

'IS' 'OUGHT' AND MORAL REALISM II: TOWARD A CLEARER UNDERSTANDING OF THE ONTOLOGICAL AND EPISTEMOLOGICAL FOUNDATIONS OF PRACTICAL UNDERSTANDING*

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1. Introduction

The claim, typically ascribed¹ to David Hume², that no 'ought' can be derived from an 'is', has given rise to one of the most significant debates of contemporary Christian ethics. Lack of resolution has left the field at an impasse, with scholars divided along the fact-value parallel over fundamental questions of moral epistemology and the ontological foundations of ethics³. Does the logical distinction of 'is' and 'ought' imply a radical dichotomy between the natural order and the existential?⁴ In what sense do moral principles

1 As Robert George notes, *In Defense of Natural Law* (Oxford: Clarendon, 1999), 28 n. 2, Finnis maintains that Hume was not the first one to acknowledge this distinction, but that it was affirmed by Aristotle. See Finnis, *Natural Law and Natural Rights* (hereafter: *NLNR*) (Oxford: Clarendon, 1980), 37 n. 43; *Fundamentals of Ethics*, (Oxford, Clarendon, 1983) 10-17, 20-23. That the Grisez School believes Aquinas to have held to this view as well is abundantly clear. See for example, Grisez, "The First Principle of Practical Reason: A Commentary on the *Summa Theologiae*, 1-2 Question 94, Article 2" *Natural Law Forum* 10 (1965):168-201; and Finnis, *Aquinas: Moral, Political and Legal Theory*, *Founders of Modern Political and Social Thought* (Oxford: OUP, 1998), 86-90.

2 See David Hume, *A Treatise of Human Nature*, eds. David Fate Norton & Mary J. Norton, *Oxford Philosophical Texts*, ed. John Cottingham (Oxford: OUP, 2000), Bk. 3, Pt. 1 §1 final paragraph (302).

3 I have borrowed (I think) this felicitous metaphor from Rufus Black's fine study, *Christian Moral Realism: Natural Law, Narrative, Virtue and the Gospel* (Oxford: OUP, 2000).

4 Germain Grisez works from an ontology of four irreducible orders: the natural, or given order, which reason only considers; the logical, or intentional order, which reason introduces into its own acts; the existential order, by which reason guides human willing to realize possibilities; and the technological or cultural order which "reason by invention or planning or habits of using induces in or imposes upon what is in human power" Grisez draws this ontology from Book 1, Lecture 1 of St. Thomas Aquinas' commentary on Aristotle's *Nicomachean Ethics*

originate in human nature, as Vatican II affirms?⁵ Is practical understanding dependent on prior factual knowledge of some sort, and if so, what sort and how? It is to these central questions that we turn our attention.

Among the major contributors to this debate have been Germain Grisez and the various scholars with whom he has collaborated to develop what has frequently been called the “New Natural Law Theory”⁶. These thinkers have cogently argued that practical propositions cannot be derived from purely speculative premises. Nevertheless, common misconstruals notwithstanding, their position does not entail a divorce between the natural and the existential, or between speculative and practical knowledge. This latter point has been widely misunderstood or overlooked at the expense of the theory’s apparent plausibility and wider acceptance⁷. The purpose of this paper then, is to elucidate both the distinction and relation between practical and speculative knowledge as understood in the natural law theory articulated by the Grisez School. This aspect of their theory has not received sufficient attention from scholars, and I would even contend that it has perhaps not been developed in as much detail as one might wish⁸.

(available in English translation by C.I. Litzinger, O.P., Notre Dame: Dumb Ox Books, 1993, pp.1-6). While Grisez does not fully develop this ontology anywhere to the best of my knowledge, it is introduced in his early article, “Sketch of a Future Metaphysics” *The New Scholasticism* 38, no. 3 (1964): 310-340, and it is articulated most fully in *Beyond the New Theism: A Philosophy of Religion* (Notre Dame: UND Press, 1975), 230-40 (this book was re-released in 2004 —I believe with identical page numbering— by St. Augustine’s Press under the title: *God: A Philosophical Preface to Faith*).

5 See *Dignitatis Humanae* (DH) 14, to be discussed in more detail below (§1.1).

6 This refers to the moral theory developed chiefly by Germain Grisez and John Finnis, with the extensive cooperation of Joseph Boyle and to a significant though lesser extent, William E. May. Other important contemporary exponents of this theory include: E. Christian Brugger, Robert George, Patrick Lee, Rev. Peter Ryan, S.J. and Russell Shaw.

7 See Black, 5-11.

8 The reason I think further development may be warranted is that a detailed discussion of the way in which non-practical knowledge figures in to understanding the first principles of practical reason in the Grisez School’s theory is almost entirely absent from discussions I have seen of that theory. This is notable given that much of the critical discussion surrounding the theory centers on the charge that it radically divorces speculative and practical reason. Moreover, the Grisez School’s response to those criticisms seems to have tended more in the direction of the material found in §1 and §2.16 of this brief paper, but not so much in the direction of that found in §2.3-7, 12-14. The ideas located in these latter sections are indeed found in the writings of the Grisez Scholars. See for example, Grisez, *Christian Moral Principles* (hereafter: *CMP*) vol. 1 of *The Way of the Lord Jesus* (Quincy, IL: Franciscan Herald, 1983), 195-96; *NLNR* 65; *Aquinas*, 94. To the best of my knowledge, Finnis thus far has addressed this issue in the greatest detail by specifying what the data of nonpractical awareness consist in. Questions

The thesis I will advance in this paper presupposes the proposition that no ‘ought’ can be derived from an ‘is’ is true⁹. Nevertheless (and here is my thesis), I would like to make two central claims: *First*, moral norms have an *ontological* basis in human nature; *second*, knowledge of the first principles of practical reasoning indeed *does* presuppose some non-practical experiential understanding of reality-as-given (that is, some knowledge of facts). Both of these claims are consistent with the proposition that moral norms cannot be derived from only speculative premises, even though these claims may initially seem to contradict that proposition. The task of the remainder of this paper will be to explain my two central claims against the backdrop of an affirmation of the logical distinction between ‘is’ and ‘ought’. To undertake this inquiry, let us first distinguish two important questions.

Some, and perhaps much, resistance to the idea that there is a logical distinction between the ‘is’ of nature and the moral ‘ought’ stems from the confusion of two distinct but closely related questions: first, whether ethics is grounded in human nature, and second, whether knowledge of practical truth is derived from speculative cognition of some sort¹⁰. The reason resistance arises is that a negative answer to the latter question would seem to entail a negative answer to the former. However, it does not. Notice that the first question is ontological, whereas the second is epistemic¹¹. Natural law precepts can thus be considered with respect to their ontological foundations or with respect to the manner in which they are known. This crucial distinction shows that one may be able to affirm that practical reasoning does not methodologically presuppose speculative knowledge without being compelled to deny that human nature somehow underlies and gives shape to practical truth and even to our coming to know the first principles of practical reason.

Notice also that the second question—whether our knowledge of moral truth is derived from speculative cognition of some sort—itself raises two closely related questions: First, as to whether some other form of dependence

not explicitly answered by the Grisez School include: are the “facts” presupposed by practical understanding propositional truths? Are they known reflectively?

9 Besides the extensive treatment of this topic in the works of Finnis, Grisez and their collaborators, see Black, 1-45 for a good discussion.

10 See George, 85.

11 Finnis and George repeatedly make the important point that “the order of ontological dependence is in some respects [not omitted] the converse of the epistemological principle” (*Aquinas*, 92, 102 z; see also *Fundamentals of Ethics*, 21-22). In other words, what comes first in the order of being typically comes last in the order of knowing, and vice versa. Failure to recognize this point seems to have contributed to the mistaken notion that practical knowledge must proceed from a metaphysical account of human nature.

than logical might obtain, and second about what sort of cognition might be involved. Might the dependence in question be epistemological? Is the sort of cognition at issue speculative knowledge proper, or some other more basic type of factual knowledge or non-practical awareness? Before addressing these latter questions, let us first turn our attention to the former ontological question of whether ethics is grounded in human nature.

2. Moral principles are ontologically grounded in human nature

Vatican II's Decree on Religious Liberty, *Dignitatis humanae*, affirms that the truths of the moral order originate in human nature when it teaches that the Catholic Church's mission includes the duty to "declare and confirm by her authority, the principles of the moral order that flow forth [lit: "flowing forth" {profluentia}] from human nature itself"¹².

But if the moral order is not reducible to the order of nature, in what sense do moral principles originate from human nature? If the saying: "Here is your nature—now be what you are" has, as Grisez maintains, "a true sense"¹³, what is that sense?

The answer is that human nature, by having the specific characteristics and potentials it has, points to and delimits all of the things that perfect it and that practical reason grasps as goods to be sought¹⁴. These perfections are basic

12 DH 14. The actual quote in context reads: "For by the will of Christ, the Catholic Church, whose mission it is to announce and authentically teach the Truth which is Christ, and at the same time, by her authority, to declare and confirm the principles of the moral order flowing forth from human nature itself, is the teacher of truth" {Christi enim voluntate Ecclesia catholica magistra est veritatis, eiusque munus est, ut Veritatem quae Christus est enuntiet atque authentice doceat, simulque principia ordinis moralis, ex ipsa natura humana profluentia, auctoritate sua declaret atque confirmet}.

13 *CMP* 105.

14 In other words, moral principles flow forth from human nature insofar as human nature, in terms of its capacities for fulfillment, is what we might call the "correlate" of that set of goods which specifies the first principle of practical reason. This correlation between aspects of human nature and the goods which fulfill it is evident from the Grisez School's categorization of the various types of human good. While the first principles of practical reason are self-evidently known and so are not derived from prior speculative knowledge of human nature, speculative reflection on human nature can nevertheless corroborate practical insight (by means of a 'dialectical defense' or 'argument from the side'). For instance, as bodily, human persons are fulfilled by life and health. As rational, human persons are fulfilled by such goods as knowledge and aesthetic appreciation. As both bodily and rational, human persons are makers and sharers in culture and so are fulfilled by play and skilled performance. These are called "substantive goods"—varieties of human good which do not include choosing in their very definition. See Grisez, *CMP*, 124; Grisez, Joseph Boyle, & Finnis, "Practical Principles, Moral Truth and Ultimate Ends" *American Journal of Jurisprudence* 32 (1987): 107. Beyond

human goods precisely because of their ability to contribute to the flourishing of beings with a *human* nature¹⁵: The range of basic human goods is not determined by free choice; rather free choices are made among the goods toward which human persons are inclined by nature. The first principle of practical reason is, as it stands, general. It is specified in terms of the basic human goods (and their contraries), as for example, the proposition: “Knowledge of truth is a good to be preserved and promoted, and error, an evil to be avoided” specifies the more general: “Good is to be pursued and promoted and evil avoided.” While the primary principles of practical reason underlie both good and evil choices when taken individually, they possess an integral directiveness when taken collectively, in which moral norms have their genesis. In other words, human nature defines the range of basic human goods which serve as the differentiating content of the general determinants of the first principle of practical reason, and it is the integral directiveness of these general determinants in concert which generates moral normativity¹⁶.

Thus, if human nature were different, human goods would be different; and if human goods were different, the practical principles commending their pursuit would be different; if these practical principles were different, their integral directiveness would be different; and if their integral directiveness were different, so too would be the content of morality. In short, if human nature were not what it is, the moral principles governing human choice and action would likewise be different. Therefore, the principles of the moral order find their ontological source in human nature¹⁷.

that, as rational and free, human persons can act through deliberation and choice, thereby fostering various forms of harmony both within themselves and with others. They are thus fulfilled by various goods that include choosing in their very definition, such as: friendship and common life, harmony with God, and various types of personal integrity (including the harmony of one’s emotions among themselves and with one’s judgments and choices, and also including harmony between one’s “judgments, choices and performances” or, “peace of conscience”). These are called ‘reflexive goods.’ See “Practical Principles,” 107-8.

15 Indeed, the Grisez School insists that basic human goods are aspects of human persons inasmuch as they are constituents of those persons’ fulfillment (see for example, *CMP* 121-22; *NLNR*, 371-72). Thus it is a mistake to understand human goods as abstract objects apart from the human person as Russell Hittinger does in his seminal (if somewhat uncaringful): *A Critique of the New Natural Law Theory* (Notre Dame: UND Press, 1987), 29-30. George replies to this point of criticism, 66-68.

16 The whole complex of human goods, taken together in the community of human persons, constitutes integral human fulfillment (for more on this point, see Grisez, *CMP*, 185). Human nature thereby gives shape to moral principles by delineating the content of integral human fulfillment.

17 See George, 86-87.

3. The role of experience in coming to know the precepts of the natural law

We have just seen that human nature defines the range of things that are fulfilling and that practical reason recognizes as to-be-sought in human choice and activity. But what role does human nature play in one's *grasp* of the basic principles of practical reasoning? The argument developed by Aquinas and maintained by the Grisez School is that the basic precepts of the natural law are self-evidently known and as such, indemonstrable¹⁸. The integral role human nature plays in one's grasp of practical principles explains the sense in which they are self-evident.

To claim that the primary principles of practical reason are self-evident is to say that basic human goods are known as such *by nature* and not by reflection upon or derivation from prior speculative knowledge *about* human nature or anything else. In other words, we immediately grasp something as a good to be pursued and promoted by a non-inferential insight precisely in being the kind of beings we are—by *experiencing* human nature from the inside, and not by theorizing about it.

This point about experience is crucial: to assert that the primary principles of practical reason are *per se nota* is not tantamount to maintaining that they are intuitions, a-priori forms or intellectual structures, insights without data, or some other kind of innate knowledge¹⁹. While our *natural inclinations* are innate, knowledge of their respective objects as goods to be pursued by human activity is not. Rather, practical knowledge of basic human goods presupposes the data of sense experience: a certain non-practical awareness of facts that one naturally and unreflectively comes to have in experiencing one's natural inclinations and their satisfaction. But what exactly are these non-practical data? How does sense experience form the basis of a practical insight?

18 See *S.t.* 1-2 q. 94 a. 2. On this point, besides the works previously cited, see Finnis's essay: "Natural Inclinations and Natural Rights: Deriving 'Ought' from 'Is' According to Aquinas" in L. J. Elders and K. Hedwig, eds. *Lex et Libertas*, Studi Tomistici 30 (Vatican City: Pontificia Accademia di S. Tommaso, 1987) ??? [locate this source!].

19 The Grisez School has repeatedly asserted this point. See for example, George, 64.

An example with respect to one of the basic human goods may shed light on an answer to these questions²⁰. Let us consider the good of play and skillful performance.

Young children express the innate tendency toward skillful play and naturally come to develop certain skills in the course of playing. For instance, instinctively²¹ playing with a puzzle, a little girl develops the ability to fit complementary pieces together to form a coherent picture. She is quite naturally delighted when she is able to find and connect the matching pieces, and she becomes quite vexed when she cannot. Thus, the little girl experiences both the inclination to perform skillfully and fulfillment in the object of that inclination.

Through this experience and the memory²² of many others like it, the little girl soon comes to know at least three things quite spontaneously and unreflectively²³. First, she grasps what play and skillful performance are—the perfections that satisfy her innate tendency. A basic grasp of what these objects *are* is presupposed by the understanding that they are objects *of value*. Second, she comes to understand by experience—particularly repeated experience and personal interaction—that skillful play is a possibility that can be further realized by her and others²⁴. Recognition of *possibility* is necessary for knowing anything as *to-be-done*. Third, the little girl also comes to grasp the connection between what she does and her fulfillment in or by doing it. Thus, she comes to understand her ability to achieve satisfaction through activity—an essential piece of data for understanding an object as an end, as *worthy of pursuit*²⁵.

20 See *CMP*, 196 for a parallel example of a child's coming to grasp knowledge as a good to be pursued. Finnis also uses knowledge as an example and my exposition directly parallels his. See *Natural Law and Natural Rights*, 65 and *Aquinas*, 88-89.

21 Read: 'spontaneously'. I do not intend here to make any statement one way or the other about the status of human instincts. 'Spontaneously' has been avoided for stylistic reasons.

22 Importantly, Finnis notes the essential role of not only experience, but memory as well. See *Aquinas*, 88, n.131.

23 See *NLNR* 65-66.

24 See Finnis, *Aquinas*, 94.

25 One may reasonably wonder how this connection between spontaneous activity and its outcome could be understood in experience. For it seems to be a cause-effect relationship, and cause-effect relationships are known *in reasoning* rather than by experience. However, a counterexample from the behavior of children under the age of reason shows that they clearly do grasp by experience the connection between their own activity and the bringing about of certain states of affairs: A toddler raises his arms into the air because he knows by experience that if he does so, Daddy will pick him up. At this point, I think this counterexample works. However I admit this is a difficult matter and requires further reflection than I can undertake at

Thus, certain data learned in experience are presupposed in the intellect's grasp of basic practical principles. Abstracting from the above example, these data are: (1) a grasp of the *content* of the object of pursuit, content upon which value supervenes and which practical reason will immediately understand as good or bad (e.g. the realization of what *what* play is); (2) a grasp of the *possibility* of pursuing the object (e.g. the realization that one *can* play); and (3) a grasp of the *connection* between activity and fulfillment (e.g. the realization that engaging in play *results in* satisfaction).

It is essential to notice that while experience provides the necessary data for a practical insight, the practical insight is nevertheless not *inferred* from these non-practical data. One does not reason: 'play and skillful performance are goods to be pursued *because* they would fulfill my innate tendencies or give me a feeling of satisfaction,' or '*because* they are a possibility I could realize, etc.

In coming to the insight that "skillful play is a good is to be pursued and promoted" there is no 'because,' for there is no middle term explaining the connection between the subject and the predicate of that proposition. Rather, the practical intellect at once recognizes that the predicate is included in the intelligibility of the subject by virtue of an understanding of both predicate and subject—that is, by virtue of knowledge of the proposition's constituent terms²⁶. These constituent terms are understood through the repeated experience of one's natural tendencies and the activity of memory. Since it is impossible to understand a proposition without understanding the terms that comprise it, and since the primary principles of practical reason are propositions, therefore, to grasp the truth of a primary principle of practical reason, one must comprehend the terms that comprise it. Because the primary principles of practical reason are self-evident, once their terms are understood, their truth is immediately grasped by a basic insight which constitutes an irreducible starting point for practical reasoning²⁷.

present. In any case, even if reasoning *were* presupposed, it would still be the case that practical insights are not *logically derived from* antecedent speculative knowledge, and this is the most important point.

26 See Finnis, *Aquinas*, 88.

27 Furthermore, the self-evidence of these principles does not mean that they cannot be meaningfully denied. Their self-evidence is not an analytical self-evidence, such that their denial would be logically absurd. Rather, the rejection of any of these claims while comprehensible, would be unreasonable because in denying the truth of a primary principle of practical reason, one is denying an aspect of one's own humanity. On a related note, self-evidence does not entail that everyone actually knows all of the primary principles of practical reason (on error with respect to first practical principles, see Finnis, *Aquinas*, 100-01 u; George, 62-63). As St.

Moreover, to the extent that the non-practical data upon which practical understanding depends comprise the *terms* of the practical principle, insight into first practical principles cannot be the result of a reasoning process from the non-practical data because these data are not themselves propositional (a point I shall revisit momentarily). Since the data presupposed by practical understanding are not propositional, they do not constitute premises from which a conclusion may be derived.

On another note, it is also important to recognize that while insight into the satisfaction of one's natural inclinations is part of the data necessary for grasping the primary principles of practical reason (datum 3 above), it is not the case that one's desires, strictly speaking, determine what is good²⁸. Volition follows apprehension, and human wants follow upon the practical insights that suppose one's innate tendencies and the natural emotional responses one has to their fulfillment²⁹. Therefore, it invites confusion, I

Thomas explains, a proposition can be objectively or subjectively self-evident (*S.t.* 1-2 q. 94 a. 2 c.). For a proposition to be objectively self-evident, all that is required is for the predicate to be included in the intelligibility of the subject. To be subjectively self-evident however, one must know the meaning of the proposition's terms, *so that one can recognize* the relation between subject and predicate. While the primary principles of practical reason are naturally known, one who does not grasp the terms of the principle is not in a position to know the principle itself. While normally such requisite knowledge is naturally or spontaneously received through experience, cultural or domestic environments which repress one or another aspect of human flourishing create an atmosphere inimical to the full experience of one's natural inclinations. This can perhaps be most clearly seen with respect to the good of harmony with God. In a secular or atheistic household, for instance, a child may not come to grasp the concept of God, or experience the fulfillment that comes from seeking harmony with him in worship. Perhaps the child's natural curiosity leads her to questions about God which are squelched by her parents through either ignorance or bad-will.

This leads to an important point about the relationship between speculative and practical reasoning: it seems to me it might be possible that speculative knowledge *could be* presupposed in coming to grasp a primary principle of practical reason, as for instance in the case of a person who, honestly pursuing the good of knowledge, concludes by a reasoning process that there is a God. I think this conclusion might awaken his natural tendency for harmony with God and lead to the insight that that is a good to be pursued. Nevertheless, this insight is not *inferred* from the data (this point parallels the discussion in n. 23, above).

I can however think of a potential rejoinder to this line of thought: What motivates the quest for knowledge to turn in the direction of an inquiry about the existence of *God* if not a prior grasp that, if there were a God, it would be good to be in harmony with him? Insight into the goodness of potential harmony with the divine might then lead one to the conclusion that one ought to try determine whether he exists. I am not able to pursue this train of thought now, but I think it warrants further reflection in the future.

28 See Finnis, *Aquinas*, 59-60, 89-90, 95 c; *Fundamentals of Ethics* 26-37.

29 I have discussed this point more thoroughly in a paper given to the Systematic Theology Seminar at the University of St. Andrews (11/22/06) titled: "Desire and Apprehension of the

think, to refer to one's natural inclinations as desires, because strictly speaking, they are the pre-rational tendencies which underlie the insights from which desire springs. Thinking of them as desires can quickly lead to the confusion that what is humanly fulfilling is a factor of human volition rather than the other way round. Conversely, as rational creatures, we come to desire something by first *understanding* its goodness.

Shifting gears, by this stage of our inquiry, one surely wonders: Are the non-practical data grasped in sense experience actually a form of speculative knowledge?

To reply: If so, they are certainly not speculative knowledge in the ordinary sense (what I shall call 'speculative knowledge proper'), for speculative knowledge as ordinarily conceived is propositional and reflexive³⁰. It is arrived at by a process of inquiry or discursive reasoning (theorizing or speculation) whereby the mind apprehends that it understands being. In contrast, the primitive non-practical awareness to which I am referring which one has of certain basic facts through sense experience is non-reflective and pre-propositional. It is this initial purchase on (grasp of) reality that the speculative intellect objectifies and expresses in propositional form³¹. Indeed, sense cognition supplies the data required for the understanding and formulation of both speculative and practical propositions, and is thereby presupposed by both kinds of knowledge, speculative and practical.

Still, just to the extent that this primitive experiential knowledge is of reality-as-given, it is therefore non-practical and may appropriately be called 'speculative' or 'theoretical' *in a restricted sense*. Finnis himself explicitly speaks at least twice of the "theoretical knowledge" that practical understanding "presupposes" and elsewhere speaks of these data as 'facts'³². Grisez likewise refers to the "factual truths which provide a background for...practical insight" but unlike Finnis, he avoids calling this "nonpractical aware-

Good: The Interpenetration of Intellect and Appetite with respect to Knowing First Principles of Practical Reason (a Perspective Based on Texts from Aquinas's *Summa theologiae*).

30 In saying that speculative knowledge proper is propositional and reflexive, the product of a discursive process of inquiry, I do not of course mean to suggest that all propositional knowledge is arrived at by a process of reflection or discourse. First principles (practical or speculative) are propositions, and insofar as these are self-evident, they are non-inferentially known.

31 For a helpful treatment of Grisez's view of human cognition, see *CMP* 64-65.

32 See Finnis, *Aquinas*, 94.

ness” ‘speculative’ or ‘theoretical’³³. In my estimation, while it is important to acknowledge that a grasp of reality-as-given is presupposed by practical understanding, it is also important to anticipate the confusion that calling such non-practical knowledge ‘theoretical’ (or for that matter, ‘factual’ or ‘speculative’) might engender. Indeed, the use of such terms might seem to suggest the very claim the Grisez School so ardently denies: that practical understanding rests upon speculative knowledge proper. For this reason, although I have made limited use of the terms ‘fact’ and ‘factual’, I have avoided the use of other terms like ‘theoretical’ or ‘speculative’ in favor of expressions like ‘non-practical’ to describe the primitive knowledge of given reality presupposed by practical understanding. Still, Finnis’s use of the term ‘theoretical knowledge’ in this context, as well the use of ‘fact’ by both Finnis and Grisez is interesting, and shows that careful and explained use of such language may be warranted. I would even like to suggest that such disciplined usage may be germane to a rapprochement between natural law theorists divided by misconceptions surrounding the fact-value distinction.

It is difficult to think about experiential knowledge as distinct from speculative knowledge proper because that very exercise is itself an act of the speculative intellect reflecting back upon experience, and presenting the content of its reflection in propositional form. So it is easy to confuse experiential knowing with *knowing* experiential knowing—that is, with speculative knowledge—because the self as first-knowing can seem transparent. I suspect this confusion is what has led, at least in part, to the denial of the claim that a grasp of natural law precepts does not methodologically suppose prior speculative knowledge.

Another contributing factor to that denial is, I suspect, a confusion of the ways primitive non-practical awareness contributes to practical *understanding*, and speculative knowledge proper contributes to practical *reasoning*. The claim that the *understanding* of practical principles does not rest on prior speculative knowledge is not tantamount to the position that speculative knowledge does not contribute to practical *reasoning*³⁴—often in a decisive way by enhancing one’s understanding of human goods or by supplying crucial information about what Robert George calls “ranges of emperical possi-

33 *CMP* 196. In personal (informal) correspondence (10/31/06), Grisez, not adverting to the work of Finnis, has indicated he thinks it would be misleading to refer to the data of sense experience as a form of theoretical knowledge.

34 My point here turns on the distinction between understanding and reasoning. A further exploration of this distinction as it arises in the *S.t.* is found in “Desire and Apprehension of the Good” (n. 27, above).

bility and environmental constraint”³⁵. It is routinely impossible to form a judgment about whether something should be pursued or avoided without the contribution of speculative knowledge deepening one’s understanding of oneself, the conditions of the world, and/or what belongs to the content of a basic human good. One does grasp that health, for instance, is a good to be pursued and promoted without the contribution of speculative knowledge proper, but one cannot concretely pursue and promote health without speculative knowledge of, for example, the fact that this medication will have these effects on those particular tissues and organs, etc. Still, one’s practical judgments about health are not inferred from speculative knowledge about physics, chemistry or biology³⁶.

4. Conclusion

In conclusion, the claim that no ‘ought’ can be derived from an ‘is’ holds true. It is impossible to validly move from only factual premises to a normative conclusion without appealing to a basic practical principle to ground or explain that conclusion. This distinction however, does not amount to a dichotomy between ‘is’ and ‘ought.’ The principles of the moral order originate in human nature insofar as human nature defines the parameters of what is fulfilling for human persons. Furthermore, through experiencing one’s nature, one comes to grasp by a non-inferential insight, the practical principles whose integral directiveness leads one to human fulfillment. The non-practical awareness of factual data one grasps in experience and which ground such an insight is distinct from and more basic than speculative knowledge as ordinarily understood. Nevertheless, while the understanding of practical principles does not presuppose speculative knowledge proper, speculative knowledge proper does contribute to practical reasoning in significant ways by supplying content crucial for adequate deliberation³⁷.

35 See George, 63-65, 73-74, 89 (quote).

36 See George, 64.

37 I would like to express my deep gratitude to Fr. Peter Ryan, S.J. for taking the time to read an earlier draft of this paper and provide extensive feedback. His comments both deepened my reflection on the topic and helped to articulate things more clearly at several points. The views set forth in this paper, as well as the manner of expression, should not be taken as necessarily indicative of his own (Fr. Ryan expressed reservations for example, about my use of the term ‘fact’ to describe the data of experience presupposed by practical understanding). Of course, I take full responsibility for any errors—interpretive or otherwise—contained herein.