

How does the Dramatic Theology Approach to Purgatory Contribute to the Idea of Merciful Justice in the Case of Sexual Abuse in the Church?

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Abstract

This article offers the idea that the Dramatic Theology approach to Purgatory contributes to the idea of merciful justice in specific cases of sexual abuse in the Catholic Church. In cases of serious and complex sexual abuse, the exercise of mercy raises serious controversies and problems regarding the justice that victims of sexual violence deserve. Merciful justice is the idea that under certain conditions it is likely justified to exercise mercy to the extent that it creates more good than harm and does not cause further injustice to the victim. In this exploration, I offer several conditions such as restorative justice, the process of forgiveness and reconciliation as conditions that will make possible the exercise of mercy through long, complicated and arduous stages and processes.

Keywords: merciful justice; sexual abuse; dramatic theology; purgatory; restorative justice

1. Introduction

In his work *The Brothers Karamazov*, in the –Rebellion‖ section, Russian Novelist and Philosopher Fyodor Dostoevsky presents a dialogue between two brothers: Ivan (an intellectual, sceptical and rationalist) and Alyosha (a devout and pure Christian). Ivan wanted to test Alyosha's commitment as a believer: What is the reason why Alyosha still believes in God, if God would show and extend His mercy to a cruel murderer? The situation is as follows: There was a boy who, while playing, threw a stone at a general's favourite hound, injuring its paw. The general was furious that his dog was injured and limping. The general ordered the boy to be taken away from his mother. As punishment, the general ordered the boy to be stripped naked. Then he loosed the wolfhounds from kennels. He hunted the boy

down and the dogs tore him to pieces before his mother's eyes. 'Well. . . what to do with him [general]? [...] Speak, Alyoshka [*sic!*]! 'Shoot him! ', Alyosha said softly.¹

As devout Christians like Alyosha (who is deeply and devotedly faithful to a merciful God), many of us wonder, could anyone forgive this monster (general)? Could even God (the All-merciful)? Jeanine Diller, assistant professor in the Department of Philosophy and Religious Studies at the University of Toledo, Ohio, USA, interestingly notes in her article –Merciful Justice: –If there were a God, and if she² [God] pardoned the general for this heinous act, the boy and his mother would suffer non-comparative injustice even if the general would not. They would not get what they deserve because they would not get the retribution they deserve.³ The idea of Diller's statement, we could say, is that if God were to act so mercifully towards cruel monsters, then we would be able to question the justice of this forgiving and merciful God.

Nikolaus Wandinger, Professor of Dogmatic Theology at the Faculty of Catholic Theology at the University of Innsbruck, in his article entitled –Can Purgatory Help? Reflections from Dramatic Theology in the Context of the Abuse Crisis, attempts to elaborate the Theology of Purgatory from Dramatic Theology perspective in order also to promote the idea of merciful justice. I assume that Wandinger not only promotes this idea, but also contributes to deepening this idea of merciful justice, especially in the very special and complex case of the victims and perpetrators of sexual abuse in the Catholic Church.⁴

How does the Dramatic Theology approach to theology of purgatory contribute to the idea of merciful justice and try to sound out whether there can be a process of reconciliation between victims of sexual abuse and their perpetrators? Is the idea of merciful justice plausible in the complex case of sexual abuse victims, and to what extent does mercy not violate justice and not add to the suffering of victims?

¹ Jeffrie G. Murphy, The Case of Dostoevsky's General: Some Ruminations on Forgiving the Unforgivable, Oxford Journals - Oxford University Press collaborates with JSTOR to digitize, preserve and extend access to The Monist (Source: The Monist, October 2009, Vol. 92, No. 4, Forgiveness (October 2009), pp. 556- 582), 556.

² In her article –Merciful Justice, Diller uses the third singular pronoun –She instead of –He for God.

³ Jeanine Diller, Merciful Justice, Philosophia: A Global Journal of Philosophy Vol. 41 pages 719–735 (Access provided by Kooperation E-Medien Österreich - Springer Compact), 2013, 728.

⁴ In his article –Can Purgatory Help?... Nikolaus Wandinger does not directly use the phrase merciful justice, but justice in mercy. In terms of the different word classes of these two phrases, I think there is a difference in the emphasis of these two phrases. In the phrase –merciful justice (merciful is in the adjective and justice is in the noun), justice gets a stronger emphasis or precedence, meaning that a person in certain special cases gets what he or she deserves (justice), but then he or she also gets generosity, kindness, appreciation (mercy). Whereas in –justice in mercy (justice and mercy are both nouns), mercy is more strongly emphasised when people (even in special cases) have first received (apparently without any special conditions) more than enough generosity, benefit and kindness; this mercy will not harm the justice that a person has indeed deservedly received. However, I don't think there is any significant contradiction between these two different phrases, although they have their own emphases in their definition (the phrase itself, either merciful justice or justice in mercy, is an oxymoron). I assume that Wandinger would also agree with me that when these two phrases are used (interchangeably) in the Dramatic Theology approach to Purgatory for sexual abuse cases in the Catholic Church, they can be used interchangeably because they have the same goal in their actions, which is to lead victims and perpetrators to reconciliation through and in Jesus.

2. Research Method

Dramatic Theology is the term that is used to refer to the approach to theology of the Jesuit theologian Raymund Schwager. Raymund Schwager, SJ (1935-2004) was Professor of Dogmatic and Ecumenical Theology at the Faculty of Catholic Theology at the Leopold Franzens University in Innsbruck, Austria. He was also co-founder of the Colloquium on Violence & Religion. At the centre of Schwager's theology, both in terms of method and content, is undoubtedly the drama of Jesus. Raymund Schwager's concept of Dramatic Theology and the five acts into which he divides the drama in the destiny of Jesus are briefly presented here to help the reader understand what and how Dramatic Theology works so that it might then be applied to our question.

In order to answer the question posed in the introduction, this study will first analyse the main text of Raymund Schwager's Dramatic Theology. Then, I will elaborate on the Dramatic Theology approach to the Theology of Purgatory through an analysis of Wandinger's text "Can Purgatory Help?..." and then delve into how this approach then contributes to the idea of merciful justice. The traditional concept of the Theology of Purgatory will be presented here only in its broad outline. I assume that the readers have already received catechesis or studied topics related to Purgatory. In this section I will more focus on exploring the Dramatic Theology approach to Purgatory that can be used to promote the idea of merciful justice in the case of victims of sexual abuse in the Catholic Church. My hypothesis is that the idea of merciful justice promoted by this approach will not override the justice that victims of sexual abuse deserve; rather, it might be able to help victims of sexual abuse not only to obtain justice, but also to come to a state of reconciliation, first with God the Father and Jesus, and then through Jesus possibly even with their offenders.

I will also consider the plausibility and coherence of the idea of merciful justice. Jeanine Diller's *–Merciful Justice*⁵ is a good resource for understanding that it is still possible to extend mercy in cases where it will do more good than harm. In this section I am going to analyse some of the terms and explications that need to be distinguished for our better understanding of merciful justice.

In this article I cannot enter into the analytical intricacies of the problem of sexual abuse in the Catholic Church, which Marie Keenan in her book *"Child Sexual Abuse & The Catholic Church"* describes as a super complex case. Super complex case because it requires approaches from different disciplines (including Theology itself) to issues of gender, power and organisational and institutional culture in the Catholic Church. According to Keenan, dealing with the problem of sexual abuse in the Catholic Church by clerics requires not only advocacy for victims of sexual abuse and prevention, but also a deconstruction of important structural, theological and organisational issues in the Catholic Church⁵ (including what she proposes as *–A New Theology of Clerical Masculinity*)⁶ so that cases of sexual abuse in the past will not (possibly) be repeated in the future.

⁵ Marie Kennan, *Child Sexual Abuse & The Catholic Church: Gender, Power, and Organizational Culture* (Oxford University Press, 2012), 250.

⁶ I recommend Marie Keenan's book *"Child Sexual Abuse & The Catholic Church"* to any reader or organisation or activist in the Catholic Church (whether officially appointed by the diocese or volunteer) who is willing to

However, I will draw on some of Keenan's ideas about how holistic counselling and support for both victims and perpetrators are an essential part of the reconciliation process between the two parties.

3. Result and Discussion

3.1. The Concept of Raymund Schwager's Dramatic Theology

According to Wandinger, the terms –dramatic and –dramatic have a special place in Raymund Schwager's theological work: already in his dissertation Schwager analysed Ignatius of Loyola's understanding of the church as dramatic. His main work –Jesus in the Drama of Salvation and –Banished from Eden: Original Sin and Evolutionary Theory in the Drama of Salvation, both have the term prominently in their titles.⁷ The research project of the Faculty of Catholic Theology of the University of Innsbruck focuses on the exploration and development of Schwager's Dramatic Theology with the specification of themes related to –Religion - Violence - Communication - World Order.

3.2. The Drama of Jesus and The Image of Merciful and Forgiving God

Peter Stork in his article "THE DRAMA OF JESUS AND THE NON-VIOLENT IMAGE OF GOD: Raymund Schwager's Approach to the Problem of Divine Violence" says that there is no doubt that Raymund Schwager's approach, method and analysis in his dramatic theology is the salvation drama of Jesus.⁸ He added: –Guided by the Old Testament, Schwager detects a particularly privileged entry point into the –problematic of God in the history of the Jewish people, whose faith tradition was radically transformed through violence experienced as well as committed. They were both victims of violence as well as perpetrators [...].⁹

In his main work –Jesus in the Drama of Salvation as Wandinger explores, Schwager follows up on his earlier attempts at dramatic thinking and his adaptation of mimetic theory to theology. With these tools, and in discussion with historical-critical exegesis, he attempts –to solve important problems in systematic theology: for example [some of them], the question of the right image of God - how do God's love and God's wrath go together; the question of the relationship between the Old and New Testaments.¹⁰

engage with the issue of sexual abuse in the Catholic Church. In her book, Marie Keenan explores the issues of gender, power and organisational culture in the Catholic Church and how the lack of a comprehensive and deep understanding of these issues is at the root of the sexual abuse of children by clergy. Therefore, a comprehensive approach to these issues and the openness of theology to collaborate with other sciences are prerequisites for preventing the repetition of past cases of child sexual abuse.

⁷ Nikolaus Wandinger, *Dramatic Theology (Its Meaning and Relevance)*, Presentation given at the Celebration in Honor of Raymund Schwager during the Conference of the Colloquium on Violence and Religion at Ghost Ranch, New Mexico, June 2nd 2004, in [https://www.uibk.ac.at/theol/leseraum/texte/480.html#:~:text=Dramatic%20Theology%20\(It%20Meaning%20and%20Relevance\)](https://www.uibk.ac.at/theol/leseraum/texte/480.html#:~:text=Dramatic%20Theology%20(It%20Meaning%20and%20Relevance),), accessed on August 1st, 2024.

⁸ Peter Stork, *The Drama of Jesus and the Non-Violent Image of God: Raymund Schwager's Approach to the Problem of Divine Violence*, Pacifica Australasian Theological Studies, Australian Catholic University, Canberra, Australia, 2007, 2.

⁹ Peter Stork, 2.

¹⁰ Nikolaus Wandinger, Raymund Schwager, S.J. *Dramatic Theology*, Lonergan Workshop Vol.19, University of Innsbruck, Austria, 2006, 330.

Schwager sees the drama enacted within the process of salvation history as a field of tension between uncreated and created freedom. God acts, but humans fail to respond. There are no spectators, only actors who determine how the drama will unfold. Future events are therefore by no means fixed. They emerge in response to the proclamation of the kingdom of God.

3.3. Five Acts of the Drama of Salvation

In his book, "Jesus in the Drama of Salvation", Raymund Schwager observes and analyses the works and drama of Jesus' salvation and divides them into 5 acts. The five acts are the following:

First, –Jesus announces the Kingdom of God, the *Basileia* of a merciful and unconditionally forgiving father.¹¹ In this 1 act according to Schwager Jesus speaks to people of a new divine act of salvation and through healings and acts of liberation. It was not just that people would experience physical healing through Jesus' proclamation and saving work, Schwager said, but that Jesus' saving power would also free people from the power of evil. This casting out of demons by the power of God indicated that the kingdom of God was already present in the midst of the people (cf. Luk 11:20).¹² But Jesus' proclamation of the kingdom of God would also be ineffective without the acceptance of his listeners as a post-condition, which includes the rejection of revenge and the willingness to forgive like Jesus.

Second, Jesus addresses the consequences of people rejecting the proclamation of the kingdom of God. By rejecting the offer of salvation proclaimed by Jesus in the name of God, the religious authorities placed themselves and their people in a situation of deepening desolation.¹³ Jesus' harsh words and grim reaction to rejection did not portray an antagonistic Jesus, but Jesus was telling his hearers firmly, clearly, and publicly that there would be serious consequences for those who undermined the meaning of this proclamation or openly rejected or even boycotted it. This judgement, however, was not one imposed from God, it was the inevitable consequence of a resistance which the religious authorities enacted; this judgment would occur according to their norms and their image of God and therefore would be in the manner of a self-judgment.¹⁴ Jesus' judgment parables are to be seen as a warning of the hopeless consequences of this rejection, but not as a threat to bring them about.

¹¹ Nikolaus Wandering, Raymund Schwager, S.J. *Dramatic Theology*, 331.

¹² Raymund Schwager, *Jesus in the Drama of Salvation: Toward a Biblical Doctrine of Redemption*, translated by James G. Williams and Paul Haddon, English translation by The Crossroad Publishing Company, 1999, 31.

¹³ When peoples chose not to listen to Jesus' proclamation of God's goodness, they rejected God's offer of salvation. They hardened their hearts against accepting that proclamation and became trapped in the old world and mechanisms handed down from their ancestors. So, they rejected God's action, God's words, God's fulfilment in the person of Jesus. The scheme they use is what Schwager calls self-defence. This scheme of self-defence makes them less and less able to accept this proclamation of God's good news, so that they are caught in a mechanism of obduracy, in their own self-judgment. In this way, says Schwager, "Thus they lock themselves even more into their old world and give themselves to a process of judgement, which runs according to self-chosen and stubbornly defended norms." (Raymund Schwager, 66).

¹⁴ According to Schwager, it is left to individuals to determine the standard by which they judge others, based on their daily experiences (both good and evil): —So it is always individuals who determine the measure according to which something happens to them, whether it be for good or for evil.¶ then he adds: –Those who have are those who see that they have received and who by this grateful recognition become capable of receiving yet more. Those who do not have are those who refuse to recognize what they have received as such, who make for

Third, Jesus was brought to judgment and handed over to be executed. This third act is explicitly described by Schwager as a dramatic act full of tension, involving strange and even bewildering facts. The basic idea he wants to raise in this section is: How can the one "who announced the judgment is himself brought to judgment."¹⁵ The interesting part of the drama of Jesus' being delivered to the judgement is the role played by both individuals and groups who turned against Jesus, with no one standing up for him, not even the disciples who were closest to him. From the Jewish leaders, the group of high priests, the Pharisees and Sadducees, the crowds who demanded his crucifixion, the Roman soldiers who mocked him, the disciples who ran away from him, and then Peter who denied him and Judas who betrayed him. Stork, analysing Schwager's idea in Act 3, wrote: "The gathering against Jesus was not an arbitrary and spontaneous confluence of hostile powers. As proclaimer of the reign of God, Jesus had awakened the very forces that were now to strike back at him."¹⁶ Structurally, Stork said, this universal gathering of all against one is, in the categories of René Girard, an instance of the scapegoat mechanism,¹⁷ a mechanism by which a community unloads their aggression on a single victim whom they wrongly deem responsible for their crisis. Jesus is thus scapegoated because of the sins of others. But Jesus responds with nonviolence and forgiveness. Then Stork added that in Jesus complete identification with sinful humanity, including his persecutors, He encountered death as the consequence of human sin, thereby fully sharing in the human condition. The Father does not extend forgiveness only after Jesus serves as a substitute for sinners; rather, Jesus transforms the distorted image of God into the true reality of divine love and mercy. By aligning himself with sinners, even in the face of their rejection, Jesus manifests an even deeper outpouring of self-sacrificial love. Thus, Jesus' death reflects the will of the Father, not as retribution in place of sinners, but as a means of penetrating human hearts with salvific grace.¹⁸

Fourth, the fourth act is marked primarily by God's new act of raising Jesus from the dead. This divine act, according to Schwager, is at the same time an act of judgement in which God judges in the dispute between Jesus and his enemies as to who could rightfully act on God's authority in favour of Jesus. But because Jesus offered himself up for the people so that they would not be condemned, this judgement, according to Schwager, is therefore, on a deeper level, also a judgement in the favour of the sinners. After the people had refused the forgiveness that Jesus implicitly promised them with his unconditional new offer of salvation, the Risen One redoubled this readiness to forgive.¹⁹ In this act the Father answers the prayer of the Son for the forgiveness of his executioners and for those who had previously rejected his message. For in raising his Son from death and defeat, God is not ending human history, but enabling it to move forward in a new way.

themselves a harsh picture of the giver and trap themselves in the role of self-defense. They become thereby less and less capable of receiving and fall into a mechanism of obduracy. (Raymund Schwager, 64-65).

¹⁵ Raymund Schwager, 82.

¹⁶ Peter Stork, 8.

¹⁷ Peter Stork, 8.

¹⁸ Peter Stork, 9.

¹⁹ Raymund Schwager, 135-136.

Fifth, In the fifth act, a new action of God is manifested by the action of the Holy Spirit. The Holy Spirit gives rise to an inner experience which is at the same time a communal experience and one which leads to an open public witness. In this way, the Holy Spirit brings about a new gathering of people in unity and without exclusionary opposition, which then gives new life to the Church. For Schwager, this work of the Spirit is the fruit of Jesus' redemptive self-giving: –The new gathering, which Jesus had begun with the message of the kingdom of God, had initially broken down because of people's resistance. There was even a counter-gathering, a cooperation of different forces against God's messenger, which Jesus answered with the surrender of his life for the many. The new post-Easter gathering – and the Spirit which made it possible– is to be understood as the fruit of this surrender.²⁰

3.4. Dramatic Theology Approach to Theology of Purgatory

The *Catechism of the Catholic Church* defines Purgatory as a –purification, so as to achieve the holiness necessary to enter the joy of heaven, which is experienced by those –who die in God's grace and friendship, but still imperfectly purified (CCC 1030). It notes that –this final purification of the elect which is entirely different from the punishment of the damned (CCC 1031).²¹

The phrase –who die in God's grace and friendship could be interpreted to mean that all those who repent (shortly before their death), recognise their sinfulness, then decide to return to God and are willing to accept God's grace again, will also pass through the purification phase in Purgatory. This also applies to mortal sinners who are willing to repent.

We will now apply Raymund Schwager's Dramatic Theology approach to that interpretation. Schwager's main idea in –Jesus in the Drama of Salvation, as outlined in the five acts, is the Jesus' proclamation of the Kingdom of God, the Basileia of a merciful and unconditionally forgiving Father who wants to gather all people (Act 1). In this gathering, no one is excluded, not even sinners; in fact, in his action, Jesus explicitly comes directly to sinners. Jesus' proclamation of the Kingdom of God was later rejected by people (Act 2). This situation of the rejection of the proclamation of Jesus put people into a state of hatred, of revenge, of harshness, and of opposition to Jesus. This rejection means that there will be a consequence for those who reject Jesus' proclamation, namely a state of self-judgment. This judgement comes neither from Jesus nor from the Father, because Jesus is consistent in proclaiming the salvation that God offers to people.

In Act 3, Schwager describes the situation of Jesus' suffering as Jesus' self-identification with sinners who are victims of malevolent evil. Through His suffering and death on the cross, He took upon Himself the sin of the sinners. For Jesus offered himself for sinners so that they would not be condemned. This judgment, according to Schwager, is therefore on a deeper level also a judgment in favour of the sinners. After the people had refused the forgiveness that Jesus had implicitly promised them with his unconditional new offer of salvation, the Risen One redoubled this readiness to forgive. For in raising his Son from death

²⁰ Raymund Schwager, 144.

²¹ http://www.vatican.va/content/catechism/en/part_one/section_two/chapter_three/article_12/iii_the_final_purification_or_purgatory.html, accessed August 2nd, 2024.

and defeat, God does not end human history but enables it to move forward in a new way (Act 4). In Acts 5, the role of the Holy Spirit is significant in the gathering of people into unity without exclusion.

From this idea we can assume that even the perpetrators of serious crimes are not excluded from this saving grace if they decide to repent at the last moments of their life. Jesus' giving of Himself to be judged and condemned to death to substitute for the self-judgment of sinful human beings, and His identification with sinners insofar as they are victims of malevolent evil, also applies to mortal sinners who need God's grace for repentance. They will remain in a state of self-judgment if they refuse to accept the forgiveness and mercy of God. But if they consciously choose not to reject God's grace, it is highly probable that, with the help of God's grace through the passion of Jesus on the Cross and His forgiveness, they will be assured of Purgatory for the purification process of the residual effects of their sin. This also means that on the day of judgment they (converted heinous offenders) will also receive God's mercy, forgiveness and justice.

Further questions that are likely to be an objection to God's merciful action towards sexual perpetrators (although they repent and then are purified in Purgatory): *How about the non-comparative injustice suffered by the victims of sexual abuse? If these victims of sexual abuse sue for the non-comparative injustice they are suffering, could God's mercy to perpetrators be nullified?*

To deal with these objections, let us first try to comprehend, from the perspective of Dramatic Theology, who the victims are.

3.5. Victims and Perpetrators are both Victims

In the third act, Jesus, the bearer of the proclamation of salvation, who was sent to be judged and handed over to be crucified, was the victim of those who rejected his proclamation. What is interesting in this third act, as Schwager suggests, is that in this handing over not a single person stands with Jesus, even the disciples who were closest to Jesus are now on the side of the perpetrators (Judas who betrayed Jesus, Peter who denied Jesus three times, and the other disciples who ran away when the executioners arrested Jesus).²² They were all against Jesus. Jesus was left alone. He was the victim of cruel accusations and judgments.

This interpretation helps us to understand that Jesus, as a victim of His accusers who handed Him over, now stands with the victims of injustice, crime and sexual abuse. Jesus can understand the situations that the victims experience because he himself was a victim of the injustice and unrighteousness that was alleged against Him. He stands up for the victims. The next interesting point, following Schwager's idea, is that what distinguishes Jesus from other victims is that Jesus did not hit back at His accusers, enemies and perpetrators with accusations, hatred, demands, but he prayed to his Father in heaven to forgive His enemies because His enemies did not know what they were doing.

²² Raymund Schwager, 90.

Jesus' prayer on the cross to His Father for His enemies, Schwager argues, shows that Jesus' enemies, accusers and those who betrayed Him were also victims in the condition that they did not know the cruel acts they were committing because they were blinded by sin. Sin and the dark power of evil made them unaware that their actions were wrong. Since they were also victims of the malignancy of sin, Jesus was also on their side (to the extent that the perpetrators of these crimes did not know and were not fully aware of their cruel actions).²³

An impressive point about the self-identification of Jesus with both the victims and the perpetrators is articulated by Wandinger: –He wants to be the friend of both victims and perpetrators, but with a significant difference: while Jesus identifies himself directly with all the victims of sinful behaviour (cf. Mt 25:40-45), his identification with the perpetrators is only indirect. It is limited to the perpetrators insofar as they are victims...²⁴

3.6. Double Victimization

I am not specifically developing the idea of double victimisation. It is my interpretation of Józef Niewiadomski's idea of the possibility that victims can also be perpetrators (double victimisation) when they are dominated by anger, desire for revenge and resentment. Niewiadomski, as quoted by Wandinger, came to this conclusion after reading the writings of Carl Améry:

A victim's hate immediately directed at the perpetrator only creates superficial distance. In the victim's phantasy, the victim becomes a perpetrator for an instant, and the perpetrator a victim; the hateful extinction of the other only creates a blank spot, a screen for a projection from which hate rebounds back on the victim. That way, the victim is on the path to self-victimization, to becoming what the perpetrator in fact intends, namely a victima and nothing but a victima, victimized by the perpetrator and by themselves. A victim thus defined incarnates victim-perpetrator-entanglement.²⁵

²³ Jesus' self-identification with those who act against him is therefore in the sense that those who act as direct agents are not fully aware of their actions because they too are victims of sin. Just as Jesus is a victim of misdeeds and injustice, so, according to Schwager, Jesus is in ultimate solidarity with those who are oppressed by their own sin and the sin of others. Schwager notes, –The blindness of Jesus' opponents makes evident that people at the crucial moment are likely to succumb to their own actions, that they are far more victims of their deeds than responsible initiators of them. (Raymund Schwager, 172). Nikolaus Wandinger in his article, *„Denn sie wissen nicht, was sie tun“* adds an explanation of Jesus' identification with the victims (who are the victims of sin?): –In a further theological consideration, however, it becomes clear that Christ's identification did not only refer to his immediate persecutors, but to all people insofar as they are victims of sin. And that is in fact all people. And only this identification is therefore necessary to ensure that the talk of self-judgement does not lose its meaning. The self-judgement of sinful people is therefore a judgement that affects all people, but it does not ask about individual guilt or innocence in the sense of our modern concept of justice, but includes everyone in some way, although it can certainly affect some individuals more severely than others. (Nikolaus Wandinger, —*„Denn sie wissen nicht, was sie tun“: Impulse zum Sünderverständnis aus der Dramatischen Theologie R. Schwagers*, in Józef Niewiadomski, Nikolaus Wandinger (Hg.), *Dramatische Theologie im Gespräch*, Symposium zum 65. Geburtstag von Raymund Schwager, Verlag Münster-Hamburg-London, 2003, 162. (Translation from German to English by DeepL Translator with edited by me personally).

²⁴ Nikolaus Wandinger, „Gnade oder Gerechtigkeit? Systematisch-theologische Überlegungen im Anschluss an den Film *„Dead Man Walking“*, In: Monika Datterl u.a. (Hg.): *Friede – Gnade – Gerechtigkeit. Im Spannungsfeld zwischen Institutionen und persönlichem Engagement* (theologische trends 30). Innsbruck, pp. 217-235, 231. (Translation from German to English by DeepL Translator with edited by me personally).

²⁵ This is an idea of Niewiadomski's quoted by Nikolaus Wandinger (Nikolaus Wandinger, —Can Purgatory Help? Reflections from Dramatic Theology in the Context of the Abuse Crisis, in Fleming, D. J., Keenan, J. F. and Zollner, H. (ed.) *Journal of Moral Theology* 3, 2023: (CTWEC Book Series 3 CTWEC Book Series 3, 312-328), 317).

From this perspective, if victims of sexual abuse direct their desires (resentment, revenge, anger) at the perpetrators, then this projection of resentment, anger and revenge will hit back at them and will make them doubly victimised. First, they are victims of sexual abuse by the perpetrators, and second, they are self-victims of their own resentment and revenge they project on their perpetrators.

Jesus did not experience this double victimisation. Jesus differs from the victims of sexual abuse who are doubly victimised because Jesus did not hit back at his persecutors with accusations, hatred, demands, revenge, but instead He prayed to His Father in heaven to forgive His enemies because His enemies did not know what they were doing. According to Wandering, what distinguishes Jesus from the victims of violence and injustice is that Jesus, as a victim, did not direct his desire to the perpetrators, but directed his desire directly to his Father (positive mimetic) by asking his Father to forgive his enemies.²⁶ Therefore, the negative mimetic process between victim and perpetrator and perpetrator and victim did not happen to Jesus. It is only the willingness to forgive and not to direct desire towards the perpetrator that then avoids the victim being both the victim of the perpetrator and the victim of self-victimisation.

3.7. Merciful Justice: Its Principle, Plausibility and Coherence

The Principle of Merciful Justice

Referring to the distinction proposed by Joel Feinberg, Jeanine Diller in –Merciful Justice²⁷ makes distinction of two types of justice²⁷: comparative justice and non-comparative justice. Justice itself means that a person gets what he or she is due. Comparative justice²⁸ here means that a person's due is determined by his or her relationship to other persons; whereas non-comparative justice means that a person in fact gets what he or she is due regardless of other persons.²⁹

Merciful justice, when referring to its concept of giving more good (from an authority) or receiving more good than one deserves, is not without problems, Diller argues, when applied to comparative justice. She uses two parables from the Bible as examples: Luke 15:11-32, the parable of the merciful father (the prodigal son), and Matthew 20:1-16, the parable of the vineyard owner who makes a covenant with the vineyard labourers for one denarius a day (a full wage). The merciful father shows mercy to the prodigal son, while the landowner gives

²⁶ Nikolaus Wandering, —Can Purgatory Help? ...!, 317

²⁷ Joel Feinberg's article on "Noncomparative Justice" is also recommended for readers who are interested in exploring the differences between comparative justice and non-comparative justice in more detail. The article is available at <https://www.jstor.org/stable/pdf/2183696>, Joel Feinberg, Noncomparative Justice, The Philosophical Review, Jul., 1974, Vol. 83, No. 3 (Jul., 1974), 297-338.

²⁸ Joel Feinberg: "... comparative justice requires that the judge or administrator give precisely the same treatment to each person who falls within a class specified by the rule." Joel Feinberg, 299.

²⁹ Diller gives an example of comparative justice in the sibling relationship. If one sibling receives this gift, then the other sibling also receives a gift (perhaps of a different kind) of equal value; even in cases that are, according to Diller, very serious to avoid discrimination and trigger high levels of offence in matters related to ethnicity, race, gender, sexual orientation differences. While non-comparative justice, Diller gave an example in criminal sentencing, where a criminal is sentenced according to what he deserves for the crime he has committed (without comparing him to other criminals) (Jeanine Diller, 720.)

the labourers who come later the same wage as those who come earlier (one denarius).³⁰ To the elder son, the merciful father had given what the elder son had deserved (verse 31'...you are always with me, and all I have is yours'). Nor did the landowner break the agreement he had made with the labourers who came early with a day's pay. They were paid what they had deserved.

The mercy of both the generous father and the landowner are problematic here because they are subject to the standard of comparative justice, which requires that, –What others receive, I also have to receive (of equal amount or value)!. In both cases, according to Diller, merciful justice can create comparative injustice³¹ for the elder son and the early labourers (in the case that they complain and sue), even though the merciful acts of the father and the landowner are not categorised as harmful acts in legal law.

However, according to Diller, these two parables can also be appropriate examples of situations or cases where merciful justice can be applied. In fact, in these parables neither person is harmed in terms of justice, because the conditions of due acceptance have been fulfilled. The father's action towards the prodigal son and the landowner's action towards the vineyard labourers who came later had a greater good effect on both the prodigal son and the labourers who came later. Nor is there any serious evidence that these acts of mercy harmed (either morally or psychologically) either the elder son or the earlier labourers. Even if, according to Diller, in both parables it is still possible to create comparative injustice for the elder son and the early-arriving labourers, but at least in the category of non-comparative justice, the elder son and the early-arriving workers have received in fact due to them (to the extent that what they get is independent of other parties).³²

3.8. Plausibility and Coherence

Alwynne Smart, according to Diller, proposed that mercy is justified under the following conditions: *first*, that the mercy we extend is connected at least with an obligation to fulfil one of the benevolences (virtues), which one of the benevolences is the obligation to reduce suffering; *second*, that it must do more good than harm before it can be justified.³³ Diller added: –These conditions together entail that deciding whether to extend mercy will reduce to a cost-benefit analysis, where the benefits will include the reduction of suffering that the mercy-giver is after. In the end, if overall more good can be created by extending mercy, we should extend it; if not, we should not.!!³⁴

Non-comparative justice, according to Diller, is when people get what they in fact deserve. A mercy granted by someone, Diller argues, is also incompatible with the non-comparative justice according to the principle endorsed by Carla Johnson: 'It is unjust to a person to treat her better than she deserves.'³⁵ In criminal cases, for example in the case of

³⁰ Jeanine Diller, 720-721.

³¹ Jeanine Diller, 721

³² Jeanine Diller, 721-722.

³³ Jeanine Diller, 726.

³⁴ Jeanine Diller, 725.

³⁵ Diller herself does not agree with the principle endorsed by Carla, but she offers a principle which I think is brilliant and intuitively acceptable: 'It is more than just to treat a person better than she deserves', Jeanine Diller, 728

victims and perpetrators of sexual abuse, if the granting of mercy does more harm than good, then this granting of mercy should not be done, because if it does more harm to the victims, then the mercy granted will create a non-comparative injustice³⁶, that is, the victims will not in fact receive what they deserve. Then what Diller said (in my introduction) about the non-comparative injustice suffered by the boy and his mother in Dostoyevsky's story of the general becomes true, if then God (without any plausible reason) is merciful to the general (perpetrator). Johnson's principle also becomes applicable in this case: 'It is unjust for a person [even God] to treat her [him] better than she [he] deserves', because those to whom this punishment is in fact owed suffer injustice (the mother and her son) if mercy is granted (to the monstrous general).

Is it then not possible to exercise mercy in the case of the cruel and heinous general? I think the following statement by Diller, with due reference to Johnson's suggestion, is in line with Christian teaching on the willingness to forgive (even when our human conscience refuses to agree) that the exercise of mercy is possible, at least without causing injustice to the victims, on one condition: the victims voluntarily and consciously forgive the perpetrators.³⁷ What a powerful argument!

To end this section, I would like to mention Diller's statement that it is –justifiable to exercise mercy, and thus merciful justice... only when (1) it creates more good than harm overall and, for cases of distributing punishments, only when (2) the victims of a crime voluntarily quit their claim for retribution. It is true that only the victims can exercise mercy in these cases, but still, they can do it.³⁸

3.9. The Contribution of the Dramatic Theology Approach to Purgatory to the Idea of Merciful Justice

The Dramatic Theology concept of a new model of the last judgement and the Theology of Purgatory³⁹, as elaborated by Nikolaus Wandering in his essay, is a highly valuable contribution to the idea of merciful justice. I am impressed that the concept of Purgatory, discussed in his writing, is interpreted in a more recent and revitalised way than the traditional concept of Purgatory. The contribution of this approach is to begin by identifying and seeking the justice that the victims of sexual abuse deserve. Then, in the process of the willingness to forgive and reconciliation (if possible, between victims and perpetrators), the proposed prerequisite is holistic counselling for both parties and also humane treatment as subjects with a focus on a respectful and peaceful future as a preventive effort to prevent this abuse from happening again now and in the future.

³⁶ –The clearest examples of noncomparative injustices are cases of unfair punishments and rewards, merit grading, and derogatory judgments.¶ Joel Feinberg, 300.

³⁷ Jeanine Diller, 732.

³⁸ Jeanine Diller, 729.

³⁹ Wandering, in his theological concept of purgatory, deliberately tries to blur the boundaries that separate purgatory from the Last Judgement. (Cf. Nikolaus Wandering, –Can Purgatory Help?...¶, 323-324).

3.10. Mercy as a Prerequisite for Achieving Justice

Wandinger in his article „Gnade oder Gerechtigkeit? Systematisch-theologische Überlegungen im Anschluss an den Film *Dead Man Walking*“, develops an insight that I think helps us to understand more deeply how and under what conditions justice can possibly be achieved. Wandinger begins by trying to analyse (in that film) the situation of the criminal Matthew Poncelet (who was sentenced to death by the court for killing the young couple Walter Delacroix (17) and Hope Percy (18) and then raping the young girl in the film –*Dead Man Walking*) and Sister Helen Prejean, who was Poncelet's spiritual director during the process leading up to his trial.

The dramatic situation is shown at the beginning, when Sister Helen confronts Poncelet, who tries to avoid the accusations against him, refuses to show his responsibility and declares himself innocent. But in the end, after a long process of compassionate and patient counselling by Sister Helen, treating Poncelet not merely as an object of externally imposed punishment but as a subject in need of counselling, Poncelet voluntarily admitted his guilt and openly accepted the accusation that he was the one who killed two young couples and then raped the young girl.

Based on these circumstances, Wandinger states that Poncelet's conversion was possible because of Sister Helen's compassionate and merciful actions. Wandinger then adds:

From this perspective, one would have to say that justice cannot be achieved without mercy, because the mere imposition of external sanctions cannot establish justice. Genuine mercy, however, is not a cheap wiping away that minimizes or brushes aside guilt. It may be accompanied by a sanction that is perceived as too harsh. But then it helps to recognize the extent of the guilt and - this is mercy - not to fall into despair, but to take responsibility for it in the hope of forgiveness.⁴⁰

3.11. Holistic Counselling and Compassionate Treatment of Both Victims and Perpetrators.

Wandinger's emphasis and argument on justice for the victims of sexual abuse does not only end with the process of judgement or seeking justice and retribution while still in this world, but he argues that the process of justice for the victims will continue in 'Purgatory'. When this process still takes place in the world, the justice given to the victims is not just retributive justice but has to reach the stage of restorative justice. Retributive justice is limited to the imposition of censure on the perpetrator for the sake of justice for the victims. It could also include material compensation for the victims to help them recover from the trauma caused by the sexual abuse they suffered. Meanwhile, according to Michale Wenzel *cum suis* in the practice of restorative justice:

[...] both victim and offender are therefore given a voice to express their views and emotions. Based on a proper understanding of what the extent of the harm is, restorative justice is geared toward making the offender take responsibility and accept accountability for his actions, and express a sincere apology to the victim. The victim is (at least implicitly) encouraged to express

⁴⁰ Nikolaus Wandinger, –Gnade oder Gerechtigkeit?...||, 233.

willingness to forgive the offender and show respect to the offender as a human being generally capable of redemption and moral transformation.⁴¹

Keenan, in agreement with Wandering on the process of seeking justice for victims of sexual violence, also criticizes the process of seeking justice for victims of sexual abuse that is limited to providing compensation for victims and punishment for perpetrators. For her, it is a mistake to encourage the assumption that the initiation and conclusion of legal proceedings can provide a complete resolution to the variety of injury, hurt, loss, and pain caused by past abuse. Keenan then added and offered: –Such false hopes or promises lead to deal wells and disappointment for survivors, perpetrators and for their families and communities. It may well be that we have so far paid insufficient attention to the long-term needs of survivor and perpetrators of sexual offenses and perhaps the time has come when we need to ask them what else must be done.⁴²

Wandering's next assertion is that the process of forgiveness by the victim, and then on to the process of reconciliation between the victim and the perpetrator, has and is taking place and beginning right now and here in this world, –This process can already begin in this life: through prayer, the Eucharist, and substitution by Christians living the message of reconciliation; in counselling and therapy sessions, in mediated confrontation with those perpetrators who allow themselves to be confronted, and perhaps also in approaches to human justice that move away from retributive towards restorative justice.⁴³

Another recommendation that I think deserves attention, as suggested by Wandering, is to treat perpetrators as subjects. In the case of sexual abuse, this means making pastoral also counselling available to perpetrators. Neither victims nor perpetrators are excluded in this justice-seeking process. Counselling that treats the perpetrator humanely, based on compassion and mercy (such as Sister Helen's treatment of Poncelet), according to Wandering, will slowly allow the effects of mercy to be taken into account.⁴⁴ The change that may occur is that the perpetrator recognizes his guilt and is open to being confronted with it.

Drawing on Maruna's research, Keenan also described and proposed a process for perpetrators called 'finding oneself again'. In this process, perpetrators can rewrite a shameful past as a prelude to a more productive and dignified life. They are empowered to engage in generative activities, such as helping other perpetrators in the community in productive ways.⁴⁵

Restorative practice is the next important suggestion in the counselling process for both victims and perpetrators. The purpose of restorative practice, according to Keenan, is to address the harm, address the causes, and seek to right the wrongs. The focus of the process is generally on the future, the recollection and healing of past trauma, the present, and then the

⁴¹ Michael Wenzel, Tyler G. Okimoto, Norman T. Feather, Michael J. Plato, *Retributive and Restorative Justice*, Published online: 24 October 2007 American Psychology-Law Society/Division 41 of the American Psychological Association, 2007, 278.

⁴² Marie Keenan, *Child Sexual Abuse & The Catholic Church: Gender, Power, and Organizational Culture*, Oxford University Press: United States of America, 2012, 270-271.

⁴³ Nikolaus Wandering, —Can Purgatory Help? ...I, 326.

⁴⁴ Nikolaus Wandering, —Gnade oder Gerechtigkeit?...II, 234.

⁴⁵ Marie Keenan, 271.

creation of a peaceful and respectful future. Keenan elaborates: –The aim is to enable both victims and offenders and all of those people whose lives are interconnected through unwelcomed traumatic events, to turn their tragedies and find fulling and peaceful ways to go forward.⁴⁶

3.12. Merciful Justice through Forgiveness and Reconciliation

The process of reconciliation between victims of sexual abuse and their perpetrators is a long journey, especially for victims, to heal their wounds or trauma so that they are likely ready to forgive and reconcile with their perpetrators. Forgiveness and reconciliation are not a suggestion made at the beginning, when the victim is still demanding restitution and feeling resentful towards the perpetrator, but the result of a long journey after the victim has also made accusations, raised objections, demanded revenge and felt deep resentment towards their perpetrator. These situations, according to Wandinger, do not have to end here, in this world, but can and do continue in purgatory. –To be clear, I am not talking of reconciliation today or tomorrow but of reconciliation at the end of a long arduous process that could continue beyond this life and then is called ‘purgatory’⁴⁷.

I would like to address Wandinger's insightful idea of how this situation or process of judgement occurs. We can expect that this ongoing process will also be a process of obtaining justice for the victims and a process of exercising mercy on the part of the victims towards their perpetrators. This process of judgement takes place in purgatory, which is also implied as a process of final judgement for both victims and perpetrators of sexual abuse:

First of all, as already stated, all sins and crimes would need to be unveiled, all pain and suffering be named. If they had not been uncovered before, they will certainly be now. [...] all entanglements in sin, all inhibitions of freedom, all consequences of original sin that limited the responsibility of evil-doers will become visible. Then victims and perpetrators alike will encounter the unbelievable reaction of Jesus: his willingness to forgive what he suffered on the cross and by identifying with all victims of human sin. It seems likely that the other victims would not just watch this as unconcerned bystanders. Christ has identified with them in the most direct manner. Thus, his identification will be most palpable to those who have been victimized most. [...] so now the victims in this process need not face their persecutors directly but mediated through Christ. This might enable them too to see where their tormentors were in fact victims of sin themselves. Hopefully this enables them to slowly move closer to healing and thus also to move closer to becoming able to forgive. [...] Hopefully, this would move them in a kind of positive mimesis and empower them to offer forgiveness too. Furthermore, the perpetrators would be faced with Christ's forgiveness and, if and when it develops, also by their victims' readiness to forgive. By no means does that mean that they have already finished the process of judgment. The offer of forgiveness is only the first step; acceptance of that offer is needed to turn it into realized forgiveness, and the constitution of a new kind of relationship between perpetrator and victim is needed to reach reconciliation.⁴⁸

I have to give credit to Wandinger's brilliant idea that the process of forgiveness and reconciliation between victims and perpetrators is possible both in purgatory and in the final judgement. And this process, I also believe, will not diminish or take away in the least the

⁴⁶ Marie Keenan, 272.

⁴⁷ Nikolaus Wandinger, —Can Purgatory Help? ...I, 326.

⁴⁸ Nikolaus Wandinger, —Can Purgatory Help? ...I, 322-323.

justice that victims of sexual abuse deserve. But this process does not end only with receiving and experiencing justice but continues with the experience of mercy that comes directly from Jesus; first witnessed and then experienced by the victim. It is this experience of mercy and forgiveness that then frees the victims from all the hatred, anger, revenge, trauma that they have endured. Then this process leads them (the victims) to the willingness to forgive the perpetrators, who were also there before Jesus. The perpetrators are also victims of sin, because they did not know what they were doing, because they are blinded by sin. The realized forgiveness (from the victims to their perpetrators) opens the way to reconciliation between the victim of sexual violence and the perpetrator. This willingness to forgive is also a very concrete manifestation of the victim's exercise of one of the beneficent acts towards their perpetrators, which is to reduce the suffering of the perpetrators (because of the sin they have committed) in the process of their purification in Purgatory.

The apology of the perpetrators, the willingness to regret any wrongdoing for the acts of sexual abuse against the victims, makes the perpetrators take a step forward to be able to receive forgiveness from Jesus and then from their victims too. The acceptance of forgiveness and the willingness of perpetrators to reconcile with their victims opens a new (good) path to their final judgment before Jesus and their victims.

4. Conclusion

What I have elaborated in this article regarding the willingness of both victims and perpetrators to engage in processes or steps such as counselling, restorative processes, and forgiveness and reconciliation between victims and perpetrators is one of many possibilities that may still occur in these processes or steps. I also speculate that even these other possibilities are the opposite of the process proposed in this article. Another possibility that may occur in this process is that either victims or perpetrators may completely refuse to follow the counselling processes, the restorative process, or perhaps even during this process in the world might not want to forgive or even reconcile. Feeling embarrassed, feeling hatred, not wanting to be publicized, case closure limited to retribution might be the steps or processes they want to choose. But at least we have positive guidelines and good steps in the process of helping both victims and perpetrators achieve reconciliation.

Even if this process of forgiveness and reconciliation does not take place in this world, it will take place in Purgatory. There, victim and perpetrator are confronted by Jesus, the true Judge, who judges with forgiveness and mercy. Jesus is also the victim of human guilt and sin. Whoever stands before Jesus will directly experience his forgiveness and mercy. The victims who first experience Jesus' redoubled mercy and forgiveness will eventually extend mercy and forgiveness to their offenders. Mercy heals wounds, forgiveness opens the way to reconciliation. Jesus is the mediator who is always ready to accompany victims in the process of reconciliation with their perpetrators.

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Catechism **III** "The Final Purification, or Purgatory"
[Http://www.vatican.va/content/catechism/en/part_one/section_two/chapter_three/article_12/iii_the_final_purification_or_purgatory.html](http://www.vatican.va/content/catechism/en/part_one/section_two/chapter_three/article_12/iii_the_final_purification_or_purgatory.html), accessed August 2nd, 2024.
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