

QUESTION 159

Cruelty

Next we have to consider cruelty (*crudelitas*). And on this topic there are two questions: (1) Is cruelty opposed to clemency (*clementia*)? (2) How is cruelty related to savagery (*saevitia*), i.e., brutality (*feritas*)?

Article 1

Is cruelty opposed to clemency?

It seems that cruelty is not opposed to clemency:

Objection 1: In *De Clementia 2* Seneca says, “The ones who are called cruel are those who exceed the mean (*modus*) in meting out punishment, and this is contrary to justice.” But clemency is a part of [the virtue of] temperance and not a part of [the virtue of] justice. Therefore, cruelty does not seem to be opposed to clemency.

Objection 2: Jeremiah 6:23 says, “They are cruel and will have no mercy,” and so it seems that cruelty is opposed to mercy. But as was explained above (q. 157, a. 4), mercy is not the same as clemency. Therefore, cruelty is not opposed to clemency.

Objection 3: As has been explained (q. 157, a. 1), clemency has to do with inflicting punishments. But cruelty has to do, in addition, with taking away benefits—this according to Proverbs 11:17 (“He who is cruel casts off his neighbors”). Therefore, cruelty is not opposed to clemency.

But contrary to this: In *De Clementia 2* Seneca says, “To clemency is opposed cruelty, which is nothing other than harshness in exacting punishments.”

I respond: The name ‘cruelty’ (*crudelitas*) seems to be taken from ‘rawness’ (*cruditas*). Now just as things that are cooked and digested usually have an agreeable and pleasant taste, so things that are raw have a disagreeable and bitter taste. But it was explained above (q. 157, aa. 3-4) that clemency implies a sort of leniency or agreeableness of mind by which an individual mitigates punishments. Hence, cruelty is directly opposed to clemency.

Reply to objection 1: Just as the *act* of mitigating punishments in accord with reason belongs to *epieikeia*, whereas the agreeableness of *the affection* by which a man is inclined toward such an act belongs to clemency, so, too, the excessiveness of punishments belongs to *injustice* with regard to *what is done exteriorly*, whereas it belongs to *cruelty* with regard to *the harshness of mind* by which one is made ready to increase punishments.

Reply to objection 2: Mercy and clemency agree in the fact that each of them flees from and abhors the suffering of others—though in different ways. For mercy involves alleviating suffering by bestowing benefits, whereas clemency involves diminishing suffering by taking away punishments. And since cruelty implies an excess in the execution of punishments, it is more directly opposed to clemency than to mercy. Still, because of the similarity between these two virtues, cruelty is sometimes taken for mercilessness.

Reply to objection 3: In this passage cruelty is being taken for mercilessness, which involves not giving benefits. Still, it could likewise be claimed that the very withholding of benefits is a sort of punishment.

Article 2

Does cruelty differ from savagery, i.e., brutality?

It seems that cruelty (*crudelitas*) does not differ from savagery (*saevitia*), i.e., brutality (*feritas*):

Objection 1: It seems to be the case that for each virtue, there is a single vice opposed to it on the one side. But both savagery and cruelty are opposed to clemency on the side of *excess*. Therefore, it seems that savagery and cruelty are the same thing.

Objection 2: In *Etymologia* Isidore says, “A strict individual (*severus*) is one who is savage and truthful, because he holds to justice without piety or pity (*sine pietate*)”—and so savagery seems to exclude the remission of punishments in handing down judgments, which pertains to piety or pity (*pertinet ad pietatem*). But it was said above (a. 1) that this [sort of exclusion] belongs to cruelty. Therefore, cruelty is the same as savagery.

Objection 3: Just as a virtue has opposed to it some vice by way of *excess*, so, too, it has opposed to it some vice by way of *deficiency*, and this latter vice is contrary both to the virtue, which lies in the middle, and to the vice that exists by way of *excess*. But the same vice involving a deficiency is opposed both to cruelty and to savagery, and this vice is *being remiss* (*remissio*) or *laxity* (*dissolutio*); for in *Moralia* 20 Gregory says, “Let there be love, but not soft-hearted (*non emolliens*) love; let there be strictness (*rigor*), but not irritating (*non exasperans*) strictness. Let there be zeal, but not immoderately savaging zeal (*non immoderate saeviens*); let there be pity or piety (*pietas*), but not more than parsimony dictates.” Therefore, savagery is the same as cruelty.

But contrary to this: In *De Clementia* 2 Seneca says, “An individual who is angry without having been hurt, or angry with someone who has not offended him, is not called cruel, but is instead called brutal or savage.”

I respond: The names savagery (*saevitia*) and brutality (*feritas*) are taken from a similitude with wild beasts (*ferae*), which are also called ‘savage’. Animals of this sort harm human beings in order to eat their bodies and not for any sort of just cause, the consideration of which belongs to reason alone. And so, properly speaking, it is called brutality or savagery insofar as the individual, in inflicting punishments, does not take into account any sort of fault on the part of the one who is being punished, but takes into account only his own pleasure in tormenting men. And so it is clear that this is contained under *bestiality*, since pleasure of this sort is bestial and not human, stemming either from bad customs or from the corruption of the nature, just as with other sorts of bestial affection.

By contrast, cruelty pays attention to the fault in the one who is being punished, but exceeds the appropriate mode in meting out the punishment. And so, as *Ethics* 7 explains, cruelty differs from savagery, i.e., brutality, in the way that human malice differs from bestiality.

Reply to objection 1: Clemency is a *human* virtue, and so what is directly opposed to it is cruelty, which is a *human* vice (*malitia humana*). By contrast, savagery or brutality is contained under *bestiality*. Hence, it is directly opposed not to clemency, but instead to a super-excellent virtue of the sort which the Philosopher calls *heroic* or *god-like* and which according to us involves the gifts of the Holy Spirit. Hence, one can claim that savagery is directly opposed to the gift of piety (*directe opponitur dono pietatis*).

Reply to objection 2: A strict individual is not called *savage* absolutely speaking, since this sounds like a vice. Instead, a severe individual is called *savage with respect to the truth* because of a certain similarity to savagery, which does not mitigate punishments.

Reply to objection 3: Being remiss in punishing is a vice only insofar as one neglects that order of justice (a) by which an individual should be punished because of his sin and (b) which cruelty exceeds. By contrast, savagery does not pay any attention to this order [of justice] at all. Hence, being remiss in punishing is directly opposed to cruelty and not to savagery.