

itself. They stem from our radical finitude. "The human task is not to repress or suppress these dimensions but to integrate them into a unified Christian life."

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### MORAL THEOLOGY

- Topic: Casuistry, Imagination, and Terror  
 Conveners: William A. Barbieri Jr., Catholic University of America  
 Thomas B. Leininger, University of San Diego  
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 Richard B. Miller, Indiana University

Thomas Leininger spoke on "Method in Casuistic Imagination." Casuistry and imagination mutually inform one another: a healthy casuistry is the practice of a narratively disciplined analogical imagination, and a healthy narrative imagination is one that is subject to ongoing analogical testing in concrete cases. Of the six features of casuistic method identified by Albert Jonsen and Stephen Toulmin in *The Abuse of Casuistry*, a reliance on paradigms and analogies is the most central and shapes the other five (analysis of circumstances, appeal to maxims, assessment of probability, use of cumulative arguments, and presentation of a practical resolution).

Casuistry is best understood not as a technique but as a "narrative art" located within the Aristotelian tradition of practical wisdom. It is the way that a community creatively disciplines and organizes its analogical imagination according to requirements of virtue. Cognitive science illuminates two important features of imagination: the character of emotionally and somatically evocative *images* as the "primary language of the brain," and the centrality of *pattern recognition* for the brain's activity. Taken together, these features highlight the importance of character, narrative, and virtue for a healthy casuistry. Stories—images arranged around patterns—render cases intelligible by framing them within a context of meaning organized around a beginning and an end. Character and virtue, for their part, both set the agenda of casuistry and determine how it is executed. Our judgments concerning such categories as terrorism and war will depend upon the images that shape our character as well as our virtuous exercise of the skill of recognizing and transferring their patterns in diverse cases. In sum, casuistic discernment that is properly informed by narratively configured character involves an ongoing dialogue of mutual correction between narratively normed moral convictions and their performance in concrete cases.

Richard B. Miller's topic was "Terrorism, Practical Reasoning, and the Moral Challenges of September 11." When faced with the problem of terrorism, casuists are confronted by the challenge of classifying the act and examining it in light of its circumstances. What, exactly, is terrorism, and what does it resemble? An appropriately analogical response shows that terrorism is like genocide on the one hand and torture on the other, and less like war than is commonly thought. Like genocide, terrorism attacks persons for who they are—not, as in war, for what danger they might pose. And where war aims at forcing surrender and securing the future, terrorism, like both genocide and torture, seeks to annihilate identity in a permanent fashion. Whereas the effects of war are physical, the effects of genocide, terrorism, and torture are metaphysical; they are "totalitarian practices," distinct from the more limited, political objectives of war.

Here a link with just-war ethics arises: because they target the being, not the actions, of others, terror attacks, including those of 9/11, violate the principle of noncombatant immunity. This principle is based on the "right to life," a notion rooted in the inchoate, reflexive relationship with existence that each person experiences as "given" and that no one else can assume to possess or infringe upon. To presume to endanger or end another person's life is to violate a unique personal intimacy; it is, in quasireligious terms, an act of self-deification, the ultimate blasphemy. To protect oneself against this sort of "intimate violence" is, by contrast, a sacred trust.

If genocide seeks forgetfulness, terrorism, like torture, seeks to inscribe itself in memory. This necessitates a reckoning with the politics of trauma and grief. The emotions of mourning and grief are a moral response, expressions of the affective imagination that take the form of virtues. The shared grief of citizens aims at justice, and should be constrained by equality: we ought not wish others to grieve as we do, or to cause them to mourn as we mourn. To respond to terrorism in a manner that does not reflect that crime but is rather ordered by the demands of justice becomes a test of character for a society, a field for the application of civic virtue.

Is there a right to use lethal force in response to terrorist attacks? The right to life as understood in just war theory is *universal*, but *prima facie* rather than *absolute*. Communities have the right to use force to protect the intersubjective conditions that allow us to possess our lives. This right may be invoked in response to aggression by state and nonstate actors alike. While the analogy between Pearl Harbor—a military assault—and 9/11—an exercise in terrorism and assassination—is limited, the latter still merits a military response. An appropriate limited "war on terrorism" is best thought of in terms of a notion of *reprisal* that is both punitive and deterrent.

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