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## Positionality and Normative Ought in Max Scheler's Formalism in Ethics and Non-Formal Ethics of Values

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The aim of this paper is to provide a specific key to the reading of Max Scheler's value theory in his main work: *Formalism in Ethics and Non-Formal Ethics of values* (1916), hereinafter *Formalism*, which emphasizes aspects of his paradigm normally not highlighted by reviewers. Such aspects include important and anticipatory intuitions by means of which we can clear up some problems deriving from the current debate on social ontology.

A close examination can reveal how Scheler's paradigm actually founds an epistemology<sup>1</sup>, and not purely ethical perspective, whose implications are able to incorporate all sides of practical intentionality and rest upon very simple and elegant assumptions. Apart from theistic aspects or questions inherent to philosophical anthropology, which are embedded in the *Formalism*, the focus of the following analysis deals with the constitution of both practical consciousness and practical reality in a non-reductionist perspective. It is worth underlining that Scheler often refers to concepts such as *Seele* or *Geist*, actually meaning "mind". Pertaining to the definition of values as "priori essences" (*apriorische Wesenheiten*), we will see how they do not merely consist of a transcendent reality, but can also be considered everything but vague and indefinable notions<sup>2</sup>. Moreover, the so-called emotional perception (*Fühlen*), through which value cognition occurs should not lead us to believe that Scheler's description takes no notice of the role of practical reason: there is a lack of a dedicated coverage, but in his theoretical scheme the function of the reason, both at conceptual and not conceptual level, is of crucial importance indeed. Overall, Scheler's scheme is a mine of intuitions, probably not well illustrated by the author himself. His notion of "a priori material value" seems to be the best way to explain the existence of practical objects, whose objectivity, namely the independence from individual preferences and desires, does not exclude an individual's free will among its premises.

<sup>1</sup> Some interesting aspects of Scheler's epistemology have been considered "long ago" by M. Dupuy in *La philosophie de Max Scheler; son évolution et son unité*, Paris: Presses Universitaires de France, 1959.

<sup>2</sup> Scheler's scheme is undoubtedly nearer to A. Meinong's theory of objects, as Scheler himself affirms in the preface of *Formalism's* second edition (1921), than to N. Hartmann's realism of values, as he affirms in the preface of the third edition (1926).

## The “Is” and the “Ought”

The basis of Scheler’s elegant scheme, which is also the foundation of his famous criticism to Kantian formalism, states a very simple thesis: the assertion of an A determines a system of correlated logical validities. The same thesis can be enunciated as follows: every kind of logical consistency or validity is only given in accordance with a reference criterion: an A previously asserted. Both formulations are important because they can represent on the one hand the determination, on the other the intuition of a state of affairs. Scheler’s main object is to justify the notion of “material a priori” by appealing to the evidence that a logic-formal system is itself based on the concept “is” and that, in turn, such concept derives from an “intuition of substance” (*einer Materie der Anschauung zur Grundlage*<sup>3</sup>). But what is important here is to acquire the concept of “adequate validity”: no possible worlds, nor systems of realities (ideal or material) can be conceivable in absence of a foundation or reference to adequacy. We normally perceive and represent reality as “adequate”, a reality based on grounds of validity. The very semantic-syntactical structure of our language, through which we express our representations, wouldn’t even exist in absence of constant reference to a subject, i.e. a starting point for meaning and construction. Overall, our practical and theoretical truths consist of “adequacies”. In this document, for example, I will try to adequate the arguments of a phenomenological theory to arguments which could be considered valid within the analytical paradigm. Another important concept to acquire here is that of system: a structure hierarchically ordered on correlated validities (*Aufbau*). Scheler does not deny its logic-formal structure to any reality; he just denies that such a structure can be considered as the truth criterion or the justification upon which that specific reality determines itself. In fact a structure without implying at least a content of reference is unconceivable. So the author contests all theoretical models within which reason with its structuring function establishes a truth, particularly an ethical truth; and in so doing he sharply points out that such attempts are designed to fail, just as the claims to demonstrate the foundations of mathematics: if ethics is based on founding objective laws, these can only be intuited and demonstrated through the same system, just as it happens for every rational system, so they must be assumed and approved tout court. Here Scheler makes implicit reference to Gödelian incompleteness, which basically states that a formal system (arithmetic) cannot be proven to be consistent from within the boundaries of the system. A foundation for the system has to come from elsewhere. Similarly, according to Scheler, there are a priori principles founding our ethical-practical sphere which can only be intuited but not demonstrated: we will never be able to explain the last cause of those “values” which move and guide our intentions. So the last concept we want to take into consideration here is that relating to the approval or affirmation of a truth, regardless of its demonstrability or justification: “I

<sup>3</sup> M. Scheler, *Der Formalismus in der Ethik und die Materiale Wertethik*, Elibron Classics 2007, p. 48

approve and affirm that A is". In our interpretation such a concept is able to represent the fulcrum of the schelerian paradigm and must be identified with that of "positionality", in its important meaning of placing or "giving position to A".

Let us briefly shift from the *is* to the *ought*. It has to be pointed out that among all authors giving formal treatment of the notion of value, Scheler is the only one who doesn't include a normative connotation in it, namely the idea that the main feature of a value doesn't consist in an ought<sup>4</sup>. All theoretical models, which have thus far identified the notion of value with the ought mode, intended, on the one hand to give a specific and evident definition of "value" and on the other to provide an immediate practical validity that could justify the universality and objectivity of moral deeds. On the other side, Schelerian values are not "due" (*nicht aber bestehen die Werte in einem Gesolltsein*<sup>5</sup>): they do not compel to act or to will, unless the representation of an ought, dictated by free will, occurs. Hence value essences do not necessarily generate normative propositions nor value judgments since they are in itself neither good, nor right; they simply "are". Such derivative relation is nonetheless "possible" inasmuch as we consider the role played by free will (*die Willkür*) between "is" and "ought". This is an extremely fascinating perspective allowing us to reinterpret the Humean Dichotomy according to which there is no derivative relation between is and ought; the possibility of such a reinterpretation is justified by the fact that we basically consider the whole experience of consciousness instead of the mere propositional representation of the practical experience: the system-mind instead of the structure-reason. Nevertheless the possibility of such a derivation concerns only one direction, i.e. from is to ought, since, as we will see, no kind of judgment itself can create sufficient conditions to value essence's determination. If we state that values can be found on "valid judgments" we fall in an infinite recursion<sup>6</sup>. As already mentioned, "reason", being a sum of pure logical relations, is not valid in itself. Even if we would consider the being of reason in propositions like: "reason is true" or "reason has to be", we would actually turn reason into an objectified content of reason itself, formulating a judgment which is of course valid, but self-referential in an infinite circularity. Beyond an idealistic perspective, such a self-referentiality reveals itself as empty and paralyzing at practical level: structure as objective of a structuring activity. It is exactly in this perspective and against such an inconsistent practical self-referentiality that Scheler deems the "fact" of Kantian moral law to be unjustifiable, because it expresses a sort of tautology which is very limiting compared to the complexity of practical action: "the

<sup>4</sup> Such a difference emerges, for example, with reference to the value theory of R.H. Lotze (1817-1881), whose positions Scheler took into consideration in his doctoral thesis: *Beiträge zur feststellung der beziehungen zwischen den logischen und ethischen Prinzipien* (1897); to the notion of transcendental validity in W.Windelband (1848-1915) and H.Rickert (1863-1936) within the Baden school; to the idea of value in N.Hartmann (1882-1950). We should also include the ethical intuitionism of the analytical school: G.E.Moore (1873-1958).

<sup>5</sup> *Der Formalismus*, p. 188

<sup>6</sup> Cfr. *Der Formalismus*, p. 189: "Die Wahrheit von Sätzen besteht nicht etwa in ihrer Geltung".

universal ought is *a* universal ought". The schelerian thesis of the unobjectifiability of the act<sup>7</sup>, recalling Nietzsche's paradigm, implies that whatever constitutes the acting person, so also her reasoning function, cannot become object of intentions; an act doesn't exist separate from its own intentioned object. Similarly "ought", which is consequence of a pure act (an affirmation as we'll see in detail), should not exist in itself, but always needs to be anchored to "the *is* that *ought*"; it cannot be isolated both at perceiving and representational level.

As we mentioned, the final reason for our practical actions and intentions, constantly outstretched to an *ought*, is unexplainable. However we will try at least to explain the "is" upon which an "ought" is established, namely values, with the aim also to remove part of the obscurity which covers this notion. And we will do it precisely starting from the concepts of adequate validity, system, positionality: the last one includes the previous, therefore it needs a specific account.

Moreover, in the course of the analysis, some problems still unresolved within the contemporary debate on social objects can be clarified. The very recent theory of J.Searle<sup>8</sup>, for example, does not give an exhaustive account of the reason why there "exist" objects created by human mind which are "objective", that is: why a dollar, a cocktail party, friendship or even human rights, exist and entail their own normativity, recognized as valid by more than one individual, independently from preferences and desires? At the same time we continue to ask why such normativity is so strongly anchored to material objects and events; and why, besides a normativity, which is objective and external, such material objects are also able to suggest a normativity which is objective and internal.

## The Positionality

We consider the position of an A, where A is a kind of an experienced object we intend to affirm or confirm as "something which is". Such an affirmation does not need a conceptual representation to occur. Immediate logical consequence of A will be the negation of its contrary: non(non A) and a set of truth-functional relations  $X = \{R_1(A), R_2(A), \dots, R_n(A), \dots\}$  such that  $R_i(A)$  is a positive adequacy and  $R_i(\text{non}A)$  is a negative adequacy. On a purely practical level the affirmation of A determines positive and negative validities in view to affirm A. This is a sort of self-determining semantic tree, also representing an infinite system, namely a system with potentially infinite correlating

<sup>7</sup> Cfr. *Der Formalismus*, p. 69: "Akte selbst koennen hierbei nie und in keine sinne gegenstaendlich werden, da ihr Sein allein im vollzuge beruht".

<sup>8</sup> J. R. Searle, *Making the Social World*, Oxford: UP, 2010.

terms, which in turn is closed, relying on an intrinsic rationality. So we define such a scheme as the representation of an intrinsic validity:

$$A \vdash \text{non}(\text{non } A) \text{ and } X = \{R_1(A), R_2(A), \dots, R_n(A), \dots\}.$$

In Scheler's scheme such positive and negative validities can be identified with the so-called objective essences of value and disvalue, which in their self-determination constitute objectivities, independent from contingent preferences. Such validities stand out from reality, and the necessity they express is not deontological, but logical. Value essences gather around different hierarchical structures (*kleine "Hierarchie" von Werten*) which are further systems of validities adequate to relating founding terms. Each of these hierarchical structure is an essence on its own, containing terms in a consequent relation among themselves (*Folgeberhältnis*)<sup>9</sup>. They all converge to one founding absolute hierarchy whose term of adequacy, as we will explain further, is the unobjectifiable value of "the person". Such unobjectifiability is expressed through the so-called values of the sacrum, the higher and therefore founding values before sensitive values, vital values and spiritual values. Returning to the notion of value essence, it is worth pointing out that the same schelerian description leads us to affirm that we are dealing with a unit of "meaning" (*Bedeutung*), which distinguish itself from ideal mathematical meanings only in as far as it's anchored to material objects (*Träger dieser Bedeutung*)<sup>10</sup>, i.e. a value essence can be known only on material basis. In fact, an essence expresses the self-determining logic of a material state of affairs: if I give assent to my well-being, I will probably give assent to a holiday, a massage room, a relaxing party; If I confirm my perception that in giving birth to a baby I generate a life from "my" life, then I will horrify in knowing that there are mothers abandoning their children, I will consequently take care of "my" baby, pay attention to the usefulness of a nappy, perceive the existence of perils and needs I didn't know before, and so on. Overall in each of the infinite value essence possibilities, we perceive material reality around us as more or less "true" or adequate to something, which "is" (my baby). Therefore the possibility of being values and is reflected by material objects and state of affairs, whose "status" is also a placeholder of specific validities, in a continuous alternation within which, in principle, every intrinsic validity is a possible value and all kind of materiality is a potential value bearer, or "good". Nevertheless, as Scheler's scheme suggests, we must distinguish between the experience of an intrinsic validity, the objectified representation of a value and the position of a value. During the experience of a value (the motherhood in giving birth to a baby), which occurs in an emotional perception

<sup>9</sup> Cfr. *Der Formalismus*, p. 92-93: "Ich sage, dass der Wert von der Art B den Wert von der Art A fundiere, wenn ein bestimmter einzelner Wert A nur gegeben sein kann, sofern irgendein bestimmter Wert B bereits gegeben ist; und dies wesensgesetzlich! Dann ist aber der jeweilig fundierende Wert, d.h. hier der Wert B, auch jeweilig der höhere Wert".

<sup>10</sup> Cfr also *Der Formalismus*, p. 166: "Gegenüber der Sphäre der Nur-Bedeutungen sind sie sittlichen Tatsachen Tatsachen der materialen Anschauung".

(*Fühlen*), we perceive at non-conceptual level an eidetic presentation of the intrinsic validity scheme, where things that are truer “come forth” while all the rest of reality “stays back”. Such an emotional perception of a value can also occur within an imaginative intention (*vorgestellten Werte*), namely in absence of concrete bearers. The representation of an intrinsic validity as a value  $V^{11}$  signifies that this is “mereologically” caught in its meaning through a reflective and objectifying act (the motherhood as a never experienced truth). Such value  $V$  is defined on the ground of an adequate system which in turn contains it; at the same time the represented affirmation of  $V$  entails its own intrinsic validity. So we have:

$$V \vdash \text{non}(\text{non } V) \text{ and } Y = \{R_1(V), R_2(V), \dots, R_n(V), \dots\},$$

such that  $R_i(V)$  is a secondary value (*Konsekutivwert*) and  $R_i(\text{non}V)$  is a secondary disvalue. The representation of a value also occurs thanks to (not by means of) a specific class of intentional acts, which Scheler names “preferring and postponing”. However it’s the position of a founding value (the motherhood orients the whole of my practical intentions and deeds), namely the affirmation of its being and the “necessity for it to be” in the future as well, that defines the validity of whatever kind of structured system of values and determines both the experience and the representation of an ought (*Sollen*). Such position of a value coincides with the crucial moment within which *is* and *ought* are identified through an act of free will, so that a truth also becomes an end. Hence, in virtue of the affirmation of  $V$ , each secondary value  $R_i(V)$  will be both a good and a positive ought, while each secondary disvalue  $R_i(\text{non}V)$  will be a bad or a negative ought. We define the position of a value (or a disvalue) as the conscious or unconscious affirmation of its ought to be. In Scheler’s scheme in fact, such a position corresponds to an assent at the non-conceptual level (that Scheler again names “preference”: *Vorzug*), or a recognition at the conceptual level (*Anerkennung*), which determine the respective fields of practical intentionality: the conation towards a goal and the will towards a purpose. So both conations and purposes are actually an ought, respectively at non-conceptual and conceptual level. At the conceptual level the recognition of  $V$  will also concern, on the one hand the experience of an interior ought, which binds the will to the affirmation of  $V$  (*Pflicht*); on the other the experience and the representation of an ideal normative ought (*ideale Sollen*), an “ideally” universal normativity that is oriented to the practical realization of  $V$  itself (*Norm*) and can entail the determination of a further system of validities, whose terms are “positioned” as emergent objects in order to realize  $V$ . Such terms consist of normative objects which are at the same time instrumental values (*Werkzeugswert*):

$$Z = \{P_1(V), P_2(V), \dots, P_n(V), \dots\},$$

<sup>11</sup> The representation of constitutive rules of reality, as described by Scheler is nearer to Aristotle’s theory of essences, than to Husserl’s the phenomenology of transcendental essences.



such that  $P_i(V)$  is a positive normative ought,  $P_i(\text{non}V)$  is a negative normative ought and  $[\text{non } P_i(V)]$  is also a negative normative ought on the basis of responsibility. In Scheler's scheme the three moments of experience, representation and position of a value do not necessarily coincide: we can perceive a value without representing or positioning it (so without further extending it into the future); we can represent a value "not due", so not positioned; we can position a value without representing it or maybe only by representing the relating ought ("I feel guilty but I don't know why"). All these dynamics, whose details cannot be described here, derive from a reciprocal interaction between the non-conceptual and conceptual scenarios and their respective positions. Each of our positions determines validities, which consist of objective intrinsic rationalities (many small natural deduction systems), which literally "program" our mind and every single portion of our practical life. Nevertheless, it is the free will that "predisposes" such positions, giving birth to a complex tissue within which whatever corresponds to a goal or a purpose, does not only upon a previous positionality but constitutes a new potential positionality itself. At the non-conceptual level the systems of preferences (*Systeme Vorzugsregeln*) and their conations rely on a founding order (*Vorzugsordnung*) that in turn determines one sole system of non conceptual intentionalities (*das System unserer Strebungen*): all this corresponds to the internal disposition of consciousness to practical intentions (*Gesinnung*), which can change from individual to individual and over during the time. On the other hand, at the conceptual level we possess different value structures all converging in one sole "axiological structure" on the basis of which we realize our purposes (*Wertverhalten und in ihnen gegründeten Sachverhalten*). The perfect harmony of our practical intentionalities can only derive from the "reciprocal adequacy" between our validity structures (*die passen aufeinander*). Similarly the perfect evidence of a value (*verschiedensten Graden der Adäquation bis zur Selbstgegebenheit –mit der absolute Evidenz*<sup>12</sup>) refers to the convergence between the validity terms of our conceptual and non-conceptual consciousness, or rather to the coincidence between experience, representation and position of that specific intrinsic validity. During such an adequate experience of a value, we feel as though "we have always known it" (*immer schon erschaut*), eventually feeling like "we are in the right place": we actually experience an intrinsic validity whose paradigmatic basis we have already unconsciously approved (*ein tiefer liegendes Prinzip*). In doing so we assume exactly the position complying with that paradigm of validities, orienting our practical horizon, even if just for one moment<sup>13</sup>; the experience of a value is a mental state. Such a kind of experience (the more it concerns our founding positionalities, the stronger it gets) does not entail any obligation (*Pflichtsollen*), since there is no representation of an ought as opposing to contrary conations. On representational ground, this value evidence corresponds to the truth of a value and, consequently, to its "authority": whatever "is" or is "true" possesses a specific authority on

<sup>12</sup> *Der Formalismus*, p 65

<sup>13</sup> Cfr. *Der Formalismus*, p 115 : "eine Gesinnung kann auch nur einen Augenblick wahren".



the rest of reality we perceive and represent, exactly because what obtains in relation to it is more true than other things. If our doctor's diagnosis lets us know that we hallucinate at all levels, our sensorial experiences will be basically inadequate since they do not correspond to our representation of truth. So we affirm that exactly as there are external authorities, there are also-internal authorities: values. Moreover, it is worth underlining that the positionality, namely the affirmation of something which is and ought to be, rests on a fundamental "trust" towards what we are able to perceive and affirm; in Scheler's description this coincides with a primary intention: Love. Nonetheless there is still a question to answer: why are there value experiences which are in principle universally valid, independent of representations? What is the last reference for the adequacy of such kind of validity experiences? It is impossible here to refer make reference to any previous positionality (the risk is that of an infinite recursion): there is no specific moment through which we give assent to our sensorial sensibility (sensorial values); our wellbeing (vital values); our ability to transcend ourselves (spiritual values) or to mystify itself of our being practical agents, that even leads us to feel an indefinite sense of gratitude (values of sacrum). Rather, it is precisely due to the perception of some terms of validity that we recognize in a specific moment what we "are" and always "have been", in a sort of continuous positionality ("the position of man in the cosmos"<sup>14</sup>). Notwithstanding the perception of a universal validity, the experiences I give assent to are first of all represented as basically "mine": my nature, my neighbour's rights, my God. Basically, however, the values that found our practical sphere are not created by our consciousness; we can rather say we are "invited" to assume the position they entail, exactly because "we live in this world".

Apart from the fact that the constitution itself of consciousness does not seem to be possible without the affirmation of a founding truth (*is*), a fundamental difference emerges here between the concept of positionality we described and the husserlian *Stellungnahme*. The former, in fact, in allowing the self-determination of a reality outside consciousness, entails something more than a "thetic objectifying act" which creates "horizons of beliefs"; moreover, it does not risk to remain dependent upon the emotional fruition of the subject. As brilliantly pointed out by Maurice Dupuy<sup>15</sup>, while Husserl accounts for an analysis which goes "from things to phenomena", Scheler's scheme goes "from phenomena to things".

<sup>14</sup> Cfr. M. Scheler, *Die Stellung des Menschen im Kosmos* (1928)

<sup>15</sup> Cfr. M. Dupuy, *La philosophie de Max Scheler* (1959)

## The Normative Ought

Norms are a human creation, the most intelligent one perhaps. We do not find any ought in nature. The notion of normative ought (*das normative Sollen*) is very important in Scheler's scheme, notwithstanding he formally approaches it only in a short paragraph of the *Formalism*. We can briefly affirm that the normative ought is the bridge between the perceived and the "positioned" materiality. As emerged, this concept somehow has the function of fixing the necessity of a value through a sort of contract between the will and the will herself (she anchors herself to a repeatability criterion relating to the affirmation or realization of V, avoiding any remorse). In doing so, consciousness deontologically structures itself, so that the conceptual reason is able to orient and govern conations: we can say that the normative ought is the final and most refined "form of economization" (*Ökonomisierungsform*) of what we define with Scheler as "ethical discernment" (*sittliche Einsicht*). On the other hand, the normative ought coincides with the possibility for the will to position an emergent system of intrinsic validities in view to realize V (*Tunwollen*). It is worth to underline that we are dealing with objects: positioned instrumental values exist in the form of objects; exactly in the same way as concrete value bearers are objects. To perception, these objects entail similar effects, as we will clarify. First of all, let us consider, as mentioned, that, at the conceptual level, values are represented under objectification and inserted in a "manageable" and adequate horizon of objects: objectifying an intrinsic validity implies that we assume a position external to it, so that we position a new system of validities which contains it. In doing so, our axiological structure is not necessarily defined in correspondence to our inner order of preferences, as already said. An object, concrete bearer of a specific intrinsic validity (the home), leads us to assume the position suggested by that specific validity (my mother loves me; my father educates me; I feel protected). It lets us experience a value (the family) in a direct way; so the ideal objects of an axiological structure are able to impose themselves with their orientations to the non-conceptual sphere. Then we consider the normative objects positioned by other subjects: overall a person is surrounded by normative forces since his birth (*ein jeglicher Mensch findet sich von Geburt an umringt von faktischen normierenden Gewalten*<sup>16</sup>) and these include "represented states of affairs" which play the same part as concrete objects in being value bearers. As for every kind of intrinsic validity, there are no normative objects which do not depend on some of our assent to exist. So we affirm that a positioned normative object P only exists if it falls within the validities deriving from at least two similar positionalities of two different individuals. In sum, it exists if it is in some way perceived "p" by at least two subjects:  $P \leftrightarrow \exists x \exists y [pP(x \text{ and } y)]$ . Here we consider the positioning subject's perspective: in order to grant existence to P it will have to address the other's positions (conceptual or non-conceptual) and the more these positions are

<sup>16</sup> *Der Formalismus*, p 193

founding, the more the existence of P will endure. The necessity of such a “declaring force” stands out with reference to whatever kind of intersubjective positioned validity (practical, social, juridical objects), exactly as the constitution of value bearers depends upon the “energy of subjects which constitute them” (*von den Fähigkeiten der Menschen, die sie bilden*<sup>17</sup>). Then we consider the perceiving subject’s perspective: in receiving P, it has to anchor it to the nearest materiality in its own consciousness. For example, in respecting a juridical norm I can rely on a vital value (fear of the institutional or social sanction), or rather on a spiritual value (I respect society or the ideal of truth as such). In any case that norm, as the Law itself, “exists”, exactly like doctors, hospitals, banks, the work place, the marriage, also “exist” (bearers of values for me and many others); or rather my birthday, the village festival, the sunday jogging (bearers of values for me and some others). According to Searle’s theoretical model, each of these objects is a status function, namely a field of reality which, depending on contests and by virtue of an acknowledged “authority”, claims for a specific normative validity independent from individual preferences and desires.

As already said, we consider authority and truth as two sides of the same coin if perception and representation correspond (the sensorial experience, my internal perception, my father, my doctor, the legislator). So the evidence or truthfulness of a normative object can also depend indirectly on the fact that this has been positioned by an external authority: a model, an institution, the tradition (*Autorität, Tradition und Nachfolge*). As follows from what already has been described, the truthfulness of objects within our axiological structure “competes” with the material objects we perceive, in the sense that an intrinsic validity emerging from a surrounding environment still not corresponding to our conceptual positions, can be “silenced” or revised according to our conceptually positioned adequacies. This can happen, we acknowledge, in both a good and in a bad way: in good, during the potentially traumatizing vision of a man who has been shot; in bad, during the vision of a baby which, as well as being my child, I don’t recognize as object of my love (but one day I’ll probably realize that I love him more than any other thing; exactly as I realize at one moment that I love my father; because if I somehow gave assent to life, I cannot avoid to recognize the value of donating life). As a matter of principle, however, we can say our free will allows us to transcend the representation of “habitual” meanings with new meanings or truth criteria. As already emerged, in Scheler’s scheme there is a mutual dialogue between experience and representation of validity structures, so that the representation of a practical position can be said in a sense to become a “theoretical position”; exactly as the perspective representation of a “true” state of affairs becomes, in turn, the basis for action. So in a sense Scheler anticipates the Wittgenstein of *Philosophical Investigations* (1945). It is worth pointing out that from the

<sup>17</sup> *Der Formalismus*, p 18

representation of one sole truth-authority it is possible to derive only one closed system of intrinsic rational validities, therefore only one “perspective consciousness” (only what my father or the legislator states, is right, good and so on). We will therefore appreciate the ability of consciousness to represent different truth criteria, namely different horizons of validity<sup>18</sup>: in doing so, consciousness will be able to perceive and adapt to an equal amount of contentions of value. So we compare the constitution of practical consciousness and practical reality to complex systems.

We said our practical truths and purposes always rely on the assent we progressively give to our material experiences (*Materie des Wollens*). Within this sphere we also include intersubjective experiences: common positions and collective intentions (*gemeinsamen Willens*), the first of which are those that shared with the mother; besides: intentional acts which are only possible to within a society (*Miteinandererleben*). So, just as an individual or universal adequacy, we also have a “collective adequacy”, by means of which a person basically constitutes herself both as a single person (*Einzelpersonen*) and as a collective person (*Gesamtpersonen*)<sup>19</sup>. As already said, in positioning a normative object I have to address the other’s own positions: I do it also in order to obtain a “we”, namely a common position, where at least two subjects’s perceptions and positions of objects can correspond. The common acquisition of a social ought in all kinds of its essential modes, all implying reciprocity (the friendship, the promise, the contract, the National Institution), presuppose the experience of such a common position (*Lebensgemeinschaft*), i.e. the material basis (is) to which it’s possible to anchor the representation of a commitment (ought) and relative validities. The acknowledgment of such a commitment again entails a self-reference, not only because collective adequacy is itself a specific kind of positionality within individual’s consciousness, but also because what is “ours” (our Nation, our Tradition, our Rights as humans) is normally at the same time also “mine”. With reference to Europe, which Scheler mentions as an example of cultural community, the so called euro-skeptical can bring into question the acknowledgement of EU Institutions (such positioned objects are not mine), but he cannot avoid to recognize the “meaningful” fact that once there was a “we” to position them.

<sup>18</sup> In accordance to a so-called polyvalent logic, for example fuzzy logic.

<sup>19</sup> The meaning of “person” as such entails itself a self-determination within a society.