

interesting elements like the forward-looking mentality of Puritan apocalypticism and Locke's acceptance of the natural, fallen state as inducing the asking of "small questions" of the kind that would end up making science rather than theology the next "big" thing. References to Augustine are less common here, however, as his well-contextualized arguments stand largely on their own. It was the alternative theory of evolution that finally put the myth of the fall to rest (247), even if it kept two important seventeenth-century tenets in play, namely, that the early history of human beings gives us insight into the functioning of our mental apparatus and that the survival of the bodies is an important consideration in the operations of the mind, which means that this period has not yet exhausted its relevance for the study of (the origins of) modern science.

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JEFFREYS, DEREK S. *Spirituality and the Ethics of Torture*. New York: Palgrave Macmillan, 2009. 191 pp. \$80.00 (cloth).

Derek Jeffreys argues that debates about the ethics of torture are myopic when they fail to see human beings as embodied spirits. No matter how much attention one pays to pain receptors, any approach that understands human beings as solely physical fails to capture the harm that torture does. Jeffreys therefore draws on Thomistic language to speak of people as "frontier beings" or "horizon beings" who combine spirit and body, and he argues on those grounds for an absolute ban on torture. This project is therefore an exercise in showing the relevance of religious metaphysics to ethics. How successful is it?

The first thing to say is that Jeffreys is completely convincing in his argument that the ethics of torture debate requires an understanding of human beings as not only bodies but persons. That torture harms bodies may seem to suffice to understand a beating. But many forms of torture deliberately target what might be called a person's spirit. Consider the sensory deprivation used on many prisoners, including the well-known case of José Padilla. The prisoner has cotton put in his ears and then headphones put over that, goggles with the eyes blackened, a hood, and mittens. Padilla was put in extended isolation and kept under sensory-deprived and isolated conditions for 1,307 days. Other dehumanizing but not physically injurious forms of treatment include being forced to be naked or to mime sexual acts, violent or sexual threats to one's children, and the use of phobias such as dogs, claustrophobia, and biting insects. Abu Ghraib interrogators called such tactics "fear up harsh." Ethical reflection on all of them calls for a robust sense not only of damage to bodies but of how a person's psychic or spiritual world can be assaulted without leaving physical marks. And it is worth noting that all of these practices were being implemented in the War on Terror at the same time that the Bush administration was defining torture as involving "death, organ failure, or serious impairment of bodily functions" (29), that is, in purely physical terms. Jeffreys is importantly right to push for a broader understanding of what human beings are.

If one agrees that debating the ethics of torture requires an understanding of a human being as a person, two questions arise: whether we need an account of the person that is metaphysical and, if so, whether the metaphysics we want is a Thomist one.

Do we need an account of the nature of a person? Would an ethical approach that respects persons but eschews metaphysics—like Kant's—suffice? When Jeffreys states what is wrong with torture, he rejects consequentialism and says that one may not ethically use a person "merely as a means" (24; also 51, 71). His personalistic ethic, like Kant's, therefore makes respect for persons paramount. His absolute ban may also resemble Kant's categorical approach. But unlike Kant, Jeffreys grounds his ethical norms in a conception of the metaphysical nature of the person. This short book does not make the case for the necessity of metaphysics for ethics. But many believe that Kant ultimately fails in his attempt to derive an imperative without reference to the way things are, or they believe that the categorical imperative is ultimately empty, and these people may be drawn to Jeffreys' moral realism.

Jeffreys devotes a chapter entitled "Why Torture Is Wrong" to the specific way that torture assaults our personhood. This chapter details how torture harms persons, which Jeffreys calls "spiritual damage," but as far as I can tell, it does not answer the "why" question in its title. Harming a person is inevitable in punishment and in war. The connection between how torture harms and moral obligation therefore needs to be spelled out. What are "the moral demands that human nature makes upon us" (116)? Is it supposed to be self-evident that torturing a terrorist in a ticking time bomb scenario is proscribed? Yuval Ginbar also argues for an absolute ban on torture in his *Why Not Torture Terrorists?* (Oxford University Press, 2008); that book addresses this question and complements Jeffreys nicely.

If one agrees that some account of the nature of persons is valuable for ethics, the second question is whether Jeffrey's Thomism is the metaphysics we want. Jeffreys offers a dualistic account of reality that distinguishes between

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the immaterial and the material, with spirits on one side and mere animals and physical objects on the other. Human beings can then be seen to deserve respect because they are embodied spirits, “frontier beings” that are situated in both worlds. Citing Thomas and Thomists, Jeffreys writes that the fact that human beings transcend their animal natures and their bodies is seen in three ways: human beings not only can know their immediate surroundings but also can unify disparate objects into hierarchies and perceive essences; human beings are able to know themselves and to know that they know, a capacity things and animals lack; and they are able to “communicate without loss,” that is, to share information without losing it oneself (chap. 3). This natural law approach thus emphasizes human cognitive capacities: the person “transcends his situation through knowledge” (74). But it is not clear that harming a being with cognitive capacities is what makes torture repellant. Perhaps, rather, it is the capacity to feel pain, in which case torturing animals would also be wrong and for the same reason. Or perhaps it is the human capacity for love, which could distinguish human beings from nonhuman animals, but which is not clearly part of the human spirit as opposed to the human body. Readers might therefore take Jeffreys’ proposal as an invitation to think about what makes a human being a person, and how the preciousness of that impacts an assessment of the ethics of torture.

This book draws on a wide range of work, not only from the metaphysical tradition but also from a large volume of legal and ethical material that has emerged since the revelations of the Bybee-Yoo “torture memos” in 2005. It is therefore a book that not only seeks to connect normative thinking to theological anthropology but also is up to date and clear-eyed about political realities.

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