

DISCUSSION ARTICLE I:

Natural Law and Natural Inclinations: Some Comments and Clarifications

by Germain Grisez

Douglas Flippen pays special attention to an early work of mine in his recent article, "Natural Law and Natural Inclinations."¹ He earnestly tries to understand the theory I explained and defended. Still, Flippen has overlooked and misunderstood some important things I said about the matters he considers. Moreover, on a key point, he thinks my exegesis of St. Thomas was unsound.

However, it still seems sound to me, and so does the theory of natural law to whose articulation it contributed, although, of course, that theory is open to refinement and development. Therefore, since Flippen is trying to use my work to advance understanding of important questions, I offer these comments and clarifications to help keep open the way to a more adequate account of the foundations of ethics.

I

The central exegetical disagreement concerns the position of St. Thomas on the question whether the knowledge of an end or ends which precedes any movement of the will is practical or theoretical.

I held that according to St. Thomas no operation of our will is presupposed by the first principles of practical reason. Practical knowledge concerning means presupposes a will act: intention of an end. But the willing of ends which is natural and necessary presupposes knowledge, and this knowledge includes the principles of practical reasoning. Thus, these principles are a natural, direc-

¹ Douglas Flippen, "Natural Law and Natural Inclinations," *New Scholasticism*, 60 (1986), 284-316. This article will be referred to hereafter as NLNI.

tive knowledge prior to the will's first and natural movements toward ends.²

Flippen agrees that willing the end is prior to willing means to the end, and that the willing of ends requires knowledge of them.

But I would strongly disagree that the knowledge of the end or of ends which precedes any movement of the will adhering to the end, is a wholly practical use of reason. We may look for or seek out a knowledge of the end, or purpose, for being human, and our seeking such knowledge may be a practical one, nay, should be a practical one as Aristotle tells us in *Nicomachean Ethics (NE)* II, 1, but the knowledge itself of what it is to be human and of any goal we may have by nature as human beings is intrinsically speculative or theoretical knowledge just because it is not a knowledge of something we can do or make. His position on this point is not a sound exegesis of Thomas, who follows Aristotle on this matter.³

Since I do not care what Aristotle thought or how his position is related to that of Thomas, I shall ignore that part of Flippen's argument, and seek only to vindicate my reading of Thomas.

What does Flippen mean by saying that the knowledge of the end may be practical but that he disagrees with the position that it is *wholly* practical? He means that knowledge of naturally given ends is speculative in itself, because they are not producible or operable objects, but that such knowledge can be sought for a practical purpose and use. Flippen holds that knowledge of the activities in which human flourishing consists

. . . is knowledge of something we have not made and hence is speculative in itself. In that regard any consideration of the ends of human life which are given by nature is an inherently speculative use of reason and the knowledge which results from it is an inherently speculative piece of knowledge. If so, then ethics cannot help but be founded on speculative knowledge of human nature even if our purpose in gaining such knowledge is a practical one.⁴

² Germain Grisez, "The First Principle of Practical Reason: A Commentary on the *Summa Theologiae*, I-IIae, Q. 94, A. 2," *Natural Law Forum*, 10 (1965), 168-201. This article will be referred to hereafter as FPPR.

³ NLNI, 306.

⁴ NLNI, 311.

Thus, Flippen's position is that the knowledge which precedes the natural movements of the human will to naturally given ends is a speculative knowledge of human nature.

In the passage in which Flippen thinks my exegesis of Thomas is not sound, I stated that the natural knowledge which is the basis of the natural movements of the will is nothing else than the first principles of practical reason. To support this statement, I cited a text from St. Thomas.⁵ Flippen ignores this citation. Since he does not challenge this element of my exegesis, I shall take this point for granted.

It follows that Flippen's position is that according to Thomas, the first principles of practical reason are speculative knowledge of human nature. Now, my commentary was on *Summa theologiae*, I-IIae, question 94, article 2. Therefore, this text can be used to settle our exegetical disagreement.

The question Thomas is answering is: "Does natural law contain many precepts, or one only?" He begins his reply: As I said previously, the precepts of natural law are related to practical reason in the same way the basic principles of demonstrations are related to theoretical reason, since both are sets of self-evident principles." This statement supports my exegesis, according to which there are principles of practical reason which can be self-evident. It falsifies Flippen's exegesis, according to which these practical principles are not self-evident, but are derived from speculative knowledge of human nature.

Thomas goes on to explain that since being is the first thing to fall within the unrestricted grasp of the mind, the first undemonstrable principle of demonstrations is the principle of noncontradiction. Similarly, good is the first thing to fall within the grasp of practical reason—reason directed to a work—since every active principle acts for an end, and end includes the intelligibility of good. And so the first principle of practical reason is founded on the intelligibility of good. This explanation supports my exegesis, according to which the principles of practical reason are acts of practical knowing. It falsifies Flippen's exegesis, according to which first practical principles are a knowledge speculative in itself, and practical only in its purpose and use.

⁵ FPPR, 193; the reference is to *In Sent.*, 2, d. 39, q. 2, a. 2 ad 2

Thomas formulates the first principle of practical reason: *Good is to be done and pursued, and evil is to be avoided*. This formulation supports my exegesis, according to which the principles of practical reason provide direction toward what is to be. It falsifies Flippen's exegesis, according to which these principles are theoretical knowledge of what naturally is.

Thomas immediately adds: "All other precepts of the law of nature are based on this one, in this way that under precepts of the law of nature come all those things-to-be-done or things-to-be-avoided which practical reason naturally grasps as human goods or their opposites." This statement must be read in its context, which makes it clear that the subject matter here is self-evident principles of practical reason, and so the goods mentioned here are ends. Thus, Thomas is saying here that practical reason naturally grasps ends. This statement supports my exegesis, according to which practical reason does naturally grasp the ends which the will naturally wills with its first acts (simple volitions). It falsifies Flippen's exegesis according to which "any consideration of the ends of human life which are given by nature is an inherently speculative use of reason and the knowledge which results from it is an inherently speculative piece of knowledge."⁶

Had Flippen paid attention to what the text I commented on actually says, he would have been forced to ask himself a question along these lines:

How can Thomas possibly think that knowledge of ends which are given by nature is not inherently speculative but practical? It seems he could not, for what is given by nature is not a producible or operable object, and only such can be objects of knowledge practical in itself. But Thomas clearly does think that practical reason's first principles concern good to be done in general and the basic human goods which are ends given by nature.

Had Flippen reflected along these lines, he might have found the answer: Ends given by nature considered precisely insofar as they are *given by nature* are not producible or operable by us. But ends given by nature considered precisely insofar as they are given by nature *through practical reason's naturally grasping them as to-be-done* (to-be-realized, to-be-shared-in, to-be-protected, etc.) are producible or operable by us.

⁶ NLNI, 311.

Flippen is right in saying: “[T]hat there is a goal in the sense of some activity or activities which will perfect us is not something we make.”⁷ A speculative knowledge of human nature would appropriately include truths about the various sorts of activities which would develop or perfect human persons if those activities were done. However, the principles of practical reason concern those activities not simply as what would develop or perfect human persons, but rather as what will develop and perfect human persons through their exercise of practical reason, free choice, and other powers in action formed by reason and choice.

Ends cause by motivating the action which realizes them. Ends naturally given to human persons as such cause by motivating human actions. To motivate human actions, ends naturally given to human persons must be given them as rational principles of their actions. Ends are naturally given human persons as rational principles of their actions by being naturally known as practical principles. Ends are naturally known as practical principles by practical reason’s grasping them as self-evidently goods to-be-done. Therefore, knowledge of naturally given ends (considered precisely as causes of human actions) cannot be inherently speculative, as Flippen thinks. Reason cannot first begin to function practically, as he supposes, only when it “determines what means are necessary in order for us to get what we want or what is good for us.”⁸

II

But if human knowledge of the ends which are principles of practical reasoning is not inherently speculative but practical, Flippen still will say that this knowledge must presuppose some act of the will, for he thinks that “reason becomes practical only through its subordination to the will.”⁹ To show this, he cites two passages in *De Veritate* where Thomas says that intellect becomes practical only by relation to a work.

In the second of these passages, indeed, Flippen might have noted that Thomas points out that not any and every relation to a work makes intellect practical, but only serving as the proximate

⁷ NLNI, 316.

⁸ NLNI, 315.

⁹ NLNI, 307.

principle, considering the work precisely as operable, together with the plans of operating and causes of the work.¹⁰

However, even so, Flippen's argument here fails to prove his point. The principles of practical reason are proximate principles of works—that is, of human acts—for, as has been shown, these principles propose the causes of these works as goods-to-be-done-and-pursued. In proposing these naturally given ends, practical reason directs the will's first movements toward them. Thus, the first acts of practical knowing are prior to the first acts of the will. These acts of knowing are practical only by reference to the will, whose acts they specify, but not through the subordination to the will characteristic of those acts of practical reason which presuppose a prior act of the will.

If Flippen only meant to say that practical reason is subordinate to will in this sense, that practical reason subserves the will's effective drive toward the realization of intelligibly appetible human goods, he would be correct. However, Flippen here also refers to his earlier work, where he argued more fully for his position on the relationship between practical intellect and will:

. . . reason becomes practical and directive to an end (some work to be done for example) only when something has actually been willed [note omitted]. Germain Grisez would disagree with this notion and put the first principle of practical reason prior to any movement of the will [note omitted]. But Aristotle and Thomas clearly disagree.¹¹

In one of the notes which I have omitted, Flippen refers to one text which he does not discuss, but which I do not think supports his cause.¹²

But he also refers to and discusses some texts from the commentary of Thomas on Aristotle's *De Anima III*, chapter 10. The first of these he presents as follows:

an object of desire is always the practical reason's starting point; what is first desired provides the end whence its deliberations begin. . . .

¹⁰ *De Ver.*, q. 14, a. 4. The other passage Flippen cites is *De Ver.*, q. 3, a. 3 ad 6.

¹¹ Douglas Flippen, "On Two Meanings of Good and the Foundations of Ethics in Aristotle and St. Thomas," *Proceedings of the American Catholic Philosophical Association*, 58 (1984), p. 61.

¹² The text he does not discuss is *In Eth.*, 6 (he refers to 2 but clearly means 6), lect. 2, n. 1131, which might be read as supporting Flippen's

This is why it is reasonable to assert that both appetite and the practical reason are motive-principles; for the object desired certainly incites to action, and it is also what the practical reason first considers; so that the latter is said to impel to action because the starting point of its deliberations, the object desired, does so.¹³

This passage at first glance seems to support Flippen's point.

But it does not, because the translation is misleading. What is here rendered "object of desire," "what is [first] desired," and (twice) "the object desired" in the Latin is "appetible." The translation suggests that Thomas is talking about what *actually is desired* considered insofar as it is the object of an appetitive act. But the Latin makes it clear that he is talking about what *can be desired*—the appetible which practical intellect considers first (i.e., in knowing the end) and which is the object of appetite (tending to the end, and so effectively motivating action). Thus, this text neither says nor implies that there is any act of the human will prior to the first acts of practical reason. It is entirely consonant with my contrary position.

To show that reason is not a motive power, Flippen cites another bit of text where Thomas writes: ". . . for intellect only moves anything in virtue of appetite. It moves by means of the will, which is a sort of appetite."¹⁴ What Thomas says here is that reason by itself, without the will ("sine appetitu"), does not move—that is, does not get done what is to be done. That's true. But it does not show that the first principles of practical reason presuppose acts of will. All it shows is that the first principles of practical reason only move—that is, bring about the realization of what is to be—through acts of the will by the actions the will initiates. But even the first of these movements of the will to the naturally appetible presuppose practical reason's grasp as appetible of that which is to be.

Flippen next asks the question: "And why can the practical intellect not precede the will?" and then, as if it were the answer to this question, quotes another bit of text from Thomas:

position. However, this text also can be read restrictively, as abstracting from the question of how ends themselves are known (which is the issue on which Flippen and I disagree), and that is how I read it.

¹³ Ibid., 61; the text is *In de Anima*, III, lect 15, n. 821.

¹⁴ Ibid., n. 824.

The explanation of this is that the practical reason is essentially balanced between alternatives; nor can it initiate movement unless appetite fixes it exclusively upon one alternative.¹⁵

However, Flippen's question is nowhere to be found in the text. Instead, Thomas is explaining here why the intellect by itself does not move anyone *to action*.

This explanation does not help Flippen. For the practical intellect does not move to action at the level of first principles, which is what Flippen and I are talking about. The intellect moves one to action by commands (imperatives: "Do this!"), which do presuppose acts of the will, namely, choices.¹⁶ These presuppose de-

¹⁵ *Ibid.*, n. 825.

¹⁶ See St. Thomas, *Summa Theologiae*, I-IIae, q. 17, a. 1; a. 3 ad 1. Janice L. Schultz, "Is-Ought: Prescribing and a Present Controversy," *Thomist*, 49 (1985), p. 12, makes the same mistake as Flippen. She offers an intricate argument to show what she thinks is the position of St. Thomas: "The first principle of practical reason is an imperative (= prescription) expressed by a gerundive." She overlooks the fact that for Thomas imperatives presuppose choices, and choices presuppose practical judgments which presuppose the first principles of reasoning.

liberations, which presuppose natural volitions of ends, which presuppose practical reason's acts of naturally knowing these ends.¹⁷

¹⁷ Schultz, *ibid.*, 13, imagines that it somehow supports her view—which is that some volition is prior to human cognition of the first and self-evident principles of practical reason—to point out: "While it is true that Aquinas contends that no willing is possible without prior apprehension, he also speaks of the first act of the will, i.e., its necessary orientation towards the universal good, as due not to the direction of reason but to the nature of a higher cause, namely God." She cites Thomistic texts (whose interpretation is arguable) to support this point, but with creditable honesty also cites texts which show that "every act of the will is preceded by an act of the mind" (her fn. 52). The solution to the seeming inconsistency does not occur to her: God (not practical reason) is the first mover of the will in the order of *efficient* causality, but even the very first act of will is *specified* by an act of practical reason. Had Schultz grasped this point, she would have realized that the first principle of practical reason cannot possibly presuppose any act of will. Peter Simpson, "St. Thomas and the Naturalistic Fallacy," *Thomist*, 51 (1987), pp. 51, 65-69, uncritically accepts Schultz's conclusions as established; thus, his attempt to criticize "the Grisez/Finnis position" also fails. Both Schultz and Simpson, however, raise some interesting questions about the relationship between *is* and *ought*, and their efforts are more worthy of careful study than Flippen's.

III

Flippen thinks that not only Aristotle but St. Thomas holds that the speculative activity of contemplation is the highest good to which humans can aspire. Although admitting that many today reject this thesis and hold that knowing is for the sake of doing or other activities, Flippen himself confidently asserts it.¹⁸ Numbering John Finnis and me among his more radical opponents, Flippen formulates the issue as he sees it:

Aristotle, St. Thomas and a host of others, including, in our own day, Germain Grisez and John Finnis, acknowledge a multitude of basic human goods as a fact. The sticking point is whether the multitude of human goods such as knowledge, honor or fame, wealth, friends, virtue, pleasure, power, and so on form a hierarchy topped by a single ultimate good or merely a democratically equal plurality of goods whose arrangement may vary from individual to individual [note omitted]. Aristotle's discussion of the ultimate end and in books one and ten of his *Nicomachean Ethics* indicates clearly his position that there must be one ultimate or final good for all humans. He settles the discussion of which good tops the hierarchy of goods for human beings by means of his definition of good as the functioning of a thing as the kind of thing it is. To any given nature or kind of thing there belongs one activity proper to that thing and its good or perfection or complete development lies in its being able to perform its characteristic activity smoothly and well because it has become a habit for it to do so. That St. Thomas follows Aristotle here is no secret.¹⁹

¹⁸ NLNI, 287. Flippen refers to the views of Henry Veatch and Mortimer Adler as examples of less than wholehearted Aristotelianism. Not only Veatch but others critical of the theory of natural law defended by John Finnis and me are less orthodox Aristotelians, and so, according to Flippen, less orthodox Thomists, than he himself is. See, e.g., Ralph McInerny, *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas* (Washington, DC, 1982), 49: "Grisez gives no comfort at all to those who would see in the concept of ultimate end as highest superordinating good the implication that there is a single goal or course of action all men should pursue. . . . Grisez and John Finnis are refreshing in their gentle insistence that the natural law view is precisely the view that there is an all but numberless variety of ways in which men can attain their completeness or perfection as men."

¹⁹ NLNI, 288-289. At the end of this passage, Flippen refers to Thomas, *In Eth.*, I, lect. 9.

This formulation of the issue seems to me unsatisfactory in several respects.

In the first place, neither John Finnis nor I anywhere suggest that honor or fame, wealth, pleasure, or power is among the basic human goods.²⁰ Not everything anyone chooses to pursue is the object of a primary and self-evident principle of practical reason. In several ways there are hierarchies of value. One of these is the subordination of means extrinsic to human individuals and communities of persons to the goods which are intrinsic aspects of their fulfillment. Another is the subordination of felt aspects of the instances of the basic goods to the goods considered integrally. The former make their independent appeal to emotion, but only the latter truly perfect persons who rightly act for them.

In the second place, whether or not one accepts Flippen's interpretation of Aristotle's account of what happiness is, one will have a hard time imposing that same account on Thomas, if one looks at his works as a whole, rather than stopping with his commentary on Aristotle's *Nicomachean Ethics*. For in his major theological works, Thomas so transformed Aristotle's notions of end and of will that most Thomists have not considered Aristotle's teaching to be an adequate account of the natural end of man.²¹

In the third place, by contrasting what Finnis and I say about the *several basic goods* with what Aristotle says about the *one ultimate good* for humans, Flippen's formulation of the issue suggests that what he refers to as "merely a democratically equal plurality of goods whose arrangements may vary from individual to individual" expresses our conception of the ultimate end of human life. It does not. Flippen's rhetoric aside, his phrase refers to our conception of the set of basic human goods considered precisely insofar as they are principles of practical reasoning. When we talk

²⁰ In various works, we have given slightly different lists and explanations of the basic goods; see, for example, John Finnis *Natural Law and Natural Rights* (Oxford, 1980), pp. 59-99; Germain Grisez, *Way of the Lord Jesus*, vol. 1, *Christian Moral Principles* (Chicago, 1983), pp. 115-140, 143-45, 180-83, 459-476, and 516-520.

²¹ I argued this point with some care in a study which Flippen mentions (NLNI, fn. 6) but seems not to have read: "Man, the Natural End of," *New Catholic Encyclopedia*, 9:132-138. Also see John Finnis, "Practical Reasoning, Human Goods and the End of Man." *Proceedings of the American Catholic Philosophical Association*, 68 (1984), pp. 23-36.

about the ultimate end of human life, to which every human person and communion of persons *ought* to direct all their choices and actions, we speak of a unitary first principle: *integral human fulfillment*.²²

In the context of Flippen's unsatisfactory formulation of the issue between him and us, various things Flippen says (it is often unclear whether or not he means these statements to refer to us) are likely to mislead his readers about the position we have tried to explain and defend.

For instance, Flippen not only mistakenly takes what we say about the basic human goods for an account of the ultimate end of human life, but oversimplifies our account of the relationship between basic human goods and natural inclinations, virtually merging what we distinguish. Having done this, he says "it is a misunderstanding of Aristotelian and Thomistic morality to hold that that theory judges an action as good in the sense of morally right just because there is a natural inclination to that action."²³ Several pages later,²⁴ Flippen says: "Grisez discovers the fundamental human goods from our basic human inclinations," and in a note quotes several passages from one early work dealing with the derivation of the content of the basic human goods from natural inclinations.

Immediately after the last passage which Flippen quotes, I went on to say:

The practical principles thus express not what *is* so but what *is-to-be* through our own action. Practical reason is "ought" thinking just as theoretical reason is "is" thinking. But "ought" here does not necessarily express moral obligation; that is a special form of "ought." Not only are we inclined by appetite to eat when we are hungry, but we know we *ought* to do so. This "ought" expresses the judgment of practical reason ("common sense"), but it need not have the force of moral obligation.²⁵

²² A misinterpretation very like Flippen's is disposed of by Finnis in his paper cited in the preceding note. For my fullest account of integral human fulfillment, see *Christian Moral Principles*, pp. 130-132, 184-89, 222-24, 461-64, 606-609, 807-810, and 814-821.

²³ NLNI, 292.

²⁴ NLNI, 299.

²⁵ Germain Grisez, *Abortion: The Myths, the Realities, and the Arguments* (New York, 1970), p. 314.

But Flippen ignores this paragraph, which would have complicated his exegetical problem but made his reading of what we say less misleading.

Similarly, Flippen insinuates throughout his article that Finnis and I think that: (a) the good is "whatever a thing may choose to aim at" rather than "that at which a thing is aimed by nature"; (b) one may correctly "speak of actions as morally good" even "[w]here there is only impulse and inclination guiding action"; (c) "the good for humans [is] whatever they choose to aim at" rather than "what they are aimed at by nature"; and so on and so on.²⁶ Instead of imposing his formulation of the problem of the ultimate end of human persons on my work, Flippen should have paid attention to the formulation I proposed in an early work:

From a psychological point of view, what each man seeks as a concrete last end is determined by himself; but from an ethical point of view, what last end every man should seek is predetermined by the nature of man and by his inescapable place in reality. This consideration suggests the following formulation that avoids the difficult notions of happiness and natural desire: Consider man strictly according to the requirements and possibilities of his nature. To what end *ought* he to direct his entire life? What good *should* man seek for its own sake,

²⁶ NLNI, (a) 289; (b) 292-293; (c) 310. Flippen claims that Finnis and I "approve of" Aristotle's definition of good as that which things aim at or incline to (NLNI, 308); that Finnis "complains about" Aristotle's definition of "good as function" (309); that "the way in which good is defined and functions in the natural law morality of Finnis and Grisez is quite opposite to" its definition and function in Aristotle and Thomas, for whom "the notion of good as perfective or developmental is the crucial sense of good" and for whom "inclinations and pleasurable reactions do not define an activity as good," whereas for us (he says) "the inclinations . . . common to human beings through space and time are treated as determinative and definitive of what is good for human beings" and "the notion of good as perfective [is treated by us] more as a speculative after-thought than as the very essence of good in ethics" (313-14). The careful reader of Finnis, *Natural Law and Natural Rights*, 70-72, 78-79, or Finnis, *Fundamentals of Ethics* (Washington, DC, 1983), pp. 15-17, 32-37, 44, 72, will see that in all these matters Finnis, in fact, disapproves what he is said by Flippen to approve, approves what he is said to complain about, denies what he is said to affirm, affirms what he is said to oppose, and treats as crucial, determinative, and definitive precisely what he is said to treat as a mere after thought.

while rightly treating all other goods either as its constituent elements or as mere means to it.²⁷

This formulation is not far from what Flippen tells us Aristotle and Thomas are talking about: "They are telling us what we ought to want. They are telling us what end or goal is ours to aim at."²⁸

Flippen might ask: If you really mean that, how can you possibly suppose that knowledge of the end is the work of inherently practical, not speculative, knowledge? For (as he says) :

Choosing to aim at a given goal and seeking the means of attaining it are clearly practical activities, but that there is a goal in the sense of some activity or activities which will perfect us is not something we make, and uncovering what will perfect us is a work of reason which is intrinsically speculative because reason is not making our goal to be our goal.²⁹

The answer is: Because natural law is the rational creature's participation in eternal law.

God directs other things to their ends by their natures, and they do not direct themselves. But God directs human persons to their end through that part of their nature which is practical reason. Practical reason does not make integral human fulfillment to be the end human persons ought to seek. But practical reason does prescribe: In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment.³⁰

This primary moral truth is not known by "reason which is intrinsically speculative." Not without choices conforming to right reason and not without action carrying out good will—and, of course, not without grace enlightening reason, moving will, and empowering performance—but with all these other essential factors,

²⁷ "Man, the Natural End of," p. 137. The answer to the question thus formulated which I gave in this early study is not contradicted but is refined and developed in the fullest recent account of integral human fulfillment referred to in fn. 21, above.

²⁸ NLNI, 297.

²⁹ NLNI, 316.

³⁰ *Christian Moral Principles*, p. 184.

practical reason by its prescribing makes the end to which God directs us (which is our participation in his own goodness) *to be*. And that existential matter is even more important than the essential matter of what makes “our goal to be our goal,” which Flippen seems to think is ethics’ one foundation.

Although other points in Flippen’s article could be challenged, the preceding should be sufficient to clarify the principal matters concerning which he and I disagree.

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