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AN ETHICAL ANALYSIS OF TRANSPARENCY AND ACCOUNTABILITY IN CHURCH ADMINISTRATION

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Abstract

We find corruption in different sectors of society; civil as well as religious. The Catholic Church also tended to corruption and malpractices in its administration. Transparency and accountability help to eradicate corruption. Transparency is counted as an informational mechanism whereas accountability is that one is responsible and answerable for one's action. The Church has been questioned by a series of events related to unaccountability and opacity concerned with sexual abuse cases and financial mismanagement. A depraved conception is that when somebody admits the error, it defames the Church. The problem of 'vectoral' accountability and the pervasiveness of *hierarchia* intensified the situation. Pope Francis has taken measures in favour of transparency and accountability. It enhances a democratic culture and informational subsidiarity to have credibility in the administration so that the virtue of truthfulness and justice can be performed. A pre-conventional, conventional and post-conventional ethical reasoning would help the Church to recapture the spirit of the gospel to form a just and uncorrupted society.

Keywords: Accountability, Democratic Culture, Informational Culture; Opacity; Subsidiarity; Transparency; 'Vectoral' Accountability

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Introduction

A dictum, “power tends to corrupt and absolute power tends to corrupt absolutely” reveals the fact that power has always the tendency to be corrupted. As Sandholtz and Koetzle state, “corruption, is like the poor, will probably always be with us.”¹ Common people experience this fact in their daily dealings with civil as well as religious authorities. However, corruption can be reduced by transparency and accountability in administration by which welfare of the community can be ensured. Power in the Catholic Church also tended to corruption and malpractices. Many point out that there is lack of transparency and accountability in the Church administration. Here, we try to analyse how far the Church succeeded to be transparent and accountable.

1. Transparency: A Domain of Informational Culture

It is the duty of public officials, civil servants, managers, directors and also religious leaders to act visibly, predictably and understandably. They are supposed to have a qualitative perception of transparency.² Making information available merely is not sufficient to achieve transparency because any raw information in the public domain may breed opacity rather than transparency. Therefore, the information we give out should be relevant, accessible, timely and accurate. The information should be presented in comprehensible language and formats appropriate for different stakeholders. It should be made available in proper time too. In other words, information should be managed in such a way that it is up-to-date, accurate, and complete.³ The purpose of giving information must be for the well-being of the society, prevention of disorder, protection of morals, and safeguarding the rights of others.⁴

Further, transparency is more than the freedom of information satisfying the public. It is a cultural value which helps people to live in a more civilized way. It will enhance credibility and would become

¹Wayne Sandholtz and William Koetzle, “Accounting and Corruption: Economic Structure, Democracy, and Trade,” *International Studies Quarterly* 44, 1 (2000) 31.

²J. Jay Choi and Heibatollah Sami, ed. *Transparency and Governance in a Global World*, Bingley: Emerald Group Publishing 2012, 106.

³Secretary-General OECD, *Global Forum on Transparency and Exchange of Information for Tax Purposes: Hong Kong (China) 2019 (Second Round): Peer Review Report on the Exchange of Information on Request*, Paris: OECD, 2019, 25.

⁴Stephen Kabera Karanja, *Transparency and Proportionality in the Schengen Information System and Border Control Co-Operation*, Boston: Martinus Nijhoff Publishers, 2008, 95.

an aspect of testimony that we are called to bear the truth (Jn 18:37).⁵ As a culture, it tackles corruption and hence focuses on crime. On the other side, it encourages institutional performance. Eradication of corruption and improving institutional performance can be considered the two goals of transparency. According to Jonathan Fox, there are two faces of transparency: clear and opaque. Clear transparency refers to the reliable information about policies and programs of the institution, which specifies the responsibilities of the officials.⁶ It pursues policy makers, opinion makers, etc. for having strategies of constructive change. "Opaque transparency involves the dissemination of information that does not reveal how institutions actually behave in practice, whether in terms of how they make decisions, or the results of their actions."⁷ Thus transparency enhances a domain of better information in administration which has to be conceptualized.

1.1 Conceptualization of Transparency

Transparency has been conceptualized as an informational mechanism necessary for performing the virtues of truthfulness, justice and prudence. According to Thomas Aquinas, "this truth or truthfulness should be a virtue, because to say what is true is a good act; and virtue is that which makes its possessor good, and renders his action good."⁸ Also, according to Neves and Vaccaro, "the disclosure of information is ethically justified if it is part of a habit, namely, the virtue of truthfulness."⁹ Therefore, transparency is a virtue of truthfulness that enables one to render good acts. Thus, properly regulated and conscious disclosure of information becomes *bonum honestum* for interacting with others. It is a way of performing virtue of truthfulness. Therefore, as Thomas Aquinas says, disclosing information is a virtue of truthfulness and it is necessary for human health and eternal salvation. Also, according to him, it is a necessary act to support social trust and in turn, the proper functioning of human society. At the same time, disclosure of false information is morally wrong because false information is associated with

⁵Thomas O'Loughlin, "The Credibility of the Catholic Church as Public Actor," *New Blackfriars* 94, 1050 (2013) 146.

⁶ Jonathan Fox, "The Uncertain Relationship between Transparency and Accountability," *Development in Practice* 17, 4-5 (2007) 667.

⁷ Fox, "The Uncertain Relationship between Transparency and Accountability," 667

⁸*Summa Theologiae*, II-II, 109, 1.

⁹Joao Cesar das Neves and Antonino Vaccaro, "Corporate Transparency: A Perspective from Thomas Aquinas' *Summa Theologiae*," *Journal of Business Ethics* 113, 4 (2013) 642.

'inordinateness' (*ex sua inordinatione*), which is not appropriate for ethical ends.¹⁰ In the present scenario, we recognize that there is an immediate contemporary demand for a 'culture of transparency' in all aspects of public life and governance. In addition to that, transparency is bonded with accountability and both are mutually correlated in our decisions and judgments.¹¹

2. Accountability: Disclosing the Responsibility in a Transparent Manner

Accountability is something, for which, the officials as well as any individual in public, private and voluntary sector organizations are answerable for their actions. It also extends to redress one's action when duties and commitments are not met. It refers to an obligation to account for one's own activities and provide explanations to justify decisions, also, to take up the responsibility of what one discloses in a transparent manner. All public servants and organizations are expected to be answerable for their actions and procedures and also to bear the consequences when duties and commitments are not met. According to Paul G. Thomas, persons and bodies who are assigned with certain responsibilities are obliged to answer for their performance, and they are subjected to penalties for non-performance.¹²

On analysing the characteristics of accountability, we can see that there is an institutionalized relationship between different actors in accountability. When we discuss accountability as a social or political mechanism, the account-giving process consists of three stages. Firstly, a set of people, organizations or a forum (say, 'accountees') is obliged to inform another set of people (say, 'accounters') about performance tasks, outcomes or procedures by various sorts of information. Secondly, there needs to be a possibility for concerned people to question the forum about the adequacy of the explanation or legitimacy of the conduct. This shows the close connection between 'accountability' and answerability. Answerability is a process in which 'accountees' are required to defend their actions, face sceptical questions, and explain themselves. Thirdly, there needs to be a passing of judgment on the conduct of the organization, for instance, a policy, annual account or public behaviour by which the concerned

¹⁰*Summa Theologiae*, II-II, 110, 3, 4.

¹¹Thomas Docherty, *Confessions*, Bloomsbury Academic: New York, 2012, x-xi.

¹²Paul G. Thomas, *Performance Measurement, Reporting, Obstacles and Accountability: Recent Trends and Future Directions*, Canberra: ANU E Press, 2006, 59.

persons can be punished or rewarded.¹³ When transparency refers to conducting activities or performing actions in an open and clear manner, accountability refers to being responsible for one's actions and giving sound reasons for actions. When transparency focuses on openness and clarity, accountability focuses on acknowledgement of one's actions. Generally, transparency is considered a prerequisite of accountability, because an action can be evaluated only when there is a proper access to necessary information. If the access is denied, accountability cannot be proven. Therefore, both transparency and accountability are the necessary conditions for good management and well-functioning of any organization. Catholic Church puts a great emphasis on accountability. Hence, the ethics of its functioning is not just to fulfil the religious duty, but to accomplish the social obligations. Major monotheistic religions have a similar view of accountability that it is associated with stewardship to safeguard the common good of humanity.¹⁴

Now, it is significant to apprehend four types of accountability formulated by J.D. Stewart. They are called the 'ladder of accountability.' The first, accountability for probity and legality, is concerned with ensuring that funds are used properly and the powers given by the law are not exceeded. Second, process accountability, is the appropriateness of procedures followed by the accounters. Third, program accountability, is assessing that the organization has met the goals it has set and it discloses the activities and achievements as well as the financial review. Fourth, policy accountability, seeks to ensure the trustees are accountable for the policies they pursue and the appropriateness of the course of action taken by them.¹⁵ Further, we could say that accountability is democratic within a constitutional system. It is a relationship in which the power wielders are accountable to the broad public. However, accountability need not be democratic. It can also be hierarchical in which subordinates are accountable to superiors. Moreover, there is internal accountability which involves arrangements within institutions to hold component entities accountable. In internal accountability, the entity is accountable to

¹³Robert E. Goodin Mark Bovens, Thomas Schillemans, ed. *The Oxford Handbook of Public Accountability*, Oxford: Oxford University Press, 2014, 9.

¹⁴The Arabic word for account is 'hesab' and it is referred more than eighty times in the Qu'ran.

¹⁵Roszaini Haniffa and Mohammad Hudaib Sofia Yasmin, "Communicated Accountability by Faith-Based Charity Organizations," *Journal of Business Ethics* 122, 1 (2014) 108.

people who are outside the entity and whose lives the entity affects.¹⁶ For non-governmental organizations, religious groups and social movements, accountability helps to enhance effectiveness and empowerment of people. Development, democracy and empowerment are obstructed by a series of accountability failures. The failure in transparency and accountability is a question of credibility upon any organization, especially religious organizations like the Catholic Church.

3. The Question of Credibility on Unaccountability and Opacity

The Catholic Church has been questioned by a series of events related to unaccountability and opacity concerning sexual abuse cases and financial mismanagement. The Church has been found to be involved in cover-ups of many cases in different countries. The child abuse scandal and mismanagement of finance have shattered the trust of the public. The credibility of the Church has been questioned by these cover-ups combined with the habit of formal secrecy and clerical esprit de corps. Therefore the infusion of transparency in the administration of the Church is very necessary.¹⁷ "The crisis of credibility should be embraced as an invitation to grow in our awareness of who we are and what we have to offer as the People of God."¹⁸ But, unfortunately, we have ignored many questions concerning these issues.

In the Catholic Church, the question of credibility arose from the problem of 'vectoral' accountability. In the hierarchical structure of the Church, the authority flows in just one direction. It doesn't mean that the Church is a fully pyramid-shaped structure or a chain of command structure. Here, the notion about hierarchy is considered a flow of holiness, grace, power, authority, authorization and authentication from 'the higher' to 'the lower.' Therefore, there is a misconception that a priest or a bishop is responsible only to the higher authorities and not to the people. As a result, a performance for the duty sake (that was required by the Canon law), is done by the persons concerned. This pervasiveness of *hierarchia* has produced a culture of vectoral accountability.¹⁹

¹⁶ Robert O. Keohane, "Abuse of Power: Assessing Accountability in World Politics," *Harvard International Review* 27, 2 (2005) 48.

¹⁷O'Loughlin, "The Credibility of the Catholic Church as Public Actor," 132.

¹⁸O'Loughlin, "The Credibility of the Catholic Church as Public Actor," 132.

¹⁹O'Loughlin, "The Credibility of the Catholic Church as Public Actor," 141-142. 'Vectoral' (or 'vectorial') comes from the word vector which means something physical such as a force that has size and direction and sometimes unidirectional.

Furthermore, the church did not take effective measures or crisis management measures, when there were signs of serious problems and consequently the credibility was questioned. In the 1980s, there were numerous lawsuits in the United States concerning sexual abuse of minors by the clergy. After analysing the state of affairs, a confidential report was submitted to the USCCB by three experts.²⁰ This report led the USCCB to issue a policy statement known as “Five Principles.” Although the number of cases declined after this “Five Principles” in 1990s, there was no solid response from the part of the Church to cope with the crisis. These principles were not binding on any bishops and many of the dioceses did not implement the policy against abuse cases. From the year 2000, it was exposed that the church failed to control the situation and a series of abuse cases came out in the media and church was compelled to take ‘zero tolerance’ policy with regard to the abuse cases.²¹ Many times, the Church tried to cover-up the news instead of proper management. Ominously, authorities had a misapprehension that scandalous news would defame the Church and hence it would be better to cover-up those cases. Unfortunately, the Catholic Church follows the ‘strategy’ of King David²² and chooses to fall into big predicaments. Regrettably, the Church always waits for a prophet like Nathan in the guise of media or critics to correct the sinful situations. We should not forget that a delayed management is equivalent to mismanagement.

²⁰This report was prepared by Mr F. Ray Mouton, JD, Rev. Michael Peterson, MD and Rev. Thomas P. Doyle, OP, JCD in 1985. F. Ray Mouton was Gauthé’s lawyer. Rev. Thomas P. Doyle is a canon lawyer at the Vatican embassy in Washington. Rev. Michael R. Peterson is the founder and director of St Luke Institute, where the U.S. bishops sent many of their offending priests for treatment. These three men wrote their report with the knowledge and cooperation of several bishops, including Bernard F. Law and William J. Levada, who would later become the archbishop of San Francisco and then the successor of Joseph Ratzinger as Vatican official responsible for handling abuse cases. The report is available at http://www.bishop-accountability.org/reports/1985_06_09_Doyle_Manual/index.html.

²¹In the Apostolic letter on 26 March 2019, *On the Protection of Minors and Vulnerable Persons*, Pope Francis states: “everyone becomes ever more aware of the duty to report abuses to the competent Authorities and to cooperate with them in their prevention and opposition...all instances of abuse or ill-treatment of minors or of vulnerable persons are effectively prosecuted in accordance with the law.” It is admirable that a number of documents have been given by Pope Benedict XVI and Pope Francis on sexual abuse since 2010.

²²In the Book of 2 Samuel, we see that after committing sin with Bathsheba, King David falls deeper into sin in an effort to conceal his iniquity. That led to the death of Uriah, the husband of Bathsheba. Finally, God sends Nathan, the prophet, to make aware David of his sins (Ref. 2 Sam 11:1-12:14).

According to Tom Barth, the Church should take effective steps to resolve this ethical crisis.²³ The authority has to acknowledge explicitly all the wrongdoings and they have to take up the responsibility to express sincere regret about the incident. Further, we have to identify with the injured stakeholders and ask for their forgiveness. Then the Church has to seek opportunities to reconcile with injured stakeholders. One of the most important factors is that we must be ready to fully disclose information related to the offense without giving a probability of doubt and provide an explanation that addresses legitimate expectations of the stakeholders. In addition, we have to ensure an appropriate corrective action, which must lead to appropriate compensation. Therefore, we need pre-conventional, conventional and post-conventional moral reasoning in managing the crisis. In the pre-conventional reasoning, we reflect whether the individual will gain or lose from a particular course of action. In conventional reasoning, our decision making is equating societal norms and values with due respect for laws and conventions. Post conventional reasoning makes a decision related to equality and reciprocity.²⁴

4. Teachings of the Church on Transparency and Accountability

The Church speaks explicitly of transparency, albeit it needs certain clarifications and updating. Pope Benedict XVI stresses on the need for transparency among human persons as it is in the Triune God, for having a civil society of values.²⁵ According to him, transparency is essential for families too to strengthen the civil society as a whole: “[t]he human family does not submerge the identities of individuals, peoples and cultures, but makes them more transparent to each other and links them more closely in their legitimate diversity” (CV 53). In organizational level, the Pope refers to two instances of transparency: transparency to guarantee social accountability and transparency in the financial sector. The financial sector should combine “right intention, transparency, and the search for positive results” (CV 65). In the *Compendium of the Social Doctrine of the Church*, transparency is referred to as a requirement for guaranteeing the protection of investors.²⁶ Again, it proposes that

²³Tom Barth, “Crisis Management in the Catholic Church: Lessons for Public Administrators,” *Public Administration Review* 70, 5 (2010) 782.

²⁴Sheldene Simola, “Ethics of Justice and Care in Corporate Crisis Management,” *Journal of Business Ethics* 46, 4 (2003) 353.

²⁵*Caritas in Veritate*, no. 54.

²⁶Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, Vatican: Libreria Editrice Vaticana, 2005, no. 369.

transparency has two functions: It is a tool for fighting injustice (no. 577) and it is a precautionary strategy to adopt in public policy formulation (no. 469).

The Church analyses transparency by counting four principles, which are the common good, solidarity, subsidiarity, and dignity of the human being. These principles are critical factors in a firm in the disclosure of decisions. As the Church sees the image of living God in every person (*Compendium*, 105), every stakeholder has the right to have access to the truth so that s/he can achieve the personal progress in decision making. As we cannot treat the human being as means, we cannot conceal the information and it denies access to the truth by manipulating the expectations of people. That is, disclosing the information is the sign of respecting human dignity.²⁷ Further, in certain circumstances, information is very important for consumers, because it alerts people about the risks and problems associated with the product. At the same time, we have to withhold certain information which may offend the dignity of people by infringing their privacy rights, by scandals or by putting them in dangerous situations. Therefore, "information should be withheld to guarantee the fundamental rights associated with the dignity of human rights, such as privacy and security."²⁸ It is indicated in the *Catechism of the Catholic Church*:

Charity and respect for the truth should dictate the response to every request for information or communication. The good and safety of others, respect for privacy, and the common good are sufficient reasons for being silent about what ought not be known or for making use of a discreet language. The duty to avoid scandal often commands strict discretion (no. 2489).

However, Thomas Aquinas states that information should be disclosed if and only if a positive outcome can be expected; useless or dangerous information (that which leads to adverse consequences) should not be disclosed.²⁹

It is evident that the Church teachings follow the principle of subsidiarity. According to this principle, any management has the duty to share information to its employees and thereby they can improve their freedom within the organization by knowing the activities of the firm. This is not just simply giving financial

²⁷ Antonino Vaccaro and Alejo Jose G. Sison, "Transparency in Business: The Perspective of Catholic Social Teaching and the 'Caritas in Veritate,'" *Journal of Business Ethics* 100, 1 (2011) 21.

²⁸ Vaccaro and Sison, "Transparency in Business...", 21.

²⁹ *Summa Theologiae*, II-II, 109.

information to employees; it is about giving information that is relevant to internal stakeholders. Informational subsidiarity can have positive consequences like relational development, involvement of human capabilities and creation of meaningful work.³⁰ In this sense, Congregation for the Doctrine of the Faith and Dicastery for Integral Human Development declares that the economy “needs ethics in order to function correctly – not any ethics whatsoever, but an ethics which is people-centred.”³¹ Such a people-centred ethics intends a democratic culture of transparency and accountability.

5. Democratic Culture within Transparency and Accountability

The common concept of contemporary democracy refers to its liberal philosophical roots in the modern time. The liberal democracy refers to elective government, civil rights, wide range of political competition between individuals and political parties, etc.³² However, democracy does not mean merely a system of voting, but a broader sense of culture. It is difficult to find out the culture of democracy in the administrative system of the Catholic Church. Nevertheless, it doesn't mean that the Church is autocratic. The structural organization of the Catholic Church is varied upon time. In the early Church, there was a popular practice that the election of bishops was done by clergy and lay people.³³ A hierarchical and pyramidal form of governance was implemented at the time of Gregorian Reform in the eleventh century. In the medieval time, there was the royal nomination of bishops. From the middle of the nineteenth century onwards, bishops were appointed by the Pope.³⁴ As a result of all these historical developments,

Roman Catholicism is viewed as excessively institutional and not only legalistic, hierarchical or dogmatic. That characteristic of the church is an effect of accepting many foreign, heterodox elements to Christianity, and moreover of treating them as transcendently founded and divinely authoritative.³⁵

³⁰Vaccaro and Sison, “Transparency in Business,” 24.

³¹Congregation for the Doctrine of the Faith and Dicastery for Promoting Integral Human Development, “‘Oeconomicae et pecuniariae quaestiones’. Considerations for an Ethical Discernment Regarding Some Aspects of the Present Economic-financial System,” Rome, 6 January 2018, no. 8.

³²Marcin Lisak, “Democratisation of a Hierarchical Religion: The Roman Catholic Church in the Time of a Credibility Crisis Caused by Sexual Abuse Misconduct,” *Studia Religiologica* 45, 1 (2012) 9.

³³J. Patout Burns Jr., *Cyprian the Bishop*, New York: Routledge, 2002, 91.

³⁴Lisak, “Democratisation of a Hierarchical Religion,” 13.

³⁵Lisak, “Democratisation of a Hierarchical Religion,” 13.

However, the Church is decentralized with dioceses and parishes within dioceses having a fair amount of autonomy for the administrative purposes. Nevertheless, there is no external regulatory oversight for the functioning of the diocese. However, many dioceses voluntarily audit annual financial statements at least for the income tax department. But many dioceses are not following it and they choose to keep their finance files private.³⁶ The Code of Canon Law gives directions for the good management of financial practices. CIC 1284 and CCEO 1028 demands that the Church administrators should carry out their responsibilities with the prudence of a 'good householder.' CCEO 1033 states: "an administrator of ecclesiastical goods who relinquishes an office or function on his own initiative is bound to restitution."³⁷ Therefore, it is the responsibility of the bishop to ensure an effective system of internal financial management.³⁸

Evidently, promoting this democratic culture of transparency, Pope Francis has given directives for the finance management of the Vatican. On 4th July 2016, he published an Apostolic letter, *I Beni Temporalis*, in which he approved the statutes of the three new offices, namely, the Council for the Economy, the Secretariat for the Economy, and the Office of the Auditor General and specified the competencies of each.³⁹ According to him, transparent political processes and free exchange of views are needed in the assessment of environmental impacts of business ventures.⁴⁰ He adds, it should "be carried out in a way which is interdisciplinary, transparent and free of all economic or political pressure."⁴¹ Hopefully, these new regulations of the Vatican by the initiative of Pope Francis will change the attitude of administering the Church, more transparently.

³⁶It is admitted that recently the government of India has strictly instructed to submit the audit report of each parish for verification. Unless they submit the report, the 12A registration will be cancelled so that the status of the charity organization will be withdrawn.

³⁷CCEO 1031 demands that an administrator of ecclesiastical goods has to present an annual report to the hierarch. Moreover, the counsel of the permanent synod is needed to alienate the temporal goods of an eparchy beyond the limit of certain amount (CCEO 38).

³⁸Robert West and Charles Zech, *Internal Financial Controls in the U.S. Catholic Church* (study paper, available at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.499.4316&rep=rep1&type=pdf>), 4-5.

³⁹Pope Francis, *I Beni Temporalis*, Apostolic letter, Vatican, 2016.

⁴⁰Pope Francis, *Laudato Si*, no. 182

⁴¹Pope Francis, *Laudato Si*, no. 183.

6. Two Cases in Kerala Church

While discussing the matter of transparency and accountability in the Church administration, it is relevant to analyse two penal cases involving the Syro-Malabar Church. These two cases portray how the present administrative system fails to carry out transparency and accountability. Moreover, it reveals drawbacks of the present structure that enables us to think of the corrective measures.

Rape case against a priest: Two years after the heinous rape case of a 16-year old girl, the POCSO⁴² Court has convicted Fr Robin Vadakkumchery of Mananthavady diocese, who was accused of raping and impregnating the minor in 2016. The girl gave birth to a child on February 7, 2017. The court verdict against Fr Robin was primarily based on birth certificate of the victim, proving she was a minor in 2016. Moreover, the DNA of the child born in 2017 matched with Fr Robin's, proving unequivocally that he was the culprit behind the rape of the minor who was studying in an institution ran by the church. The case took on several twists and turns after the news broke out, exposing how deep the power network ran within the church as an institution. In fact, at one point, owing to the unbearable pressure, the girl's father even claimed that he had raped his own daughter and impregnated her.⁴³

On analysing the case history, it is clear that the incident came to light only after the Child-line office received an anonymous letter. While Fr. Robin was the prime accused in the case, seven other accused had also been booked under POCSO for allegedly helping him cover up the incident. Further investigation revealed that the accused had been protected by a network of Christian institutions, who helped in covering up the crime to save their own face. Police suspected this after facing 'practical difficulties' in arresting all the accused in the case. Prior to surrendering before the police, four of the nuns, who failed to report to the police, had been absconding. Later they surrendered before the police. Fr Robin was arrested on his way to Cochin airport, from where he was planning to travel to

⁴²POCSO or The Protection of Children from Sexual Offences Act (POCSO Act) 2012 was established in India to protect the children against offences like sexual abuse, sexual harassment and pornography. This Act received the assent of the President of India on June 19, 2012. The document is available at <https://wcd.nic.in/sites/default/files/POCSO%20Act%2C%202012.pdf>. This Act was subsequently revised and updated.

⁴³ Available at <https://timesofindia.indiatimes.com/topic/Fr-Robin-Vadakkumchery>. Also in <https://www.thehindu.com/news/national/kerala/kerala-priests-rape-of-minor-girl-5-nuns-among-eight-booked/article17407529.ece>.

Canada. Surprisingly, the Syro-Malabar Bishops' Synod almost ignored the seriousness of the crime stating that it was an "exception" among the 9033 catholic priests in Kerala. It was reported that they tried to blame on 'consumerism' and the media.⁴⁴

Land scam case against Cardinal: The land deal scandal relates to the efforts of the archdiocese of Ernakulam-Angamaly to settle a bank loan of around Rs 60 crores by selling three acres of land in Kochi. Out of a total of Rs 27 crores to be paid, the archdiocese received only Rs 13 crores so far. The allegations against Cardinal George Alencherry were very serious as he was directly involved in alienating all the five plots which were sold into 36 pieces of land. The receivable value set by the Curia was 27.15 crores whereas the value according to the registered deeds was only 13.51 crores. Further to this, he purchased two plots of land without any consultation or permission from the Canonical bodies. This includes an amount of 10 crores which was availed from the Bank without consultation. Moreover, he signed two documents to sell other two valuable plots without any discussion. The Archdiocese had to pay an amount of 3.5 crores to the income tax department as penalty for irregularities in money transactions. As of now, there are 13 civil cases in different courts against the Cardinal regarding the land sale.⁴⁵ Now, after the report of the Apostolic Administrator, the Cardinal is removed from the administrative office of the Archbishop and full administrative powers are given to the Vicar of the Major Archbishop, who is newly appointed by the Pope.⁴⁶

In both these cases, the Church authorities have failed to keep transparency and accountability while dealing with these issues. In Fr Robin's case, there was an effort to cover-up the issue by all means. The culprit even tried to prove that the victim was not a minor at the time of incident. When the victimized girl gave birth to a child, many were involved in hiding the event from the public; undoubtedly it is not to save the victim, but the culprit. In the same way, in the land

⁴⁴Available at <https://www.thenewsminute.com/article/kerala-priest-fr-robin-found-guilty-raping-and-impregnating-16-yr-old-girl-96819>.

⁴⁵The cases narrated here are based on the media reports and the report of the commission appointed by the presbyteral council of the Archdiocese of Ernakulam-Angamaly. Also, various documents of the land scam have been analysed by the writer.

⁴⁶"The Vicar elected for the Archeparchy of Ernakulam-Angamaly, Archbishop Antony Kariyil, CMI, will have full powers in the fields of administration, finances and pastoral ministry (as for example appointments and transfers of priests) in the said ecclesiastical circumscription." (*Document of Vatican*, 30 August 2019, signed by Cardinal Sandri, the Prefect of the Oriental Congregation).

scam case, the Church tried to cover up the issue malignantly and that created doubts among the public. Cardinal Alencherry was trying to disown the case by putting all responsibilities on his subordinates. Moreover, the Synod of bishops was not ready to admit the irregularities happened in the land deal. For them, it was just a 'technical error' and there were no ethical and canonical problems.

Conclusion

To foster the transparency and accountability in the administration of the Church, leaders of the Church have to take certain points into consideration. They have to realize that people expect more transparency and accountability in the Church than in a civil/political organization because the Church stands for the truthfulness of the Gospel. Further to this, they have to admit that the Church is also functioning through the human hands and it is always inclined to errors. Among the faithful, nobody is prejudiced to find out any kind of errors of the authority; however, people expect the admission of errors by the leadership of the Church, if it happens. Unfortunately, there is a depraved concept among many that if the errors of the Church personnel are admitted and published, it will defame the Church. Therefore, they think that it is better to hide the problem and find out a secret solution. Admitting the error and correcting it properly in time and in the spirit of the Gospel will promote the credibility of the Church. This kind of attitude must be cultivated among the administrators of the Church. Moreover, Bishops and priests should forsake clericalism and they must be accountable to the people of God in a transparent way. This will lead to the evolution of a participatory Church. This participation of lay people will make the Church more democratic, founded on the gospel.