethical A Priori

ABSTRACT: According to a common prejudice in ethical theory, morality cannot be grounded in emotional experience unless we are to forfeit an a priori foundation for ethics. This prejudice in ethics is often buttressed by a formalist assumption about the a priori in general, according to which all a priori truth must ultimately redound to formal reason. Upon this view, even if we were to grant intentional directedness to certain affective experiential contents, the epistemic relevance of such contents would be limited to disclosing empirically contingent facts. In this paper, I aim to make some headway in overcoming this prejudice through an appropriation of Max Scheler's material a priori account of values. On the Schelerian account I defend, law-like constraints on evaluative truths are grounded in emotionally given value essences, which constitute a unique domain of a priori experiential facts alongside those pertaining to all experiential modalities (e. g. color, tone, space, etc.).

KEYWORDS: Emotion, Value, Ethics, Essence, Scheler

1. Introduction

According to a common prejudice in ethical theory, morality cannot be grounded in emotional experience unless we are to forfeit an *a priori* foundation for ethics. This prejudice in ethics is often buttressed by a formalist assumption about the *a priori* in general, according to which the unconditional necessity of all *a priori* truth must ultimately redound to those purely formal faculties that justify propositions irrespective of the material content of experience. Upon this view, even if we were to grant world-directed intentionality to certain affective experiential contents, the epistemic relevance of such contents would be limited to disclosing empirically contingent facts.

In this paper, I aim to make some headway in overcoming the formalist prejudice in ethics through an appropriation of Max Scheler's material *a priori* account of values. Central to Scheler's ethical framework is his rejection of an historically entrenched misconception of the nature of intuitive experience, one Scheler traces to a "groundless dualism" between reason and sensibility that finds its apotheosis in Kant, which assumes that knowledge derived from the material content of intuition is relegated to a *posteriori* contingency.¹ Against this picture, and in close keeping with the phenomenological notion of "essential intuition [*Wesensschau*]" inaugu-

¹ Max Scheler: *Formalism in Ethics and Non-Formal Ethics of Values: A New Attempt Toward the Foundation of an Ethical Personalism*. Translated by Manfred S. Frings and Roger Funk. Evanston, IL. 1973, 64.

rated by Husserl,² Scheler advances an account of the non-formal or “material” *a priori*, according to which the self-posing contents of experience disclose a realm of experientially given yet *a priori* “phenomenological facts” – namely, *essences* and the *essential interconnections* between them.³ Extending this notion of the material *a priori* to the ethical domain, Scheler argues that law-like constraints on evaluative and ethical judgements are grounded in emotionally given value essences, which constitute a unique region of *a priori* phenomenological facts alongside those pertaining to all other experiential modalities (e.g. color, tone, space, etc.).

In what follows, I will attempt to vindicate a broadly Schelerian ethical framework in a way that keeps to the spirit but not the letter of Scheler’s own account, as my aim will be to advance historically neglected insights from Scheler in a way that remains ecumenical to a number of debates in contemporary metaethics.⁴ To this end, my appropriation of Scheler can be situated within a broader family of so-called “sentimental perceptualist” views,⁵ according to which certain emotional experiences afford perception-like epistemic access to evaluative facts and properties. Falling within this family of metaethical views is the notion of *Wertnehmung* or “value-ception” endorsed by Scheler among other early phenomenologists, ac-

² See Edmund Husserl: *Ideas for a Pure Phenomenology and Phenomenological Philosophy. First Book: General Introduction to Pure Phenomenology*. Translated by Daniel O. Dahlstrom. Indianapolis 2014, 9.

³ Scheler: *Formalism*, 52.

⁴ Most notably is the interpretive matter of whether, on Scheler’s account, values can be properly considered as *properties* of the value-bearing objects and states of affairs on which they supervene. This might be a matter of some complication given Scheler’s rejection of the claim that values must be encountered in and through the non-evaluative natural facts on which they supervene. As Scheler claims, “[g]oods have no foundation in things such that in order for them to be *goods* they must first be *things*” and thus “we know of a stage in the grasping of values wherein the *value* of an object is already very clearly and evidentially given *apart from* the givenness of the *bearer* of the value” (Scheler: *Formalism*, 17–20). In contemporary metaethics, however, it is common to speak of such a relation between *sui generis* values and their naturalistic supervenience base as a metaphysically discontinuous relation between natural and non-natural properties, and it is arguable that Scheler’s metaethics can be reconstructed in similar terms.

⁵ While “sentimental perceptualism” is not a new family of views, Michael Milona has recently introduced the coinage (see Michael Milona: “Taking the Perceptual Analogy Seriously”. In: *Ethical Theory and Moral Practice* 19(4), 2016, 897–915). Some figures Milona includes under the sentimental perceptualist umbrella include the Third Earl of Shaftesbury, Francis Hutcheson, Alexius Meinong, Max Scheler, Mark Johnston, Graham Oddie, Antti Kauppinen, and Christine Tappolet, among others. Sentimental perceptualism stands in stark contrast to a broadly Brentanian family of fitting-attitude theories according to which values are not substantive properties of objects but mere syncategorematic terms that are reducible to deontic facts about the attitudes we ought to have towards the non-evaluative natural features of objects.

ording to which values are the objective correlates of intentionally directed feelings, and this by way of irreducibly affective intentional content. Taking this basic sentimental perceptualist thesis for granted, the question I will address in the following is whether such an emotion-based form of value realism can preserve an *a prioristic* ethics.

In an effort to motivate a Schelerian account of the material *a priori*, I begin by providing a case study of color incompatibility knowledge, arguing that traditional formalist analyses fail to adequately explain the *a priori* necessity of color incompatibility claims without adverting to experiential contents. Here I'll attempt to show how Scheler's essence-based account of the material *a priori* can provide a corrective explanatory framework. With this account of the material *a priori* in hand, I then turn to develop Scheler's claim that phenomenological reflection on evaluative phenomena also reveals *a priori* laws grounded in the nature of emotional experience itself: for instance, the fact that different value kinds are positively and negatively valenced and thus normatively ordered by nature, which for Scheler is self-evidently given through the experience of *preference*. I conclude by motivating two different explanatory models of how *a priori* value essences can ground a robustly action-guiding form of ethical normativity.

2. Formalism and the Material A Priori: A Case Study in Color Incompatibility

The prejudice against grounding *a priori* ethical principles in emotional experience often runs in tandem with a formalist prejudice about the source of *a priori* knowledge in general. The assumption behind this formalist prejudice is that all *a priori* truths must be knowable independently of any experiential content whatsoever. The problem with this assumption, I'll argue, is that it is unable to account for so-called "phenomenological propositions": i.e. those ostensibly *a priori* propositions whose constituent terms are experiential concepts, and thus whose justification appears to turn upon consultation with experiential content. By providing grounds to reject the formalist prejudice with respect to the domain of phenomenological propositions in general, we will secure some grounds for resisting the formalist prejudice in the ethical domain.

To this end, consider the following phenomenological proposition: "*If a given patch is completely red, then it is not completely green.*" If we grant that the color incompatibility proposition is both necessarily true and *a priori* justified, then according to the formalist picture, it must be derivable on the basis of its formal features alone. There are two canonical formalist strategies for explaining away such phenomenological propositions: One motivated by a Tractarian understanding of logical form strictly in terms of truth-functional propositional structure, and one

motivated by an expanded notion of logical form that includes a formal analysis of the semantic content of the constituent terms of a proposition. A brief consideration of the problems with each of these formalist explanations of phenomenological propositions will help to motivate our turn to Scheler's essence-based account of the material *a priori*.

If we follow the Tractarian understanding of logical necessity strictly in terms of truth-functional tautologousness, then in order for the color incompatibility claim to be necessarily true, we must be able to exhibit the necessary falseness of its negation from its propositional structure alone – i. e. the negation of the incompatibility claim in question must be a logical contradiction of the form “S is p and S is ~p.” However, on the basis of the purely formal-syntactic rules governing well-formed propositions, the proposition that “S is red” does not, at the level of truth-functional structure alone, contain the proposition that “S is not green.” If the color incompatibility claim is not a standard tautology, then, in what other sense can our knowledge of the proposition be purely formal in nature?

A second historically predominant formalist strategy for dealing with *a priori* phenomenological propositions is to extend our notion of formal structure to the semantic content contained within the conceptual terms of a proposition. An application of the latter kind of analysis towards the problem of phenomenological propositions can be traced back to Moritz Schlick, one of the most strident early twentieth-century opponents of the notion of an experientially grounded non-formal *a priori*. For Schlick, the *a priori* necessity of color incompatibility claims can be explained in formal terms by adverting to certain logical rules that determine the meaning of color words, rules that any competent speaker already understands in virtue of possessing a vocabulary of color concepts. As Schlick claims:

Red and green are incompatible [...] because the *sentence* ‘This spot is both red and green’ is a meaningless combination of words. The logical rules which underlie our employment of colour words forbid such usage [...]. *The meaning of a word is solely determined by the rules which hold for its use. Whatever follows from these rules, follows from the mere meaning of the word, and is therefore purely analytic, tautological, formal.*⁶

On the kind of account proposed by philosophers like Schlick, the color incompatibility is necessarily true simply because it belongs to the stipulative definition of the word “red” within a consistently constructed system of color rules that it cannot signify a patch that is “green.” In this way, once we have provided an exhaustive

⁶ Moritz Schlick: “Is There a Factual A Priori?”. In: Herbert Feigl (Ed.), *Readings in Philosophical Analysis*. New York 1949, 277–285, here: 284 f.

analysis of the constituent terms of the color incompatibility proposition, we reveal a “hidden” tautology: part of the meaning of the word “red” is the stipulated rule that it cannot refer to a surface that we also call “green.”

The problem with this formalist strategy arises when we try to explain the inauguration of those rules of use that determine the meaning of a color term. For unlike purely logical laws, which constrain the inferential relations of all well-formed propositions without regard to their content, the specialized rules of use governing color terms apply only to a specific domain of experiential phenomena. For instance, whereas the predication of “loud” to a tone does not preclude the predication of “high-pitched,” we know that the predication of “red” to a patch precludes the predication of “green.” But here, it seems we know that a rule of mutual exclusivity either holds or not only insofar as we are acquainted with the experiential properties in question. Rather than the meanings of the color terms being determined by rules of use, then, this suggests that any rules of use are determined by reference to some antecedent meanings of the color terms, meanings which somehow precede and constrain the linguistic rules through which they are signified. The latter would suggest that the necessity of the color exclusion claim depends upon a prior disagreement that holds between the nature of these experiential qualities themselves, one that is not liable to the contingencies of empirical observations. However, unless we are to deny the *a prioricity* of the color incompatibility proposition, this would entail that the proposition is at once *a priori* necessary yet also true in virtue of facts that are experiential in nature. How is this possible?

A promising effort to answer this challenge can be found in Scheler’s essence-based account of the material *a priori*. For Scheler, the distinction between a *posteriori* and a *priori* sources of knowledge is not one between experience *tout court* and the mere formal conditions of the possibility of experience, but is rather a distinction between two different kinds of experience: (i) “non-phenomenological experience”; and (ii) what Scheler alternately calls “phenomenological experience” or “essential intuition [*Wesensschau*]”.⁷ The difference between these kinds of expe-

⁷ Scheler: *Formalism*, 48. Though Scheler describes phenomenological experience as equivalent to “‘essential intuiting’ [*Wesensschau*] or, as we will say, ‘phenomenological intuition’” he makes clear that his notion of phenomenological experience is at once in keeping with and divergent from the account of *Wesensschau* inaugurated by Husserl. In Scheler’s estimation, one major point of divergence between himself and Husserl is that the latter is committed to the “*prōton pseudos*” of “sensualism,” namely the “presupposition that sensory contents furnish the foundation of every other content of intuition” (Max Scheler: “The Theory of the Three Facts”. In: Id.: *Selected Philosophical Essays*. Translated by David R. Lachterman. Evanston, IL, 1980, 221). By contrast, for Scheler, essences are the foundation upon which an empirical observation can be posited in the first place: “it is a criterion of the essentialness of a given content that it must already be intuited in the attempt to ‘observe’ it” (Scheler: *Formalism*, 52.).

rience can be drawn into relief by attending to Scheler's general pattern of distinguishing between "empirical" facts and what he calls "pure facts" or "phenomenological facts."⁸

For Scheler, non-phenomenological facts, of which empirical facts are a paradigmatic case, are phenomena whose givenness is mediated by the positing of conditions not contained within the content of the experience itself, such as posited existence conditions of particular objects and their relations to the contingent states of particular subjects, and thus are facts given through "experience conditioned and mediated by positing the natural organization of a real bearer of acts."⁹ For example, the visual observation of the fact that there is (or is not) a red pen on my table depends not only upon positing the actual existence (or non-existence) of the pen, but also upon some particular connection between this state of affairs and some particular organization of my sensory apparatus. The *a posteriori* contingency of facts given through such non-phenomenological empirical observations lies not in the involvement of experiential content, but rather in that their truth is determined by and thus contingent upon the positing of variable conditions that exceed what is given in the experience itself.

Phenomenological facts, by contrast, are those "pure" phenomena that are immediately given in virtue of the immanent contents of an experience, and thus "without positing anything about the thinking subjects and their natural constitution and without positing anything about the objects to which they would be applicable."¹⁰ For example, in attending to the specific quality of redness as it shows up in my experience as if of a red pen on the table, I don't need to posit anything beyond what is already given within the experience itself. In this case, the "what" given through experience is *self-given*: "In phenomenological experience nothing is *meant* that is not *given*, and nothing is given that is not meant."¹¹ Now, according to Scheler, in virtue of their independence from contingencies in extra-phenomenological conditions, the phenomena that are self-given through such phenomenological experience constitute a domain of *a priori* facts that hold for all possible objects in all possible worlds – namely, *essences* and the *essential interconnections* that hold between them. While such essences are grasped only by way of intuitive content, they are nonetheless "*a priori* given" insofar as they can be attended to as "ideal units of meaning" apart from their instantiation in any particular objects.¹² Indeed, it is

⁸ Scheler: *Formalism*, 48. Elsewhere, Scheler provides a more nuanced tripartite distinction between empirical, natural, and phenomenological facts: See Scheler: "The Theory of the Three Facts", 201–203.

⁹ Scheler: *Formalism*, 52.

¹⁰ *Ibid.*, 48 (Translation modified).

¹¹ *Ibid.*, 51.

¹² *Ibid.*, 48.

precisely this existence-independence of essences that makes the propositions they fulfill invulnerable to defeat by empirical observation:

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.’¹³

To motivate this idea, suppose right now I am enjoying the experience *as if* of a spot of green paint on my desk. Now suppose I discover that this experience *as if* of a green spot of paint on my desk was a hallucination. Regardless of whether the green paint actually exists as presented, there is something which I am undoubtedly in a position to grasp: namely, the unique green color itself, not as a property of the putative paint spot on my desk, but as an immediately given content of experience, a color quality to which I can attend apart from its actual instantiation in any particular object. That is to say, I grasp the *essence* of the specific color in question. Once I have such an essence in view, I’m also able to attend to the unique relationships that hold between this essence and any other essences I also intuit – what Scheler calls “essential interconnections.” For instance, once I grasp the essence of some specific green and the essence of some specific red, I can have a self-giving intuition of the fact that participation in the essence of red excludes participation in the essence of green, and *vice versa*. If we follow Husserl’s method of imaginative variation, one way in which this phenomenological fact can be demonstrated is by attempting to imagine the co-extension of the two color contents, allowing me to see that for any extension of color X, X’s participation in the essence of red precludes X’s participation in the essence of green. Though for Scheler, it must be stressed that while such a demonstration might nominally appear to follow the inferential procedure of a deductive proof, such a “proof” can only be conducted insofar as it is already “pre-given” to us in immediate intuition that these color essences are incompatible: “An essential connection is distinct from an inferable connection, since every search for a proof inevitably *presupposes* the pre-given as a law in accordance with which the proof is carried out.”¹⁴

The upshot of the foregoing is that in attending to the immanent contents of color experience, I can come to know truths about color that hold independent of any

¹³ Ibid., 49.

¹⁴ Max Scheler: “Phenomenology and the Theory of Cognition”. In: Id.: *Selected Philosophical Essays*. Translated by David R. Lachterman. Evanston, IL. 1980, 158.

contingencies in empirically contingent facts, as none of these intuitions depend upon positing any objects or conditions beyond the immediate contents of the experience. Regardless of whether I am hallucinating, imagining, or perceiving colored objects, to have the experience as if of green or red objects in the world already necessitates that the essences of red and green are ideal units of meaning that stand in internal relations to each other. While subsequent observations can show that I might be mistaken about whether anything possessing those colors is instantiated in the actual world, I cannot be mistaken that something is given to me *as such and such a color*, and thus what it would be for any other object to be that color is immediately evident to me in virtue of having the experience: “All that is intuited as essence or interconnection can therefore neither be suspended by observation and induction nor be improved or perfected.”¹⁵ By the same token, while these essential interconnections of color phenomena are immune to the contingencies of empirical observations, we can know that every empirical phenomenon that participates in these essences must conform to their interconnections as well: “In all non-phenomenological experience the pure facts of intuition and their interconnections function, we can say, as [...] ‘formal laws’ in the sense that [...] this experience *conforms to them*, or happens according to them.”¹⁶ Accordingly, the color incompatibility propositions fulfilled by such essential interconnections must hold true for all possible objects in all possible worlds: “*These propositions are valid for all objects of this essence because they are valid for the essence of all these objects.*”¹⁷ On this view, I know that red and green cannot properly coincide in any possible object insofar as the essences that govern all possible color phenomena are immediately given to me in intuition. That is to say, the proposition “The same patch cannot both be red and green” is *a priori* justified only insofar as it finds intuitive fulfillment in a *phenomenological fact*.¹⁸

¹⁵ Scheler: *Formalism*, 49.

¹⁶ *Ibid.*, 52.

¹⁷ *Ibid.*, 76.

¹⁸ It is worth noting here that, for Scheler, it is to such phenomenological facts that we turn when we justify *every a priori* proposition, including logical principles. For on Scheler’s account, the relationship between formal logical laws and the laws of material consistency is not a “top down” *imposition* of empty laws of thinking onto unorganized matter, but a “bottom up” *constitution* of pre-ordered material regions (color, space, tone, etc.) whose coinciding essential interconnections together compose those laws governing objects in general. Properly speaking, then, the principle of contradiction is not validated first and foremost by way of an empty logical necessity, but rather by way of an intuition of a universally manifesting phenomenological fact: “[T]he proposition that one of the two propositions, ‘A is B’ and ‘A is not B,’ is a false proposition is true only on the basis of the phenomenological insight into the *fact* that the being and the non-being of something are irreconcilable (in intuition)” (*ibid.*, 53). In this way, the proper grounds of all *a priori* truths consist first and foremost in essences and their essential interconnections. Propositions are only *a priori* in the derivative sense that they find intuitive fulfillment in such phenomeno-

While such phenomenological facts can only be given through “immediate intuitive experience,” the propositions they justify they are no less *a priori* for that reason.

3. Emotion, Value, and the A Priori

Now, the critical takeaway from the foregoing is that the immanent content of every possible experience gives an *a priori* essence, which means that the material *a priori* will include a unique domain of phenomenological facts for all possible experiential modalities, including *affective* phenomena. If we grant the basic sentimental perceptualist thesis that values are the objective correlates of intentionally directed feelings, the material *a priori* must be seen to include an evaluative *a priori* as well. In which case, Scheler claims:

An “emotive ethics,” as distinct from a “rational ethics,” is not at all necessarily an “empiricism” that attempts to derive moral values from observation and induction. Feeling, preferring and rejecting, loving and hating [...] possess their own *a priori* contents independent of inductive experience and pure laws of thought. Here, as with thought, *there is the intuiting of essences [Wesensschau] of acts and their correlates, their foundations, and their interconnections.*¹⁹

For Scheler, just as we can have *a priori* insight into color essences and the essential laws that govern their interrelations, we can also have *a priori* insight into the essences of emotionally given values and acts of valuing in which they are given. As with the case of color knowledge, such phenomenological insight can be given only in consultation with the contents of our experiences themselves: “The actual seat of the entire value *a priori* (including the moral *a priori*) is the *value-cognition* or *value-intuition* that comes to the fore in feeling [...] These functions and acts supply the only possible *access to* the world of values.”²⁰ According to Scheler, through phenomenological reflection on our emotional experiences we encounter a realm of unanalyzable, yet lawfully ordered value essences, each falling within a taxonomy of distinct value kinds or “modalities,” of which Scheler maintains that there are at least four: sensible values, vital values, spiritual values, and holy values.²¹ In what follows, I’ll depart from Scheler’s own taxonomy of value modalities, focusing primarily on sensible values and their relation to deontic terms.

logical facts: “[T]he *a priori* belongs wholly to the ‘given’ and the sphere of *facts*. A proposition is only *a priori* true (or false) insofar as it finds its fulfillment in such ‘facts’” (ibid., 49).

¹⁹ Ibid., 65.

²⁰ Ibid., 68.

²¹ Ibid., 104–10. Scheler at one point changed the number of ranks to five, adding “pragmatic

However, before we turn to examine these value kinds and the ethically significant relations that hold between them, there are basic essential interconnections that Scheler claims will hold across all value modalities – what Scheler calls “axioms of values.”²²

3.1 *Axioms of Values: From Color Exclusion to Valence Exclusion*

One elementary axiom of values that Scheler believes is available to phenomenological experience is the fact that acts of feeling and their correlate values are either *positive* or *negative*, a bipolar experiential character unique to emotional attitudes and their correlates that is in keeping with what contemporary philosophers of emotion have termed the “valence” of affective phenomena. According to Scheler, this bipolarity in affective valence extends across all value modalities; for example, among sensible values there is the *agreeable* and the *disagreeable*, among aesthetic values there is the *beautiful* and the *ugly*.

Now, according to a predominant family of views extending back to Franz Brentano, positively and negatively valenced phenomena are to be found only among the constituent features of attitudes, not among the features of the intentional objects of those attitudes.²³ One of the most prominent contemporary examples of this kind of view can be found in T. M. Scanlon’s Buck Passing Analysis of Value, according to which an object X’s being positively valuable or “good” is a merely formal property of having lower-order non-evaluative natural properties that provide reasons to have a pro-attitude towards X.²⁴ The problem with these analyses is that they are not readily amenable to ordinary evaluative experience. In most ordinary cases of evaluative judgement, in taking something to be of positive value, we are directed towards some valenced way the object shows up for us in experience. As Roger Crisp (2005) argues, when one is viewing Piero della Francesca’s *Madonna*, one

values.” For a helpful discussion of this issue, see Manfred Frings: *The Mind of Max Scheler*. Milwaukee 1997, 28.

²² Ibid., 64.

²³ Here I refer again to a broadly Brentanian family of views according to which values are not substantive properties of objects but mere formal terms that are reducible to facts about the attitudes we ought to have towards the non-evaluative natural features of objects. As Brentano claims: “If we call [*nennen*] an object good [...] we do not thereby want to add a further determination [*Bestimmung*] to the determinations of the thing in question [...] If we call certain objects good, and others bad, we say no more than that whoever loves this, hates that, is correct to do so [*verhalte sich richtig*]” (Franz Brentano: *Grundlegung und Aufbau der Ethik*. Hamburg 1978, 144).

²⁴ Thomas Michael Scanlon: *What We Owe to Each Other*. Cambridge 1998, 95–100.

might regard it as beautiful. However, Crisp argues, I don't encounter it in the first place as an object with non-evaluative natural properties that provide me reasons to have a positive attitude towards it, and only thereupon deem it to be beautiful. Rather, I have a positive attitude towards it precisely insofar as it already shows up for me as beautiful:

When I look at Piero della Francesca's *Madonna*, I see it as a good or beautiful painting. I recognize that it has certain natural, non-evaluative properties, and that its beauty depends on its having those properties [...] But the reason for admiration lies not in the natural properties – these could be understood by someone with no aesthetic sense – but in the beauty.²⁵

In consonance with Crisp's analysis, Scheler points to cases of ordinary experience wherein the evaluative significance of an object can present itself independently from our thematic apprehension of the non-evaluative natural facts that underlie or "bear" this evaluative aspect. For example, Scheler claims:

We know of a stage in the grasping of values wherein the *value* of an object is already very clearly and evidentially given *apart from* the givenness of the *bearer* of the value. Thus, for example, a man can be distressing and repugnant, agreeable, or sympathetic to us without our being able to indicate *how* this comes about; in like manner we can for the longest time consider a poem or a work of art 'beautiful' or 'ugly' [...] without knowing in the least which properties of the contents of the work prompt this. Again, a landscape or a room in a house can appear 'friendly' or 'distressing,' and the same holds for a sojourn in a room, without our knowing the *bearers* of such values.²⁶

Scheler takes the foregoing examples to demonstrate that the intentional contents by which we grasp non-evaluative natural facts and the intentional contents by which we grasp the values they bear are essentially different in kind. In each example, what allows an object to be seen in virtue of its positive or negative evaluative significance is the presence of some irreducibly affective content, content that is already intentional prior to any contribution from conceptual representation: "when I 'rejoice in something,' or when I 'am sad about something' or 'enthusiastic about something,'" Scheler claims, "[t]he use of the words *in* and *about* shows that in this rejoicing and sadness the objects 'about' which I am glad, etc., are [...] charged

²⁵ Roger Crisp: "Value, Reasons and the Structure of Justification: How to Avoid Passing the Buck". In: *Analysis* 65(1), 2005, 80–85, here: 82.

²⁶ Scheler: *Formalism*, 17.

with the value-predicates which are given *in feeling*.²⁷ According to Scheler, from the pleasantness *in* a verdant landscape to sadness *about* the loss of a loved one, the fact that values are already feelable as inhering *in* objects prior to the contribution of conceptual predication reveals a *sui generis* form of affective intentionality that cannot be reduced to non-axiological cognition: “This feeling therefore has the same relation to its value-correlate as ‘representing’ has to its ‘object,’ namely, an intentional relation [...] [F]eeling *originally* intends its *own* kind of objects, namely ‘values’.”²⁸ Such intentionally directed value feelings, or “value-ceptions” (*Wertnehmungen*), afford propriety access to the evaluative features of the world: “These functions and acts supply the only possible *access* to the world of values [...]. A spirit limited to perception and thinking would be absolutely *blind* to values.”²⁹

From natural beauty to horrifying scenes of suffering, our affectively mediated experiences present things in the world as if they possessed positively and negatively valenced features. Now, the crucial point I would like to make here is that whether or not these evaluative features actually exist as presented, the immanent content of these experiences already enables us to grasp *a priori* evaluative facts. For even if we pose skeptical worries about the non-veridicality of our ordinary experiences of valuable objects in the world, the mere fact that we have experiences *as if of* objects possessing positively and negatively valenced features would already enable us to grasp the *essences* of these properties as ideal units of meaning. For example, suppose I were to have a hallucinatory experience *as if of* a pleasant verdant landscape. In this case, I have an experience *as if of* a real object possessing positively valenced features, though no such object and no such properties are instantiated. While this experience would fail to establish the real existence of a value-bearing object to which I can come into more or less optimal contact, the experience nonetheless enables me to grasp a phenomenological fact that is immune to such contingencies in existence conditions – namely, the immanently given essence of these “pleasant” features themselves, not as real properties belonging to some transcendent object, but as valenced affective qualities to which I can attend apart from their actual instantiation in any object. In the same way that we can attend to the essence of red without presupposing the existence of any real objects, Scheler claims that value essences can be attended to apart from their instantiation in the actual world as “goods”: “It is only in goods that values become ‘real’ [...] There is a *genuine* increase of value in the real world [...] Value-qualities, however, are ‘*ideal objects*,’ as are qualities of colors and sounds,”³⁰ and thus:

²⁷ Ibid., 258.

²⁸ Ibid.

²⁹ Ibid., 68.

³⁰ Ibid., 21.

Just as I can bring to givenness a red color as a mere extensive quale, e. g., as a pure color of the spectrum, without regarding it as covering a corporeal surface or as something spatial, so also are such values [...] in principle accessible to me without my having to represent them as properties belonging to things or men.³¹

In sum, while my hallucinatory value experience fails to establish a real good, this experience enables me to see, for all possible worlds, what some real good that participates in the essence of these value qualities would be like. Accordingly, once we have such value essences in view, we can also grasp necessary internal relations between them and any other value essences we also grasp. One such essential interconnection of values is the fact that the same value cannot be both positive and negative. Of course, as the familiar phenomenon of a “love-hate relationship” attests, we certainly can and often do hold simultaneous positive and negative evaluations of the same value bearing object: for example, the same pollutant-filled crimson sky can simultaneously be the site of *beauty* and *harmfulness*. In such cases, however, the opposing valuations correspond to wholly distinct ways of considering the same object, and thus possess entirely different intentional matters. As Scheler puts this point: “One can ‘value’ the same things positively and negatively, but only because of *different complexes of values* [*verschiedenen Wertverhaltes*] intended in the same thing.”³² For instance, we might see the fact that the crimson sky is full of harmful airborne pollutants as a site of negative value without making it the case that the beauty of the sky is itself of negative value. Properly speaking, the intentional object of our negative feeling is not the sky *qua* beautiful object, but rather the essentially different evaluative fact that it will cause harm. In this way, Scheler concludes: “the same complex of values can never be of both positive and negative value [...] If this seems to happen, there are *different* value-complexes hidden behind the supposedly identical intention of valuation.”³³

Now, at this point, one might object that such “essential interconnections” of values are themselves only the products of formal laws of thought which are always operative in all cognitions, no matter the content, as conditions of the possibility of any objectifying act whatsoever. On this view, the fact that a positive value cannot at the same time be a negative value does not reveal an autonomous regional ontology of values, but is rather only an artefact of certain laws governing all cognitions of objects, including in particular the principle of non-contradiction. The so-called principle of valuation would then be nothing more than the manifestation of the principle of non-contradiction within the realm of value cognition: that is, the fact

³¹ Ibid., 12.

³² Ibid., 84.

³³ Ibid.

that the same value cannot be both positive and negative would only be a permutation of the fact that “A is B and not-B” must necessarily be false for all objects of cognition.

The problem with this line of objection, however, is that the determination of positive values and negative values as mutually exclusive properties is not established by the form of contradiction alone. As we have seen in the case of color incompatibility, whether a given pair of property attributions falls under the form of contradiction can only be determined by a prior disagreement that holds between the essences of these properties themselves. For instance, the fact that “loud” and “high pitched” are not incompatible property pairs for a given object, while “completely red” and “completely green” are incompatible, is determined by the essential interconnection that obtains between these material contents as hypothetical properties of the same object. Likewise, whereas the being of a loud tone does not entail the non-being of a high-pitched tone, we know that the being of a positive value entails the non-being of a negative value. But here, we know that this mutual exclusivity either obtains or does not obtain only insofar as we are acquainted with the material content of each phenomenon in question. Accordingly, the mutual exclusivity of positive values and negative values cannot be seen as a mere application of the principle of non-contradiction, but rather as its material exemplification. If the same value cannot both be positive and negative, this is only insofar as the emotionally given essences of positive and negative values excludes this possibility.

4. Preference and the Order of Values

Now, if we accept the foregoing axioms of value, then we would have secured the minimal foundations necessary for an emotionally grounded explanation of *a priori* evaluative truths. On this picture, evaluative judgments would be subject to law-like necessary constraints determined by emotionally given phenomenological facts, not by formal reason or the contingencies of empirical observations. Of course, even if such axioms are sufficient to demonstrate material *a priori* evaluative facts, they are hardly sufficient to generate the kind of normative criteria necessary for an action-guiding ethics. Indeed, the latter would require some explanation of how values determine which states of affairs ought to be and which actions we ought to do, such that we can determine constraints on ideal agency. This in turn would require some explanation of why the realization of some values should take normative priority over that of other values. In this way, value realism *sans phrase* does not necessarily yield *moral* realism. And the challenge to providing the latter is to explain how values can generate constraints on ideal agency without appealing to a non-emotional source of normativity. Scheler himself acknowledges the crucial

significance of this point, claiming that the prospect of a value-based ethics depends upon the existence of a non-formal order of normative priority among material values themselves. Indeed, Scheler claims, it was precisely Kant's presumption that there could be no such non-formal order of values that led him to ground constraints on moral agency in a rational imperative: "Kant is certainly correct in stating that the realization of a certain non-formal value is itself never good or evil. One would have to adhere to Kant's position [of rationalism] if there were no *order of ranks* among non-moral values, no order that lies in the essence of such values."³⁴ In other words, if the realm of values were not ordered into relations of normative priority, then it would seem that an action-guiding ethical theory could scarcely be derived from a material axiology: there would be no criteria for prioritizing the realization of one value over any other. "But *there is* such an order,"³⁵ Scheler avers, and like all essential necessities, to determine this we can only turn to the things themselves – that is, the particular non-formal values and the essential connections that hold between them. To this end, Scheler claims that an *a priori* order of values is made evident in the experience of *preference*, which is a kind of *sui generis* experience of certain values as being "higher" or "lower" than others in their intrinsic worth, and that within a given value modality, the positive value is *always* preferable to the negative value. Scheler claims:

In the totality of the realm of values there exists a singular order, an '*order of ranks*' that all values possess among themselves. It is because of this that a value is '*higher*' or '*lower*' than another one. This order lies in the *essence* of values themselves, as does the difference between 'positive' and 'negative' values [...]. The fact that one value is 'higher' than another is apprehended in a special act of value-cognition: the act of *preferring*.³⁶

By "preference" Scheler is careful to make clear that he does not mean a conative act or a subjective "choice." Preference for Scheler is a *cognitive* act, not a *volitional* act. The distinction between preference and volition is made manifest in ordinary discourse when we talk about preferring prior to any decision between courses of action: as Scheler notes "we can say, 'I prefer roses to carnations,' *without* thinking of a choice."³⁷ In this way, preference should rather be seen as a kind of perceptual recognition of a relation between values, analogous to color discrimination in visual experience. In the same way that the difference between red and green is not made

³⁴ Ibid., 25.

³⁵ Ibid.

³⁶ Ibid., 87.

³⁷ Ibid.

but only revealed through visual discrimination, preferring a value does not make it higher than another but only discloses this relation: “[T]he being-higher of a value with respect to other ones is *given* in the act of ‘preferring.’”³⁸

Now, while the height of a value is an experientially given fact, this height is not itself a discrete substantive property to be given as an object of intuition. Rather, the height of a value is always a relational feature of *being higher or lower than some other value*. Furthermore, preferring a value is not a matter of seeing some separate set of facts that explain why it is higher than another value. In the same way that the difference between redness and greenness can only be grasped by reference to the color contents themselves, Scheler claims that the order of value ranks between value modalities is likewise a primitive internal relation between the value essences in question: “[T]he order of the ranks of values can *never be deduced or derived*. Which value is ‘higher’ can be comprehended only through the acts of preferring and placing after. There exists here an *intuitive ‘evidence of preference’* that cannot be replaced by logical deduction.”³⁹ Since there are no further explanatory facts that determine the order of value ranks beyond the internal relations that hold between value essences themselves, any explanation of the objective preferability of one value over another will always invoke the very order of preference it intends to explain. In order to delineate the order of values, then, we can only look in the direction of the values themselves. Scheler’s proposed value hierarchy as articulated in the *Formalism* consists of four ranks: The lowest rank is that of sensible values; higher than the sensible values are vital values; higher than the vital and sensible values are the spiritual values; and finally the highest of the four value ranks is that of holy values.⁴⁰ Scheler’s taxonomy of values also includes a distinction between *non-moral values*, which are found at every rank of values, and *moral values*, which belong to the rank of spiritual values and are grounded in intentional acts aiming at specific non-moral values. On the picture Scheler endorses, the moral value of an action is a numerically distinct substantive value, one that supervenes on actions aiming at the realization of higher as opposed to lower non-moral values.

The value “good” appears by our realizing a higher positive value (given in preferring). This value appears *on* the act of willing. It is for this reason that it can *never* be the content of an act of willing. It is located, so to speak, on the back of this act, and this by way of essential necessity.⁴¹

³⁸ Ibid., 25.

³⁹ Ibid., 90.

⁴⁰ Ibid., 103–110.

⁴¹ Ibid., 26–27.

Now, an adequate examination of the merits and demerits of Scheler's own hierarchical taxonomy of value essences is beyond the aim of the present discussion. Nevertheless, departing from Scheler's analysis, if there are grounds to establish at least one self-evident preference relation between value essences, then we would have the minimal resources needed to ground normative constraints on ideal agency in phenomenological facts. To this end, I submit that we can already provide such an account by attending to the order of preference that obtains between positive and negative values within a given value rank. Of course, as Scheler insists, the positive-negative preference relation constitutes a wholly different relation than that of the order of ranks between different value modalities, insofar as the latter involves a preference relation between positive values of different heights.⁴² Nevertheless, Scheler also insists that within any given value modality, the positive-negative preference relation is an *a priori* necessity that is entirely explained by the internal relation between the value essences in question. Therefore, if we can motivate an objective order of preference between particular positive and negative values within the same modality, we would have cleared the way for a more expeditious taxonomy of material *a priori* preference relations, as we would have demonstrated that normative relations between values can be explained by the internal relations that hold between the phenomenological facts themselves.

I submit that a compelling case for one such *a priori* order of preference can be found in Scheler's discussion of the sensible values, which are those values given through the feelings of agreeableness and disagreeableness involved in states of sensory pleasure and pain. In the same way that we can know *a priori* that there is no subject that can represent red and green as properly coextending, Scheler here suggests that we can know *a priori* that there can be no subjects who are contingently constituted such that they prefer the disagreeable feeling of pain to the agreeable feeling of pleasure, *ceteris paribus*. In each case, the impossibility is determined by the adequate intuition of the essential contents in question. As Scheler claims:

The proposition that the agreeable is preferable to the disagreeable (*ceteris paribus*) is not based on observation and induction. The preference lies in the essential contents of these values as well as in the nature of sensible feelings. If a traveler or a historian or a zoologist were to tell us that this preference is reversed in a certain kind of animal, we would "a priori" disbelieve his story.⁴³

⁴² As Scheler claims: "Higher and lower values form an order that is completely different from the positive and negative natures of values, for positive and negative values are found at every level." (ibid., 26).

⁴³ Ibid., 105.

Scheler goes on to claim that putative counterexamples drawn on the basis of observed behaviors can be explained by a kind of valence inversion in certain organisms, whereby an organism experiences as agreeable what is experienced by most organisms as disagreeable:⁴⁴ “We would say that this is impossible unless it is only *things* different from ours that this animal feels are disagreeable and agreeable [...] There may also be cases of perverted drives in this animal, allowing to experience as agreeable those things that are *detrimental* to life.”⁴⁵

Recent studies on so-called “hedonic reversals” in masochistic sexual behaviors support Scheler’s suggestion. For example, an ethnographic study by Newmahr (2010) found that self-reports from masochistic subjects frequently reframed pain as something that is “not pain” and is “experienced as pleasure.”⁴⁶ Similarly, a study by Silwa (2010) found that one of the top three reasons masochistic subjects provided for pursuing painful experiences included the fact that pain affords a kind of “sensation contrast” that “intensifies” positive feelings of pleasure.⁴⁷ Drawing upon research that demonstrates that the brain – spinal circuits responsible for pain processing – can be influenced by higher-order psychological factors in a way that modulates pain experiences, Dunkley et al. (2019) propose that such hedonic reversals can be explained through a “bottom-up/top-down” model of masochistic pain transformation, whereby “pain is consciously and immediately transformed in the brain after receiving the sensory input from nerve cells in the body, and is there interpreted as pleasure, which is then relayed from the brain back to the nerve cells that are being stimulated.”⁴⁸ On this picture, when certain emotional and erogenous cognitive cues are in place, localized pain sensations can trigger a cognitive feedback loop that generates localized pleasure sensations.

Far from providing a counterexample to the order of preference between sensible values, the existing research on masochistic subjects suggests that pain-seeking

⁴⁴ Scheler also claims that other putative counterexamples to the objective preferability of sensible pleasure can be explained by cases in which the organism tolerates genuine pain for the sake of realizing a preferred value from a higher rank, in which case “the animal would only ‘put up with’ the disagreeable in preferring the value for the extra modality” (ibid., 106).

⁴⁵ Ibid.

⁴⁶ Staci Newmahr: “Rethinking Kink: Sadoomasochism as Serious Leisure”. In: *Qualitative Sociology* 33, 2010, 313–331.

⁴⁷ Andrea Duarte Silva: “Through Pain, More Gain? A Survey into the Psychosocial Benefits of Sadoomasochism”. Master’s Thesis. University of Oslo 2015 (Retrieved from: <https://www.duo.uio.no/handle/10852/48652>; accessed: 20.01.2021).

⁴⁸ Cara R. Dunkley, Craig D. Henshaw, Saira K. Henshaw, Lori A. Brotto: “Physical Pain as Pleasure: A Theoretical Perspective”. In: *The Journal of Sex Research* 57(4), 2019, 421–437, here: 425.

behaviors are actually best explained in part by reference to an *a priori* preference for sensible pleasure over sensible pain. First, the self-reported distinction between pain and pleasure as distinct elements of sensation contrast suggests that feelings of pleasure and pain, even if experienced concurrently, are nonetheless experienced by the masochistic subject as two distinguishable phenomenological essences. Thus, while there is good reason to believe that most experiences of pain and pleasure will involve admixtures of both, this does nothing to undercut the essential difference between the two value essences, as the very possibility of “mixed” cases depends upon an experientially assessable distinction between positive and negative sensible feelings. Second, the fact that masochistic behaviors are self-described by subjects as aiming at the intensification of positive feelings suggests that any putative case of preferring pain involves either (a) transforming or augmenting the content of the preferred experience so that this content no longer participates in the phenomenological essence of sensible disagreeableness, or (b) tolerating pain only instrumentally in anticipation of a preferred sensible pleasure. Taken together, these findings suggest that if we could isolate the agreeable and disagreeable contents of the hedonic reversal and submit the masochistic subject to a series of imaginative variations, any subject who adequately grasps the isolated essences in question could not fail prefer the feeling of pleasure to feeling of pain, *ceteris paribus*. Indeed, it seems that the ability to discriminate between agreeable and disagreeable feelings of pleasure and pain *just is* in part to recognize a preference for the former over the latter. According to Scheler, insofar as this preference is grounded in the internal relations between phenomenological facts, the claim that the agreeable is preferable to the disagreeable is an *a priori* necessary proposition that is immune to empirical contingency.

5. ‘Only Values Ought to Be’: Values and the Ethical Ought

With this account of *a priori* value preference in hand, I’d like to conclude by mapping out how the foregoing essence-based value realism can furnish a host of normative concepts needed to ground an action-guiding ethics. Supposing we endorse a broadly Schelerian account of *a priori* preference relations between material value essences, how do values and the order of preference between them determine deontic facts about which states of affairs ought to obtain and which actions we ought to do?

On Scheler’s account, deontic terms are ontologically parasitic on facts about values, such that a fact about what “ought to be” or what we “ought to do” *just is* in part a fact about values:

Whenever we speak of an ought the comprehension of a value must have occurred. Whenever we say that something ought to happen or ought to be, a relation between a positive value and a possible real bearer of this value, such as a thing, an event, etc., is also grasped [*miterfasst*].⁴⁹

Here Scheler tells us that the ought is always grounded in a *modal* fact about values: “The ought always has its foundation in a value that is viewed in terms of its *possible* being-real, i. e., in a value that is considered in light of this relation.”⁵⁰ On this picture, to speak of an “ought to be” or “ought not to be” is always to talk about the possible realization of some positive or negative value in a particular state of affairs. Scheler thereby rejects the idea of a value-independent “ought-being [*Soll-Seins*]”⁵¹ that would precede and determine ontological facts about values: “[A]ll oughtness must have its foundation in values – i. e., only values ought or ought not to be.”⁵² Nevertheless, in claiming that deontic facts are grounded in values, Scheler also insists that this is not meant to suggest that oughtness is *reducible* to such modal facts about values: “What we are saying is that this ought is based essentially on a relation between value and reality, not that the ought ‘consists’ in this relation.”⁵³ Rather, in claiming that “only values ought or ought not to be,” the claim is that the ought is an irreducible way of being or “mode of givenness” belonging only to value essences and the unique relation that values alone bear to their possible conditions of instantiation.⁵⁴ We can get a clearer idea of what Scheler has in mind by attending to the distinct modes of givenness that correspond to different deontic notions – e. g. the ideal ought-to-be, the ought-to-do, duty, obligation, demand, etc. – as each distinct mode makes essential reference to some unique way in which values are considered. For example, what Scheler calls the “ideal ought” refers to the givenness of values purely in terms of their non-actual possibility without regard to any practical obligation to realize the state of affairs which ideally ought to be. Simply put, from the standpoint of the ideal ought, “anything of positive value ought to be and anything of negative value ought not to be,”⁵⁵ which includes those possible values attaching to mutually exclusive states of affairs as well as to those possible values attaching practically unattainable states of affairs. In contrast to the merely

⁴⁹ Scheler: *Formalism*, 184 (Translation modified)

⁵⁰ *Ibid.*, 185.

⁵¹ *Ibid.*, 207.

⁵² *Ibid.*, 82.

⁵³ *Ibid.*, 184.

⁵⁴ As Scheler claims, the oughtness of values is an “autonomous mode of the givenness of *contents* that do *not* have to be comprehended in the modes of givenness of *extant* being in order to be comprehended as something that ought to be or ought to be done” (*Ibid.*, 186).

⁵⁵ *Ibid.*, 206.

ideal ought, when the givenness of some value that ought to be is mediated by an awareness of a conative ability to practically realize such values, the oughtness of values is given as an “obligation” or “duty:”

Whenever we speak of “duty” or “norms,” we are not concerned with an “ideal” ought, but with a specification of it as something that is *imperative* [...] If some content of the ideal ought is given and is referred to a conation, it will *issue* a demand to this conation. Such an experience of a demand is therefore not the ideal ought itself, but its *consequence*.⁵⁶

Now, Scheler’s central claim that deontic terms are grounded in modal facts about values is on a promising track to providing a coherent picture of emotionally grounded ethical normativity. However, as it stands, Scheler’s own analysis of the value-based ought is limited in its action-guiding explanatory power. In particular, Scheler’s account says little about the relationship between the ought and the order of value preference. For Scheler, *every* positive value ought to be from the standpoint of the ideal ought, even those “conflicting” positive values whose realization attaches to mutually exclusive and practically unattainable states of affairs. And while Scheler does maintain that notions like obligation are constrained by practical attainability, he does not directly address the ways in which conflicts between competing practical obligations might arise nor how such conflicts might be resolved. Departing from Scheler’s analysis, I submit that a more complete account of the ought should be able to explain how we might adjudicate between such conflicting oughts, especially where these conflicts involve values of different heights, such that we could generate “conclusive” or “all things considered” oughts that allow us to determine which states of affairs ought to be realized over and against some range of possible alternatives.

To this end, I submit that the general pattern of Scheler’s analysis of the relation between non-moral and moral values can be fruitfully repurposed towards a more comprehensive analysis of the “ought.” To give an initial outline of this model: Whenever some possible state of affairs P would realize a preferable set of values relative to the a given range of alternative possibilities, this fact then grounds a higher-order modal fact, namely that it ought to be case that P *all things considered*. Call this the “conclusive ought.” We can advance this account of the conclusive ought in one of two different ways depending upon how we understand the ontological relationship between deontic terms and the values that determine them: what I’ll call *Reductive Values Fundamentalism* and *Non-Reductive Values Fundamentalism*, respectively.

⁵⁶ Ibid., 203.

5.1 Reductive Values Fundamentalism

On the more ontologically parsimonious alternative, deontic terms would be reducible without residue to modal facts about values and their existence conditions. If we pair this format of analysis with the endorsement of value hierarchy, deontic terms like “ought” and “obligation” can be exhaustively analyzed in terms of values, their order of ranks, and their relations to possible conditions of instantiation in states of affairs. For example, if we apply this reductive analysis to the conclusive “ought to be,” to say that some possible state of affairs *P* ought to obtain would be reducible to the fact that *P*’s instantiation would realize a set of values that are preferable when compared to some range of alternative possibilities. Absolute and relative senses of the conclusive “ought to be” could then be delineated by defining the range of alternative possibilities: The absolute “ought-to-be” would refer to those possible states of affairs possessing a set of values that are higher than all alternative possible states of affairs; The relative “ought to be” would refer to those states of affairs whose value-set is higher relative only to some sub-set of other possible states of affairs. This same reduction can then be carried over to agential deontic terms like “obligation” by mediating the analysis with modal facts about what it is possible for some agent to do. To give one example: the claim that some agent *S* is obligated to Φ would be reducible to a claim about what *S* must do in order to satisfy the condition of aiming to realize an objectively preferable value set given a range of practically attainable possibilities for *S*.

As mentioned, in view of his claim that neither values nor the ought are reducible to one another, Scheler does not endorse Reductive Values Fundamentalism. Nevertheless, insofar as it represents logical space in the landscape of possible metaethical views, the position deserves consideration in its own right, especially in light of the reductive trends in recent analytic metaethics. If reductive analyses of value are thought to be attractive in view of their alleged ontological parsimony, there are dialectically motivated reasons to ask whether reducing reasons to facts about values provides similar explanatory attractions. For my own part, I think that parsimony should never come at the expense of fidelity to the nature of the phenomena: we should posit as many ontological categories as there are, no more and no less. Nevertheless, the account is not without its attractions to the parsimonious at heart, and it represents one way in which a broadly Schelerian essence-based value realism can contribute to the contemporary explanatory debate. While deontic terms are reduced to facts about values, it is arguable that this account still possesses resources to preserve robust action-guiding constraints on ideal agency. For on this picture, the order of values can be thought to provide its own irreducibly evaluative standard for action: from the standpoint of the order of values, ideal action *just is* action that conforms to the order of preference, and the normative bindingness

of values can be reduced to facts about what one necessarily must do in order to conform to the objective order of values.⁵⁷ The proponent of this explanation might what ask more could be gained by introducing ontological posits beyond material value essences and the internal relations between them.

5.2 Non-Reductive Values Fundamentalism

According to the less parsimonious alternative – one that appears to be compatible with Scheler’s own account – deontic terms supervene upon modal facts about values, yet the oughtness of values remains a *sui generis* and irreducibly normative ontological category. This picture would dovetail with the kind of intrinsic irreducible normativity embraced by G. E. Moore and derided by J. L. Mackie, according to which a positive value would possess a kind of intrinsically prescriptive “to-be-pursuedness,” to borrow Mackie’s language.⁵⁸ To put the point in G. E. Moore’s terms, to say that every positive value “ought to be” is to say that it belongs to the very nature of a positive value that it “ought to exist for its own sake.”⁵⁹ This version of a material value ethics would subscribe to an ontological picture in keeping with the so-called “layer-cake conception” of value-based normativity articulated by Jonathan Dancy. As Dancy describes this picture: “[O]ur normative reasons are based on values [...]. At bottom there are the features that generate value; above that there is the value so generated, and above that are the reasons and requirements that are laid on us by the prospect of value; and only by that.”⁶⁰ While the layer-cake conception isn’t a charming picture for the ontologically parsimonious of heart, it

⁵⁷ One potential worry is that by reducing normativity to values we *eliminate* normativity altogether, such that we can ask why we ought to care about values at all. Here, however, the proponent of a material value ethics might take up a constitutivist account of practical normativity and argue that practical reasons are constitutively grounded in the nature of what it is to be a value-responsive agent – that is, a *caring* agent. To give a brief care-based sketch of how a material axiology can provide a constitutivist account of agency-based normativity: (i) Unlike merely imperativistic forms of agency, caring is an irreducibly value-laden intentional act: To care is always to take something as a site of positive or negative value. (ii) Caring is a non-optional feature of what it is to be an ethical agent and is prior to all other forms of personal agency. (iii) Caring has a constitutive aim – to be responsive to values – and is thus subject to constitutive constraints: by virtue of taking anything as a positive or negative value, one, so to speak, enters the “space of values,” and is thereby subject to the hierarchy of values on pain of violating what it is to care, and *ipso facto*, what it is to be an ethical agent.

⁵⁸ John Laslie Mackie: *Ethics: Inventing Right and Wrong*. New York 1977, 40.

⁵⁹ George Edward Moore: *Principia Ethica*. Cambridge 1993, viii.

⁶⁰ Jonathan Dancy: *Practical Reality*. Oxford 2000, 29.

retains the advantage of keeping all normative concepts at our disposal in accounting for the spectrum of ethical life.

Now, an initial challenge for the non-reductive layer-cake account is to explain how the intrinsic irreducibly normative character of the ought is supposed to relate to the order of preference, such that we can derive conclusive oughts between conflicting states of affairs that bear values of different heights. For if every value possesses the intrinsically normative feature that it ought to exist for its own sake, how can conflicting oughts be brought into a commensurable system that would allow us to determine what there is *most* normative reason to do?

One possible strategy is to appropriate the contemporary metaethical notion of “weighing reasons,” upon which *pro tanto* reason-giving “weight” is apportioned incrementally according to the degree to which a given consideration counts for or against some action or attitude; conflicting considerations are then “weighed” to determine what there is most reason to do *all things considered*. Now, if normative reasons are grounded in intrinsically normative facts about material values, then variable degrees of reason-giving force will have to be determined according to the relations between the value essences in question. If we adapt this account to accommodate the order of value preference, we can consider each rank of value essences as possessing a specific normative “weight” that corresponds to its phenomenologically given height, one that provides a *pro tanto* ought that would be sufficient to enjoin an all-things-considered ought in the absence of countervailing considerations. The weight of this *pro tanto* ought can then be overridden by the normative weight possessed by those higher values attaching to conflicting possible states of affairs. The all-things-considered ought would then be determined by the total balance of all *pro tanto* oughts, which is itself determined by the order of ranks that holds between the values to be realized. Certain possible actions and states of affairs would possess a greater intrinsically normative force or “oughtness” only insofar as the values that they yield are objectively preferable. Since the order of preference is determined by internal relations between material essences, the result is that action-guiding deontic facts would be determined by *a priori* laws grounded in the nature of emotional experience.

6. Summary

On either of the foregoing explanatory accounts, a broadly Schelerian axiology is able to furnish *a priori* normative constraints on ideal agency. In each case, action-guiding facts about what ought to be are determined by facts about value essences and the order of preference between them. We can summarize the broadly Schelerian metaethical scheme underlying each account as follows:

1. The self-posing contents of emotional experience afford the immediate givenness of material *a priori* value essences. The latter constitute a domain of irreducibly experiential “phenomenological facts” that are immune to contingencies in empirical observation and are wholly autonomous from formal logical laws. These emotionally given phenomenological facts determine law-like necessary constraints on evaluative intuitions and judgments that hold for all possible worlds.
2. Value essences stand in internal relations to one another in virtue of their essence alone. Among these “essential interconnections” is the fact that values stand in normatively ordered relations of preference – e. g. sensible agreeableness is objectively preferable to sensible disagreeableness, *ceteris paribus*. The order of preference between values is an irreducibly experiential relation between the phenomenological facts themselves, and preference is the cognitive act in which this order is given.
3. Action-guiding deontic facts are either reductively or non-reductively grounded in modal relations between values and their possible conditions of realization. Conclusive or “all things considered” deontic facts – i. e. facts about what ought to obtain given a range of conflicting possibilities – are grounded modal relations that hold between (i) value essences, (ii) the order of preference between them, and (iii) a range of possible conditions of instantiation that provide a comparative basis for generating the objectively preferable value state.

Contrary to the formalist prejudice in ethics, insofar as the order of value preference that allows us to derive conclusive deontic facts is determined by the internal relations that hold between *a priori* phenomenological facts, granting the foregoing would entail that action-guiding *a priori* normative principles can be grounded in emotionally given experiential phenomena. Of course, even if granted, this account provides at most a provisional proof of concept for a much larger metaethical enterprise that will need to be undertaken. In the first place, far more will have to be said about the nature of the acting persons capable of realizing values, including an account of the relationship between an acting agent’s affective, conative, and deliberative faculties. Furthermore, a far more comprehensive taxonomy of values is required, as well as phenomenologically detailed accounts of the order of preference between different value modalities beyond those belonging to the rank of the sensible values. Nevertheless, if the foregoing is even provisionally correct, we would have the minimal resources needed to show that emotionally given value essences can ground *a priori* ethical principles. On this picture, ethically ideal action *just is* action determined by the adequate intuition of and appropriate responsiveness to the material *a priori* order of values.

Note of Thanks

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