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THINGS, GOODS, AND VALUES: THE OPERATIVE FUNCTION OF HUSSERL'S UNITARY FOUNDATION IN SCHELER'S AXIOLOGY¹

abstract

In this paper, I contend that the core intuition that resides at the basis of Scheler's metaethics is expressed through the formal axiological distinction between things, goods, and values. I pursue a twofold aim: 1) to show that Scheler implicitly operates within Husserl's concept of 'unitary foundation' when describing how values inhere within goods; 2) to compare Scheler's metaethical argument concerning the independence of a world of goods with Hare's 'indiscernibility argument'. Scheler's reversal of Hare's argument confronts us with the formal-ontological difference between the analytic account of supervenience and the phenomenological account of unitary foundation. My argument is based on the formalization of the second type of unitary foundation that Husserl outlines in his Third Logical Investigation. The second type of unitary foundation is usually conflated with the first type of unitary foundation, as a result of the gross mistakes found in Findlay's English translation.

keywords

metaethics, mereology, supervenience, unitary foundation, indiscernibility, Husserl, Scheler, Hare.

1 I want to thank Michela Summa for permission to apply in this article the formalization we developed together (Caminada & Summa 2015).

Scheler's ethical personalism of values is far and away his greatest contribution to phenomenological ethics. He propounds a 'material' ethics of values as an alternative to both a traditional, teleological "ethics of goods and purposes" account (Scheler, 1973, p. 5 ff.) and a Kantian, universal and formalistic account (ibid., p. 163 ff.). Accordingly, 'material' ethics is not a materialistic or naturalistic theory, but is instead a content-related (i.e., value-based) account of moral life.

In this paper, I contend that the distinction between things, goods, and values is the key to understanding Scheler's phenomenological ethics. I aim to:

- show that Scheler implicitly operates within Husserl's concept of 'unitary foundation' (Husserl, 2001, p. 34) to describe how *values* inhere within *goods*;
- compare Scheler's argument concerning the independence of a world of goods with Hare's (1952) '*indiscernibility argument*'. I will argue that Scheler's reversal of Hare's argument confronts us with the formal-ontological difference between the analytic account of supervenience and the phenomenological account of unitary foundation.

In order to achieve these two aims, I will first introduce Scheler's distinction between goods and values and its relevance for his ethics (§1). I will then proceed to formalize Scheler's ontology of goods in three further steps: in §2, I will present Scheler's tripartite account of goods, values, and things; in §3, I will rely on the formalization of two types of unitary foundation, as outlined in Husserl's *Third Logical Investigation*, that I developed with Michela Summa (Caminada & Summa, 2015). These two types of unitary foundation are usually conflated, as a result of gross mistakes in Findlay's English translation. In §4, and on the basis of the formalization of Scheler's axiology, I will assess both Scheler's argument concerning the independence of a world of goods and Hare's *indiscernibility argument* (1952), i.e., the claim that if two people are *indiscernible* with respect to natural properties, then they are necessarily *indiscernible* with respect to moral goodness. Scheler's and Hare's arguments will provide a concrete basis to highlight the difference between the concepts of unitary foundation and supervenience. Lastly, I will remark that Scheler's argument may be amended by making its formal ontological structure explicit. I believe that the proposed reading may help revisiting the 'Platonist' interpretation of Scheler, according to which values are independent entities existing by themselves.

Scheler's metaethical account can be regarded as cognitivist realism: he claims that there are moral matters of fact (*sittliche Tatsachen*), i.e., states of affairs (*Sachverhalte*) that, leaning on Scheler's wording, could be called matters of values or value-laden states of affairs (*Wertverhalte*); these are the truth-makers of moral judgements.¹ The intentional feeling of value qualities is the adequate form of knowledge about such qualities: values are the 'intentional content' of this particular class of intentional acts. Thus, the adjective 'material' in 'material value ethics' is not only an antonym of 'formal' but also reflects the terminology of Husserl's *Logical Investigations*. This is apparent through the designation of values as the intentional content of feelings, i.e. as their intentional 'matter' (*Materie*) in Scheler's ethics.² Accordingly, a particular class of intentional emotions can be considered to provide viable, epistemic access to real qualities (i.e., values) that are not reducible to properties that we can access through other acts (e.g., perception, discussion, hypothetical thought in the form of 'what would others do in my place?', etc.). To sum up, Scheler's metaethics is based on the ascertainment that the intentional feeling qua cognition of (not as a reaction to) values is the originary giving experience of values. This epistemic claim correlates to an ontological assessment of the way in which values inhere in goods and relate to mere things. As we will see, Scheler's main thesis with respect to the ontology of goods is as follows:

- values are given in a good as the *unity of the qualities of such a good* and are ontologically *bilaterally founded* with these qualities.

This also holds true for non-moral values: colors and tones are not perceived independently from stylistic values, but rather as strongly *individuated* by the style of their arrangement. The chromatic value is determined by a composition's chromatic tension. Nevertheless, Scheler affirms that aesthetic experience's grades of evidence may be independent from the experience of its perceptual basis and that aesthetic patterns usually drive our perceptual attention. It is often only due to aesthetic experience that an object's properties are carefully examined in terms of the perceptual traits that comprise a concrete aesthetic quality's many nuances.

It is critical to expound upon Scheler's often-neglected distinction between goods and values in order to assess the phenomenological validity of Scheler's account. Scheler praises Kant's rejection of any material ethics of goods in his *Formalism in the Ethics and the Material Ethics of Values*. He agrees with Kant that any ethics that is based on concrete goods is a form of ethical relativism that necessarily commits injustice to moral subjects because it cannot treat them equally. The moral value of actions and persons would be essentially determined by external factors if it were to be linked to the realisation of real goods, given the fact that the concrete conditions that constrain access to, involve the promotion of, and that require the creation of goods change dramatically depending on empirical circumstances. This fatalist concession would jeopardize any attempt to found an ethics that aims to transcend moral traditions and unquestioned cultural presuppositions, i.e., any ethics that ranks individual autonomy more highly than ethnic and traditional bonds. However, against Kant, Scheler claims that

1. The Distinction between Goods and Values and its Role in Scheler's Ethics

1 Of course Scheler does not use the term 'metaethics', which in those days was used if at all only by people in the English-speaking world. Nevertheless, his ethics is based on ontological and epistemological insights that today largely correspond to the domain of metaethics.

2 Frings' and Funk's English translation of Scheler's ethics opted to circumvent this adjective with the paraphrase 'non-formal' in order to avoid possible conflation with 'materialistic' accounts (Frings & Funk, 1973, p. xv). However, this choice neglects the 'noematic' relevance of Scheler's account of values and its intrinsic connection to material or regional ontologies.

‘good intentions’ are not enough to conduct a good life and that, furthermore, a maxim of universalization cannot be the sole criterium employed to guarantee an intention’s ‘goodness’. Scheler propounds the thesis that the *content* of moral values does not depend upon the *existence* of real goods and, thus, a material ethics based on value contents (and not on real goods) would not humiliate the autonomy of moral subjects; this is because it would regard values as being independent of historical circumstances. The existence of real goods with positive values, such as healthy food or just institutions, as well as those with negative values, such as polluted fields or corrupt organizations, depend both upon the axiological polarity and upon the organic constitution of the moral subjects; these subjects are embedded in the historical circumstances of their own lives. Whether or not a particular dish is healthy or harmful can vary from individual to individual, depending on a number of factors (biological species, age, general health situation, etc.). A similar societal institution can express positive or negative value within different juridical situations, such as in honor killings, i.e., the murder or instigation to suicide of a member of a community who allegedly dishonored the community and violated its principles. Nevertheless, by distinguishing values from goods, Scheler highlights that the life-promoting value of healthy food and the noxious effects of pollution can express a phenomenal content (an intentional ‘matter’ and a correspondent ‘evident meaning’) independently of their real existence, i.e., independently of their concrete bearer (this or that particular substance) and from the organism who may profit or suffer as a result of their effects. This amounts to saying that we can grasp the axiological polarity of goods (i.e., their being necessarily either good or bad) that transcend their concrete instantiations: we can evidently assess the positive value of nutrition, as facilitating health-promotion, and the negative value of a poison in its potential to intoxicate us. The distinction between goods and values does not yet justify the moral character of an action that may be related to such positive or negative values. Moral values are intrinsically related to the assumption of a recognizable hierarchy among values. Scheler’s cognitivist position has namely a twofold meaning: not only values are accessible in emotional life, but also their hierarchy. Scheler outlines an objective hierarchy of values which is articulated according to his ontology of the human person. The values of the pleasant and unpleasant express the localizable bodily sensuality, the vital values the vitality of the entire body; the cultural values are directed towards objects of spiritual interest. Finally, the value sphere of the sacred encompasses the totality of the existential depth of the person. Scheler also mentions a fifth sphere which encompasses the realm of the useful and harmful and serves either physical well-being or the enhancement of life. Accordingly, he ascribes ascending value to these axiological spheres, from the states of the bodily parts (sensual values) to the dynamics of the bodily whole (vital values), from the domains of spiritual interests (cultural-spiritual values) to the whole of the person (personal-sacred values). Finally, the moral value sphere of good and evil stands in an eccentric position in respect to the other value spheres. Morality, according to Scheler, finds expression in the concrete decision between values and in the value preference persons. Morally good is the person who prefers higher values to lower ones and acts accordingly.

If we take the institution of honor killing, an act that has been generally condemned by human rights organizations throughout the 20th Century and which was finally outlawed by the majority of contemporary legislations, we should note that the violent death of a member who dishonored the community was never considered to be positive as such. Instead, it was considered to be less harmful (and therefore relatively preferable) than accepting the perpetration of the cause of dishonor. This judgement was (and, unfortunately, in some cases still is) motivated by the fact that the community’s honor was evaluated more highly than the individuals’ life. This example shows an additional, essential element of the nature of values:

they are necessarily *entangled in a scale of preference*. When one speaks of ‘honor cultures’ one does not simply refer to a culture that evaluates honor positively, and which considers honor to be one of its core values, but, more radically, to such cultures that identify the value of honor with a particular set of goods that embody a precise patriarchal hierarchy of values. Meritocracy, for instance, is a different ‘honor code’ that is based on a different understanding of honor and shame (see Appiah, 2010). Contemporary condemnations of honor killing rely on both reversing the order of preference between a community’s honor and individual freedom (thereby stressing the individual’s inviolable dignity over and against any group identity) and upon radically criticizing the allegedly dishonorable character of the typical reasons that motivate honor crimes. These reasons are usually related to contestations of the patriarchal codes of family, e.g., refusing an arranged marriage, having or becoming the victim of extramarital sex, manifesting non-heterosexual behavior, hanging out with individuals or groups that are disapproved of by one’s own family, dressing in an allegedly inappropriate manner, etc.

By highlighting honor’s positive value, Scheler sharply distinguishes it from those goods and institutions that have been historically considered to be carriers of honor and ascribes a middle position in his hierarchy of values thereto. According to Scheler, honor pertains to the sphere of vital values that should be preferred to economical and hedonistic values but that, in cases of moral conflict, should be neglected in favor of values such as justice, the knowledge of truth, the advancement of the arts, and the flourishing of individual personalities. We should note that, according to Scheler, any ethics based on a fixed catalogue of goods, deeds, or forms of life, is an ethics that is unable to sense the transcendence of values from their concrete real bearers and necessarily revolves around a form of particularism and relativism, even if moral or religious authorities typically preach that their own casuistic catalogue is either eternal or natural.

Scheler considers Kant’s identification of goods with values to be an erroneous identification, thereby exposing Kant’s tacit presupposition that we can only abstract values from the actual effects produced by goods acting on our states of pleasure and displeasure (Scheler, 1973, p. 10). In contrast to Kant, Scheler claims that value inheres in the objects of the life-world (things, goods, persons, and actions), not just in subjective states of pleasure or pain. Furthermore, value-concepts are not derived from experience through abstraction or induction but “can find their *fulfilment in autonomous phenomena*” (ibid.), that is in experience itself. Scheler compares values with colours to prove the phenomenological independence of value-experience (ibid., p. 12). According to this analogy, the content of ‘goodness’, the aesthetic value of the ‘sublime’, or even the revolting character of ‘injustice’ can be raised to the level of awareness in the exemplary experience of a ‘good person’, a ‘sublime landscape’, or an ‘unjust institution’, like the experience of ‘redness’ through the perception of a concrete red nuance. The thousands of nuances that belong to the chromatic spectrum or the copious sound timbres that distinguish a given tone all correspond to the different value qualities through which the value of goodness can be manifested. Just as there is a chromatic space, a chromatic horizon, and a chromatic tension among colours, so there are similar relations for tones and values. Based on the similarity between the experience of colours and values, the expression of ‘value blindness’ can refer to forms of absolute or relative insensibility to specific spheres of values, thus leaning more towards the meaning of ‘colour blindness’.

In this respect, values are closer to perceptive qualities than they are to ideal objects: pure ideal objects do not manifest themselves in adumbrations, unlike colors, tones, and values that are always given in concrete colorations, timbres, or nuances. The number ‘3’ simply remains the same identical ideal object disregarding the different operations through which we might obtain it. Equally, anything that is not essentially required by its meaning belongs just as little

to the sphere of a triangle: these are only material deviations that are to be weeded out by approaching the limit idea of geometrical exactness (ibid., p. 166). Scheler highlights that Plato (as well as axiological Platonists such as Augustine and Descartes) understands the relation between empirical values and the idea of 'the Good' according to this exact geometrical model. On the contrary, Scheler shares with the early phenomenological movement the general conviction that ethical categories, in contrast to mathematical ones, do not pertain exclusively to the sphere of ideal meaning. 'Moral facts' are not constructed by adding 'moral ideals' or 'deontic operators' to 'brute facts'. Values, just like mathematical and geometric ideal objects, cannot be sensed through meaningless 'sensations', but this does not mean that they are necessarily ideal meanings that can be grasped only through conceptual reason (ibid., p. 167). Scheler elucidates the difference between pre-predicative and predicative access to values through the following examples: like a child who feels their mother's care without having a concept thereof, we can similarly feel positive traits about a person that we use to judge negatively without being ready to change our mind about their conduct on the basis of this experience that we, therefore, often tend to ignore. Like purely ideal objects, values cannot be the content of 'impressions'; however, in contrast to purely ideal objects, values can be experienced intuitively and adequately. The givenness of values does not presuppose the concepts of 'the good', just as the givenness of colors does not presuppose the concept of 'the red'. If values are grasped categorically, much like colors, then the categories of 'the good', 'the unjust', etc. are, according to Scheler, 'ideal objects'. Similarly, concepts like 'the red' or 'the tone' are ideal objects, too. Values can be grasped as ideal objects, but are not *purely* ideal objects. To conclude, unlike our ability to grasp the idea of a straight line, values are not 'ideals' in the sense of an idea lying in infinity that can only be approximated or that can neither ever be fulfilled in intuition nor concretely realized. Borrowing Husserl's distinction, we might say that Scheler considers values to be morphological *eide*, not *limit ideas*. Accordingly, a value can be *idealized* and can be grasped conceptually if and only if it is concretely beheld in intuition (ibid., p. 166 f.).

The Platonic account of the idea of 'the Good' is commonly connected with the ontological thesis that negative values are names for ontological privation, i.e., they should be regarded exclusively as expressions of their distance from the highest good (and being), not as an evil. Scheler rejects this thesis, which he labels as 'Socratic-platonic intellectual idealism', and stresses that we should actually admit the existence of positive and negative values, goods, and evils, at every level or sphere of being. The existence of negative matters of value testifies to the life-world's essential axiological polarity which cannot be conflated with its inner positionality: polarity refers to both positive and negative values, whereas positionality is related to the different modes of being and judgement thereof. A positive matter of value can be, for example, judged to be sure, uncertain, or plausible, depending on the corresponding value experience's grade of evidence (ibid., p. 167).

One final difference between colours and values consists in the structural possibility of values to act as logical 'functors' in an utterance, e.g., in a proposition like 'it is good that P', whilst it is nonsense to claim something like 'it is red that P'. This logical function is, according to Mulligan (2009), the key to a possible formalization of values. Values can be examined both in terms of their formal structures, in their material contents, and according to the different value spheres' specific characteristics. The distinction between formal and material (or regional) ontology also applies to axiology. Both Scheler (1973, p. 26) and Husserl (Hua XXVIII, p. 90 f.) integrate Brentano's formal laws of the relation between existence and positive and negative values. These laws articulate the possible combinations of axiological positionality and polarity, i.e., the mode of existence (certain, possible, doubtful, probable, etc.) as well as the character of positive and negative values. Although Husserl ponders the limit case of

value neutrality, as a necessary dimension of the formal logic of value judgements, this fails to invalidate values' essential binary polarity (see Hua XXVIII, p. 86 f.).

Scheler thus refutes merely conceptual, deontical, and naturalist accounts of metaethics by contrasting values against ideal meanings and perceptual phenomena, as in the example of colours. He concludes that value properties do not unilaterally depend upon non-value properties:

In correctly determining a value, it never suffices to attempt to derive it from characteristics and properties which do not belong to the sphere of value-phenomena. The value itself always must be *intuitively given* or must refer back to that kind of givenness. Just as it is senseless to ask for the common properties of all blue or red things, since they have nothing in common except their blueness or redness, so is it senseless to ask for the common properties of good or evil deeds, moral dispositions [*Gesinnungen*], men, etc. (Scheler, 1973, p. 14).

Therefore, Scheler (1973) claims that:

[T]here are *authentic* and *true* value-qualities and that they constitute a special domain of objectivities, have their own *distinct* relations and correlations, and, as value-qualities, can be, for example, higher or lower. This being the case, there can be, among these value-qualities an *order* and an *order of ranks*, both of which are independent of the presence of a *realm of goods* in which they appear, entirely independent of the movement and changes of these goods throughout history and 'a priori' to the experience of these realms of goods. (p. 15).

However, Scheler (1973) actually recognizes that he has just claimed more than he could possibly demonstrate and admits as much, writing that "one could object that we have shown only that *values are not, or at least originally are not, properties of things*" (p. 15, my emphasis). We can consider this sentence to express the minimal consensus among (non-naturalistic) theories of values: *values are not (natural) properties of things*.

Scheler then summarizes some of European modernity's leading theories of value, according to which values are held to be "*powers, capacities or dispositions* in things capable of *causing*, in sentient and desiring subjects, certain feeling-states or desires" (ibid.). Against the background of these attempts, he stresses that "*values are clearly feelable phenomena* – not obscure X's which have their meaning only through other well-known phenomena." (Scheler, 1973, p. 16). We experience the contents and the order of the phenomena of values independently of "the form of being into which values enter". Indeed, this *ultimate independence* of the being of values with regard to things, goods, and states of affairs appears clearly in the fact that we can experience goods and things with independent degrees of evidence and adequation and that an object's value can be given (and even evidently given) *apart from* the givenness of the value's *bearer* (ibid., p. 17). We can clearly find someone or something pleasant or repugnant without our being able to indicate how this originally came about or that a connoisseur can distinguish the quality of wine without any knowledge of the circumstances of its production, its nutritional values, or of the ingredients that have been added.

In the sections that follow, I aim to address the contemporary account of ethical supervenience, which may be considered to be a direct alternatives to Scheler's account. This is because it can be held without contradicting the phenomenal givenness of values and because it tries, as Scheler does, to explain the relation of dependence and the margins of independence (i.e., the laws of co-variance) that axiological properties have with respect

to physical ones. As I will show, Scheler's description is based on an alternative formal-ontological tool; namely, Husserl's concept of unitary foundation.

2. Things, Goods, and Values

Let us first return to Scheler's description of goods as 'material unities of values'. According to Scheler, an object's axiological nuance is given before its other qualities are given, and the value of the object's global structure is the medium that guides its perception and understanding:

Indeed, it is as if the axiological nuance of an object (whether it be remembered, anticipated, represented or perceived) were the first factor that came upon us, and it is as if the value of the totality of which this object is a member or part constituted THE 'medium', as it were, in which the OBJECT comes to FULLY develop its image-content or (conceptual) meaning." (Scheler, 1973, p. 18)³

Accordingly, Scheler presents values as being holistic qualities. In fact, he underlines this further when he writes that "detailed investigations are necessary in order to find out how values relate in the *foundation* of givenness to other qualities, such as simple colours, sounds, or in their combinations. We are mainly concerned here with the significance of the possible independence of value-comprehension from value-bearers." (ibid.).

How do axiological qualities and axiological states of affairs relate to *things* and *goods*? As we shall see, things, and goods are related by a mutual, unitary foundation that is guided by the value-qualities that belong to the structure of the good as a whole.⁴ Let us follow Scheler's definition in this pursuit:

- Values are to goods what qualities are to things; that is: *values are the specific properties of goods*, insofar as these qualities are defined by their possible phenomenological fulfilment.
- Accordingly, Scheler distinguishes between values as the *unity of goods*, and values as simply belonging to things.
- If values found the unity of the value-thing, then this thing-like unity can be defined as a good. If the value simply belongs to a physical thing whose unity is founded on its material connections, then this thing is not a good.
- Goods and things are distinct insofar as, whereas goods are unities of value-qualities (or value-complexes which are founded in a specific basic value), physical things are unities that are simply founded on (or aggregated as) material connections. (Scheler, 1973, pp. 20-21).

Scheler suggests defining *Sache* as a thing with values, in contrast to *Ding* which is a valueless thing.⁵ Things in the everyday sense of the word always have value. We can, according to

³ Henceforth, I will CAPITALIZE the wording which are my amendments of Frings' & Funk's translation of Scheler's *Formalism* or of Findlay's translation of Husserl's *Logical Investigations*.

⁴ In this respect, every good represents a small 'hierarchy' of values, because values are connected to each other according to a specific order. In the following sections, I will abstract from the problems related to the inner hierarchy of material values and concentrate on the formal structure of goods alone.

⁵ Frings and Funk translate *Sache* as 'complex', which is misleading in my opinion, given that they translated *Wertverhalt* as 'value-complex'. *Sachverhalt* is usually translated as 'state of affairs' or 'matter of fact'. Accordingly, *Wertverhalt* should be translated as 'state of values', 'axiological state of affairs', or perhaps even more preferably as 'matter of values'. In my translation, I have maintained 'thing' for *Sache*, which retains Scheler's interest in maintaining our everyday, practical encounter with things. In the so-called material turn in cultural studies, things

Scheler, take a detached stand and observe them as mere phenomena of nature that involve the “deliberate *setting aside* of all values” or we can take an opposite stance and view them as moments of all-encompassing goods, which involves the “deliberate setting aside of all PHYSICAL thingness” from the intermediate field of our everyday encounters with things. We must therefore distinguish between 1) physical things, 2) everyday things, and 3) goods: the first are material unities *without* values, the second are material unities *with some* values, and the third are material unities *of* values.

Moreover, Scheler underlines a fundamental difference between the unity of things and the unity of goods. Both unities, both goods and things, have “the same originality of givenness.” (Scheler, 1973, p. 21), i.e., they can both be justified phenomenologically. In fact, “changes in goods are not identical with changes in the same real objects as things and vice versa.” We can experience the destruction of a good quite apart from the destruction of its bearer: one example is that of a painting as a work of art that can be destroyed when its colours fade, without the canvas being destroyed as a thing.

A good cannot be divided, only annihilated, whereas a thing can be divided. There are partitions that do not endanger the existence of the good, so long as they pertain only to unessential factors, other partitions that might break the artwork into fragments (which still refer to the work of art as a whole) as well as partitions that would irremediably destroy the material support of the artwork.

As we have observed, things and goods manifest different *bounds of unity*, but how can the unity of the good be described?

- The values of a good do not simply supervene on its support. On the contrary, goods are thoroughly *permeated* by its values;
 - The unity of a value *guides* the synthesis of all other qualities of a good: it unifies both other value qualities and other qualities, such as colours and forms, in the case of material goods;
 - The unity of a good is founded by this guiding value, because the value is responsible for the unity of the good.
- (Scheler, 1973, pp. 21-22)

I claim that Scheler is applying here Husserl’s concept of *unitary* foundation according to the second essential type of unitary foundation that Husserl describes in the §21 of the *Third Logical Investigation*. Before I provide Husserl’s definition of these two types of essential unity in the following section, let us first see how Scheler concludes his remarks about the difference between goods and values:

Therefore, in a world of the *same qualities*, PHYSICAL *things* could be quite different from what they are, and yet, the *worlds of goods* could remain the same. In any area of goods, the natural thing-world can never be determining or even restricting in the formation of goods. (Scheler, 1973, p. 22)

Scheler’s argument seems to be at odds with Richard Mervyn Hare’s canonical argument for ethical supervenience (1952). The Oxford-based moral philosopher claimed that if two persons are *indiscernible* with respect to natural properties, then they are necessarily indiscernible with respect to moral goodness. This notwithstanding, moral goodness is not entailed by

have been opposed to the physicalist idea of things as the brute facts of the natural sciences by recurring to the Latin *res* or to the Greek *πράγματα*.

the natural properties through which these persons and their actions can be described: it *supervenes* on natural properties. Scheler seems to reverse Hare's argument.

As I will argue in the final section, this reversal conforms to the formal-ontological difference between the analytic account of supervenience and the phenomenological account of unitary foundation.

3. Supervenience against Unitary Foundation⁶

Hare's argument for ethical supervenience is perhaps the first occurrence of the term supervenience in analytic philosophy, although he claimed retrospectively (1984) that he only applied in metaethics a concept that was already *en vogue* in metaphysical discussions. In recent decades, the concept of supervenience has gained an increase in attention in several fields of philosophical inquiry. Generally speaking, a template for supervenience can be found in:

- A set of properties (B-properties) supervenes upon another set of properties (A-properties) if no two possible things can differ with respect to their B-properties without also differing with respect to their A-properties.⁷

Furthermore, supervenience is usually implicitly considered to be a one-sided dependence relation, according to which:

- a set of properties B supervenes upon another set of properties A, if the two systems are in a relationship such that there cannot be changes in the supervenient set B without changes in set A, while there can be changes in A – the basis low-level – without changes in the set B.⁸

Such a wide definition of the concept of supervenience promises to provide a unifying framework through which to address and differentiate dependence relations among elementary and higher-order properties. In this respect, Scheler's argument that different worlds of things could instantiate the same world of goods seems to follow this argumentation scheme. However, it should be noted that theories of supervenience do not usually address property-relations from the point of view of formal ontology exclusively: *they are not metaphysically neutral, since they are often committed to physicalism.*

I now wish to expound upon the similarities and differences between the concept of supervenience and the phenomenological account of unitary foundation. The phenomenological concept of foundation is formalized by Husserl as an integral part of his theory of wholes and parts. Unlike classical mereology, Husserl's theory expresses the holistic position that the global properties of a system, as a whole, can modify its constituents' properties and behavior; it can do so in a way that cannot be explained either ontologically or epistemologically by remaining confined to the analysis of the constituents' properties. The concept of supervenience is comparable to one of the two essential types of wholes (and correspondent parts) pinned down by Husserl's definition of unitary foundation in §21 of the *Third Logical Investigation* (Husserl, 2001, pp. 34-35). It should be noted that I translate

⁶ The section's main argument is based on Caminada & Summa (2015), pp. 7-9.

⁷ Cf. McLaughlin & Bennett (2014) and Chalmers (1996, p. 32 f.).

⁸ Cf. Kim (1998) and (1999). According to Johansson (2002), the concept of supervenience involves the following three requirements: non-entailment requirement (i.e., no properties of set A can be entailed in set B), indiscernibility requirement (as expressed by the first definition above), and an existential dependence requirement (as expressed by the second definition).

the adjective *'einheitlich'* of the syntagm *'einheitliche Fundierung'* as 'unitary'. Findlay prefers the term 'single' and its cognate 'singleness' (for *'Einheitlichkeit'*) in the first branch of the definition of the foundation, while in the second branch (as well as throughout §22) he inconsistently opts for 'unitary'. Findlay's translation is not only unfaithful to the German term (*single* would be *einzig* or *einsam*, not *einheitlich*); it is also conceptually wrong because in Husserl's definition of foundation two *different forms of bounds of unity among parts* rather than the singleness of the whole is at stake. Husserl considers 'unity' (*Einheit*) to be a "categorical predicate" (Husserl, 2001, p. 37) and "the relations of 'foundations'" as "*the only true unifying factors*" (ibid., p. 36).

Now that this terminological remark has been made, Husserl's understanding of ontological foundation can be regarded as a stronger version of the one-sided dependence relation mentioned above, according to which:

- a content of the type B is founded upon a content of the type A, if a B can by its essence (i.e., legally, in virtue of its specific nature) not exist, unless an A also exists. A *unitary* foundation is a specific form of foundation in which "every content is foundationally connected, whether directly or indirectly, with every content". (Husserl, 2001, p. 34).

Husserl distinguishes two essential types of unitary foundation and two types of wholes and founding parts, respectively. The unity may be founded:

1. either on a relation of mutual dependence, reciprocal foundation, and the interpenetration among all the parts of the set A with each other, or
2. on the unitary foundation of a new content with a new set of global properties B, founded on the plurality of the independent parts of the set A, and on all of them together.⁹

This distinction seems to have gone mostly unnoticed in the English literature. In fact, Findlay's translation completely omits the adverb *'umgekehrt'* (conversely) which stresses the logical disjunction between these two kinds of foundations. Given the relevance, I will quote it here at length, following Conni's layout that graphically underlines the essential distinction between the two different Definitions of Unitary Foundation (DUF) (Conni, 2005, p. 81):

[DUF1:] By a whole we understand a range of contents which are all covered by a UNITARY *foundation* without the help of further contents. The contents of such a range we call its parts. Talk of the UNITY *of the foundation* implies that *every content is foundationally connected, whether directly or indirectly, with every content*. This can happen in that all these contents are immediately or mediately founded on each other without external assistance

[; DUF2:] or CONVERSELY, in that ALL TOGETHER serve to found a new content, again without external assistance. In the latter case the possibility remains open that this unitary content is built up out of partial contents, which in their turn are founded on partial groups from the presupposed range of contents, just as the [w]hole content is founded on its total range. (Husserl, 2001, p. 34; Hua XIX, p. 282).

⁹ Accordingly, Conni (2005) defines the first essential type of the whole as 'pregnant structure' and the second type as 'emergent structure'.

In the following section, I will refer to *the second type* of unitary foundation *exclusively*, something that can be formalized in the following manner:

- i. a new set of global properties B emerges (bottom-up); and
- ii. the founding individual properties of the set A are themselves disposed in the founded unity (described by the set B) in such a way that they become individualized (top-down) through
- iii. new individual properties C that are founded on the *unifying moments* in the founding parts of the whole. The set of properties C entails new properties of the founding independent parts, which are in a relation of reciprocal foundation with the properties of the set B and which were not properties of the set A.

If supervenience can be described as a bottom-up movement in which a new cluster of higher-level content, with a set of properties B is founded by a group of lower-level contents with a set of properties A, then the supervenient structure (set B) should have – according to Husserl – a retroactive effect on the founding contents (set A) that found it as new, higher-level content: there is a kind of *ontological feedback* of the supervenient whole (set B) on the founding contents (set A) that results in new global properties (set C). Accordingly, the founding properties (set A) are individuated, top-down, by the content (set B) that they found.¹⁰

While the bottom-up movement of this concept of foundation is in line with the concept of supervenience, the top-down feedback of the founded whole upon the properties of the founding parts is not.¹¹

**4. Scheler's
Axiological
Mereology
Formalized
vs. Hare's
Indiscernibility
Requirement**

We can now see how Scheler's description of the unity of the good can be formalized according to this second type of unitary foundation:

- i. a new set of global properties B [= value qualities] emerges (bottom-up); and
- ii. the founding individual properties of the set A [= qualities of the thing] are themselves disposed in the founded unity [= the good, which is unified by the value (set B)] in such a way that they become individualized (top-down) through
- iii. new individual properties C that are founded on the unifying moments [= *Grundwert*, or core value] in the founding parts of the whole. The set of properties C entails new

10 Husserl will reformulate this mereological issue in §31 of *Experience and Judgement* by complementing the subjective side (with a noetic and genetic analysis) of “what was established from a purely noematic side” in §21 of the *Third Logical Investigation*, although he does not distinguish between the two forms of wholes that correspond to the two forms of unitary foundation. At the end of this paragraph, he stresses that his formal distinctions “refer first of all only to simple object-substrates, to spatiotemporal objects of external perception, and cannot by a formalization be transferred without further ado to objectivities of a more elevated kind founded on them, for example, to cultural objects; nevertheless, in these objectivities, relations like those of whole to part, property relations, etc., must also be capable of being exhibited, but in a way peculiar to these objectivities.” (Husserl, 1973, p. 145). In this respect I aim to show in this paper that Scheler's distinction between goods and values can be formalized as a concrete instantiation of the mereological law of the second type of unitary foundation in a circumscribed subset of the domain of cultural objects, i.e., concerning those objects that are unities of values.

11 One possible question that we might ask is the following: Can we consider Husserl's concept of foundation to be a formal ontological enrichment of the concept of supervenience or does the latter exclude any top-down effects of the supervenient properties, as some authors have suggested? In Caminada & Summa (2015) we argued that the former is, in fact, the case. Staiti has recently (2020) come to a similar conclusion while discussing Rinofner-Kreidl's (2015) phenomenological answer to Audi's concept of supervenience. Rinofner-Kreidl prefers to avoid the term supervenience because of the implicit naturalistic account that is usually combined with it.

properties of the founding independent parts, which are in a relation of reciprocal foundation with the properties of the set B, and which were not properties of the set A.

We can take a well-executed piece of art as an example to understand this, given that art is a paradigmatic example of a non-moral good. Artworks are often characterized as wholes in which every part is individuated by an immediately intuitive stylistic pattern and in which no part is either redundant or missing. The particular tone that each part (set A) assumes in the composition reverberates the unifying compositional style (set B) in such a way that new qualities (set C) can either be attributed to the whole or – mediately – to the independent parts. A formally similar example from the moral domain (although one that is manifestly and radically at odds with it in respect to its value content) could be that of a concentration camp that, as a complex device of dehumanization, concretely embodies the ideology which it serves in each of its parts. Although some of its single parts considered separately and by themselves (set A) may seem morally neutral upon first inattentive glance, they suddenly reveal their disturbing moral characteristics (set C) once apprehended as functional to the extermination intention that governs them (set B).

We should note that Scheler's concept of good as unity of value applies to every kind of values, not just to moral ones, whereas Hare seems to acknowledge only two spheres of properties, i.e., natural and moral ones. It is actually highly complicated to formalize *moral* goods given that the moral values of good and evil are necessarily bilaterally founded upon a concrete preference or a real choice among values. Moreover, properly speaking, moral qualities are attributes of personhood and not of things. Thus, it is even questionable whether or not it is plausible to speak of moral *goods* (i.e., as moral unities of things), even though it is surely correct to speak of moral facts. This being said, the radical example of a concentration camp seems to approximate a moral good that has negative polarity (i.e. an evil).

Hare claimed that if two persons are indiscernible with respect to natural properties, then they are necessarily indiscernible with respect to moral goodness.¹² That claim notwithstanding, moral goodness is not entailed by the natural properties through which these individuals and their actions can be described: moral goodness supervenes on natural properties.¹³ Yet, the parallel indiscernibility of supervenient moral and other non-supervenient qualities still says nothing about either the reduction of moral properties to natural properties or about the feedback of the former into the latter. Eventually, we could consider the founding parts' to be new properties as they are given in the set C (thanks to their reciprocal foundational relation with the supervenient global properties B) and do not belong to the supervenient properties B. This would mean that the set of properties C belongs to a set of properties 'non-B'; it also entails the set of properties A. The non-B and the B sets would also respect the indiscernibility requirement. Indeed, the properties of the set C are properties that pertain to parts of the whole because they are individuated by the whole as *parts of this whole*. Considering sets A and C as equally contained in a set non-B does not account for the fact that set C adds further compositional qualities that could not be there if the parts of set A were not composed according to the unifying style of set B.

This means that Hare's argument only works if we accept that the so-called 'natural properties' are already entangled, or put more succinctly, already configured by the moral ones and according to the ontological feedback described by Husserl's concept of unitary

¹² This particular aspect of the law of moral supervenience is referred to by term 'indiscernibility requirement' by Johansson (2002).

¹³ Johansson (2002) calls this additional aspect 'non-entailment requirement'.

foundation.¹⁴ Husserl's phenomenological concept of foundation articulates the laws of dependence among the sets A, B, and C, thereby even allowing us to question the self-evident character of the claim that all non-B properties are basic, natural, and intrinsically defined. How can the formalization of the second form of unitary foundation help us to better understand Scheler's argument? Let us recall Scheler's argument and his conclusions:

[I]n a world of the *same qualities*[,] *things* could be quite different from what they are, and yet the *world of goods* could remain the same. In any area of goods, the natural thing-world can never be determining or even restricting in the formation of goods. (Scheler, 1973, p. 22).

In my opinion, Scheler's argument no longer works if we take the top-down effects of the set of properties B on the founding set A into account,¹⁵ as Scheler does when he states:

The unity of a *value guides* the synthesis of all other qualities of a good – other value-qualities *as well as* those which do not represent such qualities, such as colours and forms in the case of material goods. (Scheler 1973, p. 22).

If we take our formalization as a template to understand Scheler's argument, it is unclear to which exact set of qualities Scheler is referring: is it set A, i.e. the qualities of the material things, as if they were without values, or both set A and set C, which are the result of the ontological feedback of the unity of values (set B)? If the latter were the case, then the argument would not work at all.

According to the suggested formalization, the same world of goods would be necessarily entangled with the properties of the founding independent parts: both with A, given that they are configured according to the founded unity and with C, as these are reciprocally founded with B. Therefore, I argue that Scheler in this argument is not consistent with his own theory of goods as unities of values. As seen in the first section, Scheler needs to stress the independence of values (set B) from the existing goods (the wholes) in order to justify his metaethical project. However, this does not necessarily require the bold statement that not only values, but even goods can be considered independently from their bearers. In fact, if the qualities of existing goods (set B and C) are bilaterally founded with each other in such a way that the properties of their material bearers (set A) are constitutively rearranged, then the claim that the same world of goods could be instantiated by different worlds of things is revealed to be false. Therefore, I suggest amending Scheler's argument, making it more consistent with his own formal ontology of goods. He claims that goods are the only concrete material form of the existence of values, just as persons are the only concrete form of existence of mind and culture (Scheler 1973, p. 21). Accordingly, we cannot have the same world of goods if we change the world of things. Otherwise, his argument against any ethics of goods would be jeopardized. Any ethics based on a fixed catalogue of goods, deeds, or forms of life expresses a form of relativism, because goods are inherently entangled with historical circumstances. If many worlds of things could actualize the same world of goods, then a moral or religious authority would be justified in preaching their catalogue of eternal goods, because

¹⁴ Actually, once we accept this entanglement, the argument seems to trivially acknowledge that it is impossible that a moral act would not affect the moral subject's physical properties.

¹⁵ Scheler's argument for the possibility of many worlds of things that correspond to the same world of goods seems therefore to be compatible only with DUF1 but not with DUF2.

these would possess a kind of (relative) independence from the historical instantiations of the (altogether different) worlds of things. In order for this argument to work it is necessary to modify it in the following way:

Therefore, in a world of the *same qualities*, PHYSICAL *things* could be quite different from what they are, and yet, the *world of VALUES* (not of goods) could remain the same. In any area of VALUES (not of goods) the natural thing-world CAN never be CO-determining or even restricting in the formation of goods.

A more sympathetic reading of Scheler's claim could be the following:

[I]n a world with the *same [phenomenal] qualities*, the unity of things could be quite different from what they are, and yet, the world of goods could remain the same. In any area of goods, the natural thing-world can never be determining or even restricting in the formation of goods.

This claim could be justified by combining Scheler's distinction between mere thing (*Ding*) as material unities *without* values, thing (*Sache*) as material unities *with some* values, and good as material unities *of* values together with his metaphysics of nature. If we consider the material unity of things without values as the mere unity of aggregates (according to adhesion, cohesion, and gravity), then it would be possible to claim that differences in the forces governing such a unity would not affect the unity of values if – but only if – we would accept that changes in the laws of aggregation would not affect any of the phenomenal qualities that are composed in unities of values. Scheler's argument would be closer to Putnam's 'Twin Earth' thought experiment (1984) than to Hare's indiscernibility requirement in this respect. We might imagine that whether the ultimate physical reality are waves or atoms, the phenomenal properties of the resulting things of our experience (*Sachen*) would remain unaffected. This sympathetic reading is based on the presupposition that the material unity of valueless 'natural things' essentially goes beyond the phenomenal domain and can only be accessed mediately. However, this metaphysical presupposition seems phenomenologically implausible to me, since we can reach an adequate phenomenological description of a mere unity of things by bracketing value qualities.¹⁶

I have demonstrated that:

- Scheler's key distinction between good and value can be formalized and better understood by subsuming it to the formal-ontological relation described by the second type of unitary foundation, as pinned down by Husserl.
- Such a formalization can help us to amend some imprecisions in Scheler's account that jeopardize his own metaethical account by misleadingly suggesting that a good could exist independently of its non-axiological properties.
- By comparing Scheler's argument concerning the independence of a world of goods with Hare's (1952) indiscernibility argument, I have shown that a critical assessment of Scheler's reversal of Hare's argument highlights the main difference between the

Conclusion

16 From a Husserlian point of view, 'mere phenomena of nature' do not yet mean 'mere brute facts of nature'. 'Mere phenomena of nature' correspond to the level of experience obtained following the dismantling – *Abbau* – of every value-predicate, whereas the realm of 'brute facts of nature' refers to the 'nature' of physics as the model of reality that is reached through mathematical idealizations. Scheler's notion of 'mere thing' is ambiguous in this respect.

analytic account of supervenience and the phenomenological account of unitary foundation: i.e., whereas supervenience describes a bottom-up movement in which a new cluster of higher-level content is founded by a group of lower-level contents exclusively, Husserl's second type of unitary foundation accounts for a description of a kind of mutual *ontological feedback* between founding elements (set A) and founded elements (set B) in such a way that the founding elements get individualized by the founded ones, thereby constituting new properties (set C). Scheler's argument about the alleged independence of a world of goods neglects the relevance of this ontological feedback, although Scheler implicitly takes such feedback into account in his own ontology of goods.

REFERENCES

- Appiah, K. A. (2010), *The Honor Code: How Moral Revolutions Happen*. New York: Norton & Company;
- Caminada, E., Summa, M. (2015). Supervenience and the theory of experience. *Metodo* 3 (2), pp. 7-18;
- Chalmers, D. (1996), *The Conscious Mind*. Oxford: Oxford University Press;
- Clayton, P. & Davies, P. (eds.) (2008), *The Re-Emergence of Emergence: The Emergentist Hypothesis from Science to Religion*. Oxford: Oxford University Press;
- Conni, C. (2005), *Identità e strutture emergenti. Una prospettiva ontologica dalla Terza ricerca logica di Husserl*. Milano: Bompiani;
- Frings, S. M., Funk, L. R. (1973), Foreword. In: Scheler, M. (1973);
- Hare, R. M. (1952), *The Language of Morals*. Oxford: Oxford University Press;
- Husserl, E. (1973), *Experience and Judgement: Investigations in a Genealogy of Logic*, translated by J. S. Churchill and K. Ameriks. Evanston: Northwestern UP;
- Husserl, E. (2001), *Logical Investigation Volume II*. Translated by J. N. Findlay from the; Second German edition of *Logische Untersuchungen*. Ed. D. Moran. London: Routledge;
- Johannson, E. (2002), Hartmann's nonreductive materialism, superimposition, and supervenience. *Axiomathes*, 12, pp. 195-215;
- Kim, J. (1998), *Mind in a Physical World. An essay on the Mind-Body Problem and Mental Causation*. Cambridge (MA): Cambridge University Press;
- Kim, J. (1999), Making Sense of Emergence. *Philosophical Studies*, 95, pp. 3-36;
- McLaughlin, B. & Bennett, K. (2014). Supervenience. In E. N. Zalta (ed.), *The Stanford Encyclopedia of Philosophy* (Spring 2014 Edition) URL = (<http://plato.stanford.edu/archives/fall2008/entries/supervenience/>);
- Nenon, T. (1997). Two Models of Foundation in the *Logical Investigations*. In: Hopkins, B.C. (eds) Husserl in Contemporary Context. Contributions to Phenomenology, vol 26. Springer, Dordrecht;
- Putnam, H. (1973), Meaning and reference. *The Journal of Philosophy*, 70(19), 699-711;
- Rinofner-Kreidl, S. (2015), Mereological Foundation vs. Supervenience? A Husserlian Proposal to Re-Think Moral Supervenience in Robert Audi's Ethical Intuitionism. *Metodo*. Vol. 3, No. 2 (2015), 81-124;
- Scheler, M. (1973). *Formalism in Ethics and Non-Formal Ethics of Values: A New Attempt Toward the Foundation of an Ethical Personalism*, translated by Frings, M. S. and Funk, R. L., Northwest University Press;
- Staiti, A. (2020), *Etica naturalistica e fenomenologia*. Bologna: Il Mulino;
- Vassiliou, Fotini (2010). The Content and Meaning of the Transition from the Theory of Relations in Philosophy of Arithmetic to the Mereology of the Third Logical Investigation. *Research in Phenomenology* 40 (3):408-429.