

*Quels crimes ? Quelle faute ont commis ces enfants sur le sein maternel écrasés et sanglants ?*

(Voltaire, *Poème sur le désastre de Lisbonne*, 1756)

## **Cruelty**

As 20<sup>th</sup>-century scholarship about cruelty is concerned, Philip Hallie's research is possibly the most extensive. Working for many years as an ethicist at Wesleyan University, Hallie wrote no less than three books on this largely neglected topic, the most famous of which being *Lest Innocent Blood Be Shed*, published in 1979. In this book, Hallie recounts and discusses how the inhabitants of Le-Chambon-sur-Lignon, a small village in South-eastern France, protected more than six thousand Jewish refugees from fascist persecution during the 1940s. The inhabitants were led by the local Protestant pastor, André Trocmé, who believed firmly that, albeit extremely risky, such a line of conduct was the only justifiable one, i.e. in line with the morals dictated by the Christian faith.

In his many works on cruelty, Hallie defines this term in somewhat different ways, such as "the infliction of ruin, whatever the motives" (1969: 14), "the slow crushing and grinding of a human being by other human beings" (1979/1985: 2) and "the activity of hurting sentient beings" (1992: 229). Besides, echoing Saint Augustine's classical distinction between natural and human evil, Hallie distinguishes between the "fatal cruelties" caused by nature and the "violent cruelty" caused by humans (1969: 5-6). Violent human cruelty is distinguished further into "sadistic" and "practical": the former is "self-gratifying"; the latter is instrumental, i.e. cruelty qua means to ulterior ends (1969: 22-24). Concerning "practical" cruelty, Hallie adds to the picture the subtler form of "implicit" or "indirect" cruelty, which arises because of sheer "indifference or distraction" to the pain that has been caused, rather than because of any explicit violence or direct "intention to hurt" (1969: 13-14 & 29-31). "Implicit" and "indirect" cruelty can grow in time and mutate into "institutionalized cruelty" (1981/1989: 11), i.e. a persistent pattern of humiliation that can often endure over many years or generations, and yet is downplayed by the perpetrator as well as the victim, both of whom take it for granted and may even justify it by appealing to the laws of science, the natural order, or religiously sanctioned traditions.

In addition to these distinctions among different forms of cruelty, all of which would appear to be evil, Hallie (1969) offers a puzzling reflection on some types of cruelty that might be better not to avoid altogether, for their disappearance could generate more harm than their continuation. For one, the processes of individual "growth" and maturation can be horribly painful and, in all honesty, "cruel", but Hallie (1969) thinks that they are a most valuable component of the long and tortuous road that leads to higher human fulfilment (55). Then he considers the artistic insights and particularly the disclosure of sorrowful truths that can be obtained through in terrorem techniques, as well as many other aesthetic forms of elation, including "sexual" ones, that cruelty is capable of bringing about (41). On top of that, Hallie (1969) admits that cruelty may be a necessary evil in the public sphere, since "responsive" cruelty is entailed by the national and international systems of law and order; although such a "responsive cruelty" can be mitigated, it cannot be avoided entirely (33). Finally, Hallie (1969) notes how cruelty can be brought about in the name of altruism, happiness and justice, since "substantial maiming" can derive from "wanting the best and doing the worst" (15-20). For all these reasons, he deems cruelty to constitute a "paradox" (1969: book title): we may well regard cruelty as one of the most horrible things in life, perhaps even the worst thing we can do, yet we cannot and may not want to rid ourselves of it completely.

Hallie (1969) offers us what is to date the richest philosophical study on the paradoxical character of cruelty. As I discussed years ago (cf. Baruchello 2010), this is one of the five broad conceptions of cruelty that can be retrieved in the history of Western thought, the other four being: (I) "Cruelty... as a quintessentially human vice affecting specific individuals" such as "persons involved in punitive contexts, e.g. courtrooms, schools, armies", that show no propensity for "clemency" (172-73); (II) "Cruelty" as "sadism", namely "a malaise of the soul", possibly "the result of a poor, incompetent or broken mind, which reduces the humanity of its carrier and makes her closer to wild animals" (173-74; emphasis removed); (III) "cruelty as harm to be avoided", as exemplified most notably by "[t]he champions of the European Enlightenment" and a long string of successive "political and legal reformers" (174-75; emphasis removed); and (IV) cruelty as something good, whether instrumentally or intrinsically, as exemplified respectively by Machiavelli's acceptance of extremely evil means (e.g. war) for good ends (e.g. the State's stability) and Sade's glorification of our natural propensity to violence.

No univocal interpretation of “cruel” and “cruelty” applies to the five conceptions listed above, especially if we consider the fact that they are themselves only broad categories applicable to a large variety of more or less refined reflections on cruelty that started with Seneca's *De clementia* and have continued up to Michael Trice's 2011 theological work entitled *Encountering Cruelty* (the present paper is actually a preparatory work for a larger reflection on the unacceptable cruelty of austerity from a Christian perspective). In my past research (cf. Baruchello 2010), I identify seven frequent connoting elements for what is deemed “cruel”, which amount to little else than family resemblances among usages of a term that is deployed very frequently, defined very rarely and, even so, conceived of in different ways, as the five broad conceptions just mentioned bear witness to.

Still, taken together, these connoting elements and broad conceptions chart a vast realm of linguistic expressions located inter alia in the fields of philosophy, theology, politics, economics, social theory, psychology, jurisprudence and literature. Referring to my own 2010 work, the seven connoting elements are (171-72; emphases removed):

- 1.Pain: Whether only physical or also psychological, serious or minimal, justified or unjustified, cruelty implies pain
- 2.Excess: Whether of pain as such or of its usages to acceptable ends (e.g. penal sanctions), or of our hopes in a tolerable life, or of our abilities to understand reality, cruelty eventually steps “beyond”—acceptability, tolerability, comprehensibility
- 3.Roles: Whether directly or indirectly established, cruelty requires the roles of victim and perpetrator, even when the latter is institutional, impersonal or unknown
- 4.Power: It is only by means of power differential that the roles of victim and perpetrator can be established
- 5.Mens rea: Whether delighted in or indifferent to the pain inflicted, the perpetrator possesses a culpable mental attitude. Interestingly, when tackling impersonal and institutional perpetrators, several thinkers have personified the universe or the State
- 6.Evil: Cruelty is a species of evil. Even when conceived of as good, it is either an

instrumental evil or an apparent evil, the goodness of which must be revealed and justified

7. Paradox: Cruelty horrifies and, at the same time, fascinates. This is just one of the many contradictions contained within cruelty, which can be aptly described as paradoxical. The array of diverse conceptions collected below further substantiates this point

Keeping cruelty's shifting semantic area in mind, let us focus nonetheless upon Hallie's (1969) claim that cruelty can be: (A) practical, in the sense of being a means to an end and not an end in itself; (B) implicit, in the sense that it is not a manifest attribute of the end being pursued; and (C) indirect, in the sense that it results from the choice of means by which the end at hand is pursued. As such, cruelty can inform complex forms of social agency in which much dread, destruction, deprivation, loss of dignity and life are visible, and yet in which no explicit violence, no patent intention to hurt, no delight in other people's misery and no non-human constriction can be discerned.

## **Austerity**

The austerity policies that have been implemented in a number of countries since the collapse of deregulated private finance in the year 2008 can be regarded as contemporary examples of practical, implicit and indirect cruelty. I believe that this can be shown by addressing a representative case, namely that of Greece, where leading constitutional lawyer Giorgos Kasimatis (2010: Foreword, 2<sup>nd</sup> par.) writes:

"The Loan Agreements (the Loan Facility Agreement; the Memorandum of Understanding between Greece and the Euro-area Member States and the agreement with the IMF for the Participation of Greece in the European Financial Stabilization Mechanism to the purpose of obtaining the approval of a Stand-by arrangement by the International Monetary Fund) form a system of international treaties the likes of which... the *cruelty* of the terms and the extent of breach of fundamental legal rights and principles... have never been enacted in the heart of Europe and the European completion; not since the World War II." (emphasis added)

Constitutional lawyers are not renowned for their rhetorical flamboyance or heated prose. So, where does Kasimatis' "cruelty" come from? In the 100 pages of the Loan Agreements of May 2010, annexes included, no mention whatsoever is made of cruelty, pain or suffering as

the stated aims of the signed agreement, not even as a salient characteristic of the chosen means of implementation. Any possible ruin, crushing, grinding and hurting of victims is nowhere remarked upon in the document, although it is conceded that provisions must be made to protect "the minimum earners" and compensate "the most vulnerable... for possible adverse impact of policies" that include, *inter alia*: layoffs of public employees; "pension" and "wage bill reductions"; decreased job security; and lessened provision of public services and "social security benefits" (54)—i.e. policies that, combined together, are liable to weaken "social cohesion", cause "poverty" and shrink "employment" (54). The intermediate and ultimate aims stated in the agreements are the granting of loans "in conjunction with the funding from the International Monetary Fund" (3), to be duly repaid according to the schedule specified in the document, so as to "correct fiscal and external imbalances and [therefore] restore *confidence*" that alone is said to make "growth... buoyant" and let "the economy... emerge... in better shape than before [i.e.] with higher growth and employment." (52; emphasis added)

These three ultimate aims—buoyant growth, an economy in better shape and a higher rate of employment—are said to be the expected and projected result of the "economic and financial policies" (51) listed in the agreements, which express grave concern for "the recent deterioration in market sentiment" (54) and recommend ways to re-hearten it, such as: "fiscal adjustment" by novel and "special taxes" (53-4); reducing "incomes and social security" provision—old-age pensions included—so as to make them "sustainable" *vis-à-vis* the new debt obligations of the State (53); increased supervision over the banking system during a forecast "period of lower growth" (53); reforming "ambitious[ly]" the Greek "public sector" to "modernize" it by reducing its size and funding though "oriented to providing better services to its citizens" (53-4); making local "labor markets more efficient and flexible" (53); withdrawing the public role "in domestic industries" (53) and managing or owning a large variety of "assets" (59); reforming the "health sector" (55); sustaining a "safety net for the financial system" (58); reducing "minimum entry level wages" and "employment protection" levels (58); and "facilitate greater use of part-time work" (59). The details for the implementation of these policies are spelled out *qua* "specific economic policy conditionality" (69) for the disbursement of funds and make it clear that "elderly people", "workers in heavy and arduous professions", recipients of "disability pensions", "social security, hospitals", "existing social programmes" (73-4) and the recipients of "unemployment benefits" (79) are to bear a share of the burden towards debt repayment.

Given the conditionality and the policies specified in the agreements, it does not take much to infer that much *pain*, both physical and psychological, has been bestowed upon the Greek population or a conspicuous portion of it. The signatories themselves admit in the documents that the immediate effects of the measures specified therein are likely to be a "growth" that is *not* "buoyant" (52) and that the expected and projected positive outcomes would take place in the "future" (54), though nowhere it is said when exactly that will take place. Similarly, it does not require much imagination to realise that all this pain has *exceeded* the pain that most Greek citizens would have been likely to encounter in their life under normal circumstances. In point of fact, these policies have been implemented within the context of considerable diplomatic and economic pressure both at the international level (e.g. public indictments of the Greek government and citizens at large by representatives of the French and German governments, the European Commission and the International Monetary Fund; cf. Alktenhead, 2012) and at the national level (e.g. street riots, general strikes and public demonstrations quenched by police force; cf. Smith, 2011). There have been, in other words, *perpetrators*, both at the national and international levels, who have used their *power* in order to have these policies and conditionality implemented despite popular protests and, above all, the visible ruin, crushing, grinding and hurting of *victims* leading to these protests. The perpetrators have *intended* to pursue the policies listed in the agreements in spite of all this ruin, crushing, grinding and hurting. Evidently, such a cruelty was either not their main concern, or not sufficient enough a concern to stop them in their pursuit.

It can be argued whether the ruin, crushing, grinding and hurting, in short, the cruelty of these policies was a necessary, bitter medicine; or a deserved punishment for prior errors (i.e. a form of "responsive" cruelty); or a failed attempt to do good. What cannot be argued, however, is that there was no cruelty. That is where Kasimatis' "cruelty" comes from. As the italicised words in the comments above flag out, *all* the connoting elements are at play here, including that of *paradox*, for the declared ends of these policies have not only failed to materialise, but have been made more difficult to achieve, as the successive amendments to the loan agreements of 2010 have eventually revealed (cf. Blanchard & Leigh, 2013). Today, the Greek economy shows no sign of buoyancy, the shape of its economy is among the worst in the EU and the rate of unemployment among the highest (cf. IMF, 2013).

The bitter medicine has sorted no positive effect, at least as the declared aims of the May

2010 Loan Agreements are concerned. On the contrary, there has been a plethora of nefarious side-effects, such as: a sudden suicide spike, especially amongst men (Kentikelenis et al., 2011); a considerable increase in mental illnesses (Economou et al., 2012; Faresjö et al., 2013) and infectious diseases like HIV, TB and malaria (Stuckler & Basu, 2013); and higher infant mortality (Stuckler & Basu, 2013). If it ever was a form of "responsive" cruelty, the punishment has indeed reached "the most vulnerable", i.e. children, who cannot be deemed responsible for any pre-crisis errors made by the adults, of whom only some could be regarded as legally, politically or morally guilty. In essence, were we even to admit the possibility of this cruelty being "responsive", it would constitute nonetheless a case of collective punishment. In short, if any genuine good was ever intended as the main aim, such a good has become harder and harder to come by, to the point that leading IMF economists have admitted that, not unlike former experiences in the developing world (Stiglitz, 2002), the austerity policies originally recommended for Greece have failed the test of reality (Blanchard & Leigh, 2013).

*Paradoxical* is also the fact that, while such dramatic side-effects materialised, special credit lines and liquidity injections have been operated repeatedly by the European Central Bank (ECB) in order to safeguard the viability of the Continent's largest private banks, while no special intervention of this kind has been made in order to sustain, say, healthcare provision to Greek children (cf. Reuters, 2013). As the language of the 2010 Loan Agreements would read, the ECB has provided funds for the "safety net of the financial system", which feeds on money that is not spent on meeting genuine life needs (McMurtry, 2013), but has provided none earmarked for the safety net of the Greek children, whose life needs are being met less and less (Stuckler & Basu, 2013). "Lifelines", as they are called in the financial world, have been thrown to private banks, their managers and shareholders; nothing comparable has been done for the Greek children, who needed them in no metaphorical way, i.e. in order to live (cf. McMurtry, 2013).

## **Conclusion**

Given the evidence above, I believe that it can be reasonably stated that austerity policies like those witnessed in Greece constitute a token of cruelty in its social manifestation, as this can be conceived of thanks to Hallie's categories of ethical thought. There have been the infliction of ruin, the slow crushing and grinding of human beings, the hurting of

sentient beings—all as a means to an end that does not focus upon the ruin, the crushing, the grinding and the hurting as such, and yet brings them about inevitably and remains *de facto* indifferent to them, for the ruin, the crushing, the grinding and the hurting are allowed to continue and the original end is not abandoned nor are the employed means revised.

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