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## ABUSE, ELITISM AND ACCOUNTABILITY: CHALLENGES TO THE PHILIPPINE CHURCH

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### **Abstract**

There is a need to broaden the analysis of abuse within the Catholic Church to include any excessive use or application of power, authority, and influence that would detriment, damage and demoralize its members. In this light, the paper offers to go deeper in the understanding of abuse as rooted in ecclesiastical elitism which is a more serious problem than clericalism. Elitism within the Church is concrete in the various forms of privilege and distinctions, rooted in traditionally held theologies, culturally reinforced beliefs, and repeated practices of fame and honour. Because of these, abuse is perpetuated, thus making possible the lack of transparency in terms of financial management and disregard for the rights of people working within the various ministries of the Church. Realistically, power and authority are part of any human system. Precisely why there is a need for the Church to balance its hierarchical authority, power, and influence with accountability in the various structures and aspects of its governance and pastoral activities. The experience of the Philippine Church is the case and context of this study.

**Keywords:** Church Accountability; Clergy Sexual Abuse; Clericalism; Ecclesial Elitism, Priesthood; Laity; Catholic Bishops' Conference of the Philippines (CBCP)

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## Introduction

In the wake of the allegations against former US Cardinal Theodore McCarrick, the Catholic Bishops' Conference of the Philippines [CBCP] issued a letter through its president Archbishop Romulo Valles of Davao. The prelate expressed how the bishops

feel again, with growing intensity, the pain and shame, because of the many revelations of sexual misconduct, most particularly those done against minors but not only minors, committed by a significant number of clerics, a number of bishops, and by consecrated persons. The pain is intensified by reported cover-ups of these abuses and crimes.<sup>1</sup>

Valles re-echoes what some Filipino bishops admitted during their July 2018 assembly, of the need for conversion and holiness, and at the same time of feeling ashamed because of the abuses committed by some of Church leaders. Apparently, the CBCP conveys its message with much consolation and assurances of discernment. But words without deeds are empty just as faith without works is dead (Jas 2:17). In a society with an increasing suspicion with institutions and loci of power, people's faith would rest on the integrity of laws and systems. This is what we call in theological terms witnessing.

This paper presents the issue of abuse within the Catholic Church, specifically the Philippine context, by exploring the relationship of three variables (a) abuse, (b) elitism, and (c) accountability. The theses of this work are:

1. abuse in the Church is not limited to sexual abuse; it encompasses a range of issues that involve the excessive use or application of power that would lead to the detriment, damage and demoralization of the institution's members (i.e. the faithful),
2. the context of abuse is ecclesiastical elitism; although clericalism has been identified as a common factor that contribute to abuse however it is here argued that it is just a symptom of a more serious pathology of the Church and that is elitism, and
3. although elitism is a reality that the Church has to deal with because any human organization necessarily involves the function of the elites, it is equally necessary to balance the power, authority and influence of the elites with their accountability to the people they are serving.

The essay ends with a relatively brief reflection on the situation of the Philippine Church.

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<sup>1</sup>Catholic Bishops' Conference of the Philippines, "We Pray for the Church," <http://cbcponline.net/we-pray-for-the-church/>

## 1. Abuse: The Philippine Context

*Abuse* is a common word that has been part of almost all human organizations including the Roman Catholic Church. In the Philippine context, one would come across themes of abuse even in the novels, *Noli me Tangere* and *El Filibusterismo*, of national hero Jose P. Rizal.<sup>2</sup> Philippine Church history is replete with narratives of ecclesiastical participation in and contribution to the abuses of Filipinos. The Philippine national hero no less opposed the influence of the Spanish friars in the economic direction of the country; for him, they were an obstacle to freedom and progress.<sup>3</sup>

The term abuse is broadly understood in this essay as the overuse or the misuse of power, authority and influence within the ecclesiastical sphere or even outside thereof where such influence may nonetheless be used through whatever form, means, mode and manner. In his book *Sex, Priestly Ministry, and the Church*, Len Sperry characterizes “abusiveness” as the “characteristic pattern of abusive behaviour – physical, verbal, emotional, and/or sexual.”<sup>4</sup> Abuse need not happen at all times and in all situations. Even specific situations and circumstances may be abusive so long as they activate the pattern of abusiveness.<sup>5</sup>

Although ‘abuse’ is commonly used in reference to sexual abuse, it covers various kinds of damaging acts or activities involving trust, power, authority, and influence. Thus, *abuse* also includes the misuse or overuse of the Church’s resources or temporal goods such as money or investments, influence, and even the emotional connection of the people being served.

Abuse happens within the context of “power differential.”<sup>6</sup> According to Cartegenas, power differential “is a by-product of the hierarchical nature of the church and it is justified and sustained in mutually reinforcing ways.”<sup>7</sup> It has to be made clear, however, that abuse is not just about having or possessing power and not everyone who is in power may be abusive. Sperry explains that the underlying theme of

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<sup>2</sup>For a brief background on this see Jose S. Arcilla, SJ, *An Introduction to Philippine History*, Quezon City: Ateneo de Manila Press, 2000, 79-81.

<sup>3</sup>John N. Schumacher, SJ, “Rizal in the Context of Nineteenth Century Philippines,” in *The Making of a Nation: Essays on Nineteenth-Century Filipino Nationalism*, Quezon City: Ateneo de Manila University Press, 1991, 33-34.

<sup>4</sup>Len Sperry, *Sex, Priestly Ministry, and the Church*, Quezon City: Claretians, 2004, 11. Henceforth for brevity: *Sex and the Church*.

<sup>5</sup>Sperry, *Sex and the Church*, 84.

<sup>6</sup>Aloysius L. Cartagenas, “The Terror of the Sexual Abuse by the Roman Catholic Clergy and the Philippine Context,” *Asian Horizons* 5, 2 (2011) 351.

<sup>7</sup>Cartagenas, “The Terror of the Sexual Abuse ...,” 351.

abuse is power subjugation and that the abusive person is “occupied with control” that is controlling how others think, feel and act.<sup>8</sup>

Through the years, mainstream ecclesiastical literatures—and by this we mean writings in theology and the other related disciplines such as philosophy and spirituality—have not treated *abuse in the Church* as a separate topic or focus for analysis and discussion. Theology was for the longest period of time about God and his self-revelation through Christ and his Church. Everything in the life of the Church was and has been understood as realities revolving around God. The closest relevant field in theology where abuse could be treated as a topic of concern would be moral theology. It is a known fact though that the said field has been, for hundreds of years, focused on sin which is understood mainly as an act against God and neighbour. Though it must be admitted further that sin against neighbour as defined in the Catechism mostly covers those that have been the common concerns of ecclesiastical penitential discipline: murder, abortion, homicide, adultery, fornication, homosexuality, and masturbation among others. In this light, an ordained minister who would abuse, say for example, a young parishioner, may be guilty of a specific sin such as rape or lasciviousness. However, the sin of the minister would remain his and not that of the Church as a corporate personality. The sin of the minister, subject to absolution and forgiveness, would not be emphasized as an abuse. *Abuse as sin* is not yet commonly and fully accepted in the moral discourse of the Church.<sup>9</sup>

Abusers are not random actors, and abuses do not occur in a vacuum.<sup>10</sup> The role of the system is an important matter to look into specifically the contribution of those who are in authority. The *phenomenon of abuse* itself, and not just the individual cases and abusers—is that which has not been given much attention or focus by either members of the media or academic theologians. Discussions and studies on abuse within the Church have practically remained either selective, tentative or partial. While the waves of lawsuits and allegations in the other parts of the world have prompted the

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<sup>8</sup>Sperry, *Sex and the Church*, 12.

<sup>9</sup>Norbert Rigali, “Moral Theology and Church Responses to Sexual Abuse,” *Horizons* 34, 2 (2007) 183-204. Rigali argues that the Church treats clerical sexual abuse primarily as a moral weakness and as a sin. This unfortunately is consonant with the kind of moral theology that developed within the Church, one that is sin-centred, confession oriented, and seminary-controlled, see pages 184-187. An example of an ethical reading of sexual abuse as a structural injustice and thus a structural or social sin is that of Aloyius Cartagenas. See Cartagenas, “The Terror of the Sexual Abuse ...,” 357-358.

<sup>10</sup>Sperry, *Sex and the Church*, 173.

Philippine bishops to issue guidelines and statements, the analysis and treatment of abuse as a reality within the local Church in the Philippines has barely scratched the surface. An argument in support of this claim is the fact that most reports about clerical abuse are focused on sexual misconduct. Unfortunately, there are many forms and issues of abuses in the Philippines other than those that touch sexual misconduct. Certain bishops and priests may not be involved with paedophilia or fornication but they are also into issues of financial abuse or abuse of authority in general. All in all, the Church as a corporate institution continues to remain largely non-transparent in terms of the other aspects of its institutional procedures and policies.<sup>11</sup>

Pointing to this fact is the scant number of studies or investigations on abuse of resources, power and authority despite the many reported cases and incidents. In the Philippines, the most known compilation that divulges detailed facts is Aries Rufo's *Altar of Secrets: Sex, Politics, and Money in the Philippine Catholic Church*.<sup>12</sup> Published in 2013, the book exposes in detail issues that involve members of the hierarchy and the clergy. Some of Rufo's cases are actually not new such as the case of Bishop Crisostomo Yalung of the Diocese of Antipolo.<sup>13</sup> But unlike other news or media reports, the author has in a way comprehensively presented that clerical abuse is not just about sexual misconduct but also the misuse or abuse of finances, authority, influence and even creeping emotional blackmail towards its own workers.

In 2004, the Non-Government Organization *Likhaan* in cooperation with Child Justice League and Catholics for a Free Choice released a report titled *The Holy see and the Convention on the Rights of the Child in the Republic of the Philippines*.<sup>14</sup> It presents data and analysis on how the Vatican's laws and policies impact the

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<sup>11</sup>Nuala O'Loan, "Transparency, Accountability and the Exercise of Power in the Church of the Future," *Studies: An Irish Quarterly Review* 99, 395 (2010) 265-275.

<sup>12</sup>Aries Rufo, *Altar of Secrets: Sex, Politics, and Money in the Philippine Church*, Pasig: Journalism for Nation Building Foundation, 2013.

<sup>13</sup>Rufo, *Altar of Secrets: Sex, Politics, and Money in the Philippine Church*, 13-26. Bishop Crisostomo Yalung was bishop of the Diocese of Antipolo who fathered two children to a certain Christine Rances. Yalung left his diocese in 2002 and is now said to be working in the United States. The said case became sensational in late 2002; Rufo included it in his book only in 2013, that is 11 years later.

<sup>14</sup>Likhaan, Child Justice League, and Catholics for a Free Choice, "The Holy See and the Convention on the Rights of the Child in the Republic of the Philippines: Report on How the Holy See's Laws Impact the Philippines' Compliance with the Convention" (December 2004), <https://www.catholicsforchoice.org/wp-content/uploads/2014/01/2005Philippines.pdf>

Philippines' compliance of the Convention on the Rights of the Child. Arguably, the effort was a significant leap in the study and treatment of the issue at the time of its publication. Then, the Philippine government was practically distanced from the affairs of the Church. *Likhaan's* report mainly focuses on child abuse and its main concern is the country's compliance with the International Convention on the Rights of the Child. Though helpful in terms of analysing the institutional factors of abuse among the clergy, it is in that aspect that it is also limited.

The Catholic Bishops' Conference of the Philippines issued a pastoral letter in 2002 titled "Hope in the Midst of Crisis," a short well-written reflection which unfortunately does not present concrete measures on how the Philippine hierarchy would systematically deal with abuses.<sup>15</sup> In 2003, the CBCP released the "Pastoral Guidelines on Sexual Abuses and Misconduct by the Clergy." The document is comparatively extensive and provides some analysis and discussion points on the problem of sexual abuse among the clergy. For example, par. 18, item I, letter D explicitly states that:

Our culture sees the clergy as more than ordinary humans, possessing extraordinary powers and so with the Church that they represent. Culturally a cleric possesses power as (i) an adult, (ii) as an acknowledged moral and spiritual authority, and (iii) as a male. He receives more than what an ordinary Filipino male enjoys in terms of popularity and glory. Some women are drawn to members of the clergy because more than other males, they are associated with mystery and spirituality.<sup>16</sup>

This part of the presentation may tentatively conclude also as a way of shifting to the next discussion on "abuse in the Catholic Church," specifically within the Philippine context: (1) encompasses various forms and manners, and more than just sexual abuse as commonly presented by media, and (2) is entrenched in the system of the Church and exacerbated by the apparent lack of transparency in terms of the procedures and mechanisms of discipline.

## **2. Elitism in the Church**

Abuse has a systemic or structural context. Studies show that other than the individual circumstances of perpetrators, there are also institutional or systemic factors that facilitate and enable the

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<sup>15</sup>See Catholic Bishops' Conference of the Philippines, "Hope in the Midst of Crisis," <http://cbcponline.net/hope-in-the-midst-of-crisis/>

<sup>16</sup>See Catholic Bishops' Conference of the Philippines, "Pastoral Guidelines on Sexual Abuse and Misconduct by the Clergy," [http://bishop-accountability.org/Philippines/news/2003\\_PASTORAL\\_GUIDELINES\\_ON\\_SEXUAL\\_ABUSES\\_AND\\_MISCONDUCT\\_BY\\_THE\\_CLERGY.pdf](http://bishop-accountability.org/Philippines/news/2003_PASTORAL_GUIDELINES_ON_SEXUAL_ABUSES_AND_MISCONDUCT_BY_THE_CLERGY.pdf)

perpetuation of clerical abuse. Jodi Death<sup>17</sup> and Thomas Plante and Courtney Daniels<sup>18</sup> substantiate that the Church as an institution and its wide latitude of power and influence are logical contributing causes to the perpetuation of abuse among the clergy. Notably, the revelations and hence the penalties on abusers were delayed due to the culture of cover-up even in the level of the hierarchy. The attitude among bishops and other religious superiors were shaped by the belief or persuasion that the Church should deal with its own problems internally, and that as much as possible civil laws should not be involved as part of the remedy.

It is here argued however that ecclesiastical elitism is a more serious and a much deeper problem than clericalism; the latter is just a symptom of the former. I shall explain by the end of this segment why ecclesiastical elitism, rather than clericalism, is a preferable framework to analyse the problem. At this point, it should suffice that we explain in some length what elitism is within the context of the Church's life.

Elitism has been part of human civilization. The Italian political theorist Gaetano Mosca reminds us:

In all societies—from societies that are meagerly developed and have barely attained the dawns of civilization, down to the most advanced and powerful societies—two classes of people appear—a class that rules and a class that is ruled. The first class always the less numerous, performs all political functions, monopolizes power and enjoys the advantages that power brings, whereas the second, the more numerous class, is directed and controlled by the first, in a manner that is now more or less legal, now more or less arbitrary and violent, and supplies the first, in appearance at least, with material means of subsistence and with the instrumentalities that are essential to the vitality of the political organism.<sup>19</sup>

Human societies have been characterized by difference and the division of power that goes with it. We read this in Plato's ideation in the Republic, particularly the role of the Guardians in the ideal state. Plato was not an admirer of democracy, and he believed that the lovers of wisdom—which does not include all men, are those who are in a better position to rule society.

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<sup>17</sup>Jodi Death, "Bad Apples, Bad Barrel: Exploring Institutional Responses to Child Sexual Abuse by Catholic Clergy in Australia," *International Journal for Crime, Justice and Social Democracy* 4, 2 (2015) 95 and 101.

<sup>18</sup>Thomas Plante and Courtney Daniels, "The Sexual Abuse Crisis in the Roman Catholic Church: What Psychologists and Counselors should Know," *Pastoral Psychology* 52 (2004) 381-393.

<sup>19</sup>Gaetano Mosca, *The Ruling Class*, New York: McGraw-Hill, 1939, 50.

The Catholic Church has been living with elitism for more than two millennia.<sup>20</sup> Within these years power and privilege have been part of ecclesiastical life. Thus, Church elitism is, in essence, the Church's self-recognition that it has a special mission that serves as a basis of its special identity. The self-notion of the Catholic Church is practically wrapped with so much elitism, most notably the claim that "outside the Church there is no salvation." This corporate identity, a branding if you may, at the onset gives the feeling of privilege and thus power. Within this privileged body of believers, however, is a more privileged group of individuals who are not only tasked with a special mission but also special powers to accomplish them. A simple survey of the Catholic Church's hierarchical structure would reveal the various layers of elitism. The ordained are distinguished from the lay, the bishops are a smaller group of elite distinct from the presbyters and deacons, then the College of Cardinals is a much smaller group that has a higher advisory function in relation to the Pope who himself wields absolute power, monarchical powers, within the Church. And though voted by the Cardinals, the pope is in principle accountable to God and not to the Church.

Basically, it is within the context of the Church's deeply elitist culture that clericalism has developed, shaped, and sustained. Clericalism in fact is just a variant of the many practices of elitism within the Church. Understood in this light, the very notion of "ordination" serves as a basis in the conviction of many priests that "the ordained" is an elite lifestyle. Rooted in a theology that holds on to an essentialist view of the sacraments, and thus of holy orders, the *Catechism of the Catholic Church* describes the sacrament of Orders and thus priesthood this way:

Today the word "ordination" is reserved for the sacramental act which integrates a man into the order of bishops, presbyters, or deacons, and goes beyond a simple election, designation, delegation, or institution by the community, for it confers a gift of the Holy Spirit that permits the exercise of a "sacred power" (*sacra potestas*) which can come only from Christ himself through his Church. Ordination is also called *consecratio*, for it is a setting apart and an investiture by Christ himself for his Church.

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<sup>20</sup>See Yves Congar, OP, *Power and Poverty in the Church*, Baltimore: Helicon, 1964. This renowned Dominican ecclesiologist of the Second Vatican Council speaks with much lucidness and honesty in his assessment of the history of the Church's prestige and power. His work mentions the "degradation of the spiritual into 'things'" (p. 108), the Church's acquisition of privilege concrete in its 'insignia and titles' (p. 112), the Church's life within the "Empire" (p. 114), and interestingly the "vestiges of feudalism" (p. 118).

The laying on of hands by the bishop, with the consecratory prayer, constitutes the visible sign of this ordination.<sup>21</sup>

Apparently, the statement sounds beautiful but its language is otherworldly. It speaks of the integration of certain individuals into an order, that is, a special group. The terms “conferment, gift, permits, sacred power, consecration, and investiture,” all connote the distinctive identity and role of the members of the clergy and thus their essential and functional difference from the laity. Despite Vatican II’s emphasis on the universal priesthood of the faithful, in Catholicism, there has remained a clear delineation between the ordained or the members of the hierarchy (deacons, presbyters and bishops).

While it is fair to say that the theology and practice of Holy Orders have changed and have become somewhat attuned to the current context, there are still sustained elements in it that are in support of privilege for the chosen few within the Church. This is clear and concrete in the special treatment given to the clergy and in the still prevailing perspective that the standards of secular society cannot be imposed on the Church, more so its clergy. For some members of the clergy, ordination is a form of immunity from complying with the basic mandate of transparency. Enhancing this is the practice in some countries, and specifically in the Philippines, of a separation of the Church from the State which in many ways exempts the former from the political obligations imposed by the latter such as taxation.

Broadly, ecclesiastical elitism involves an entire gamut of privilege from the rest of the people. This makes ordained ministers different in almost all aspects: from the celebration of the sacraments to the structure of governance. This even extends to the dynamics within the Church, the self-referential perspectives being taught in the seminaries and formation houses, and even the gestures and the other details of liturgical ceremonies. A closer look at ecclesiastical elitism would reveal that even some, if not many, of the laity are also beholden to the elitist culture and system of the Church. Precisely why clericalism as the concrete face of elitism within the Roman Catholic Church is also a difficult reality to deconstruct because even the lay faithful are themselves oriented to such a clericalist culture.

The clergy, because of their power and influence, attract resources and trust from the people they serve. In many developing countries (but actually even in developed or first world countries) faithful and pious believers continue to look up to priests for advices, prayers for

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<sup>21</sup>*Catechism of the Catholic Church*, 1538.

healing, instruction in the faith, and even ordinary advices in life. Furthermore, devotions have made it easier for the clergy to raise money for programs, projects, and charitable foundations. In the Philippines, despite all its faults and failures, the Church has remained to be one of the trusted institutions according to the 2019 Philippine Trust Index (PTI) of consultancy firm EON Group.<sup>22</sup> With its elitist location where privilege, power, authority, and influence are enjoyed, plus the abundance of resources and trust among the people, it would not be difficult to look for an equation that would explain the phenomenal abuses.

But why not use the term clericalism? Why elitism or ecclesiastical elitism? This work mainly argues that any serious analysis of abuse should read the situation even beyond the confines of Catholicism. One cannot claim to be an advocate against abuse or any form of violence for that matter if one would only focus on the affairs that happen within the ranks of the Roman Catholic Church. The challenge, therefore, is to understand and analyse abuse from a wider and more global perspective. This means being open to the reality that in all religions or religious groups, abuse is a reality; it is not peculiar to Roman Catholicism. Precisely, where power and privilege go together there is abuse. One can see this even in organizations that are not religious such as the military and the academe. To limit one's analysis of abuse within the Church to clericalism—is naïve. The clergy cannot be faulted in insulation for feeling special and privileged if ultimately it is the Church which continues to give them that feeling through its own worldview (Theology, Philosophy, and other Ecclesiastical disciplines); the same Church in fact which attracted them to a lifestyle of elitism, and the same Church that believes that it has a special and distinctive mission in this world. It is therefore that self-notion of being special, that is of being cut above the rest that provides the fertile ground for the emergence of abuse(s). Clericalism won't end and would be hard to dismantle so long as the structure or system itself necessitates the clergy to possess a special or privileged status.

As we shift our discussion to the next main topic, we may, again, tentatively conclude that given the difficulty of extensive and drastic systemic change within the Church especially how it understands authority, roles, and designations based on its theological and philosophical views, then it may instead consider accountability as a

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<sup>22</sup>J.D. Caro, "Survey Shows Church, Government Remain Highly Trusted; Trust in Media Sharply Declines," <https://verafiles.org/articles/survey-shows-church-government-remain-highly-trusted-trust-m>

way to strike a balance vis-à-vis privilege and power. We end with a note that could only balance the ideal and the real: a special group of individuals are necessary in any form of human organization, the important thing is to ensure that they are responsible and answerable should they abuse their power, influence, and authority. How then can the Church retain some essential aspects of its ecclesial tradition without using priestly elitism as a shield or a kind of immunity?

### 3. Church Accountability

In the Motu Proprio *Vos Estis Lux Mundi*, Pope Francis strongly emphasizes the responsibility of Church authorities, above all bishops, to ensure that the Church's policies on safeguarding minors be implemented.<sup>23</sup> Accordingly, it "imposes a universal and legally binding *obligation* on all clerics and religious to immediately report all accusations of abuse or the cover-up of abuse." It reads in part:

This responsibility falls, above all, on the successors of the Apostles, chosen by God to be pastoral leaders of his People, and demands from them a commitment to follow closely the path of the Divine Master. Because of their ministry, in fact, Bishops, 'as vicars and legates of Christ, govern the particular churches entrusted to them by their counsel, exhortations, example, and even by their authority and sacred power, which indeed they use only for the edification of their flock in truth and holiness, remembering that he who is greater should become as the lesser and he who is the chief become as the servant' (Second Vatican Council, Dogmatic Constitution *Lumen Gentium*, 27). What more closely concerns the successors of the Apostles concerns all those who, in various ways, assume ministries in the Church, or profess the evangelical counsels, or are called to serve the Christian People. Therefore, it is good that procedures be universally adopted to prevent and combat these crimes that betray the trust of the faithful.<sup>24</sup>

The above citation is intended to emphasize the third focus of our discussion and that is accountability, which is a necessary variable to balance elitism. Given the reality of privilege and power within the Church, the most feasible mechanism to impose is accountability.

Accountability is generally understood in this essay as the responsibility of any member of the hierarchy (and this may even extend to the laity) to whom authority or shared authority is given. The Constitution of the Republic of the Philippines speaks of "public office as a public trust" (Article XI, section 1, 1987 Philippine

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<sup>23</sup> Francis, *Vos Estis Lux Mundi* (May 2019), [http://www.vatican.va/content/francesco/en/motu\\_proprio/documents/papa-francesco-motu-proprio-20190507\\_vos-estis-lux-mundi.html](http://www.vatican.va/content/francesco/en/motu_proprio/documents/papa-francesco-motu-proprio-20190507_vos-estis-lux-mundi.html)

<sup>24</sup> Francis, *Vos Estis Lux Mundi*.

Constitution). Taking idea from this, we may speak similarly of ecclesiastical authority as a matter of public trust.

Unfortunately, despite two millennia of existence, accountability both as a concept and practice is one which has not fully evolved within the Church. The answer to the questions to what extent should the clergy be responsible to the people they serve and how, are apparently not clearly defined. For example, on the issue of clerical-sexual abuse, some observers pointed out that the Code of Canon Law itself and the Church's judicial system are limiting factors in addressing the problem as they lack the features of modern legal mechanisms that would ensure wider extent of accountability.<sup>25</sup>

However, there is a more significant subject for discussion other than the absence of a mechanism per se, and that is the very reason behind the absence. Local or particular Churches are managed by the bishops and they are in principle directly answerable to the Pope. With this kind of set-up it is apparent that to a large extent the bishop as local ordinary is not checked by anyone in almost all aspects of governance: management of temporal goods including finances, supervision of the clergy including discipline, and management and supervision of seminaries and houses of formation among others.

Any expert in Organizational Development or Human Resource would certainly agree that the concept of management as it is viewed and practiced in and by the Church concrete in the powers and prerogatives of the bishop and how it is shared by the clergy and even then religious of the diocese are outdated and obviously prone to abuse. But why is this so? Why the absence of accountability?

One has to turn to the theological discourse behind the praxis, and be led back to the issue of elitism. Church history would tell us of the monarchical semblance of the powers of the papacy and the episcopate. Although purified through time, it remains undeniable that the concept and practice of episcopacy has remained tied to certain absolutist principles such as: (a) the source of the power and authority of the bishop is not the lay people, and (b) the bishop shares in the apostolic succession of the Apostles (*Sui generis* a hereditary kind of governance).

No less Vatican II's *Christus Dominus* in its Preface describes to us the identity of the bishop, thus: he is,

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<sup>25</sup>For example, see Tom Gjelten, "Has Catholic Canon Law Aggravated the Clergy Abuse Crisis?" <https://www.npr.org/2018/09/04/644667657/has-catholic-canon-law-aggravated-the-clergy-abuse-crisis>.

1. appointed by the Holy Spirit
2. a successor of the Apostles as pastors of souls
3. together with the supreme pontiff and under his authority is sent to continue throughout the ages the work of Christ, the eternal pastor, and
4. made true and authentic a teacher of the faith, pontiff, and pastor through the Holy Spirit by virtue of what Christ gave the Apostles and their successors the command and the power to teach all nations, to hallow men in the truth, and to feed them.<sup>26</sup>

We need not go farther and examine the language of all Church documents on this matter. Suffice it to say, we have an idea why the Church has not given enough space for accountability in its governance. How can a bishop whose power and authority comes from the Holy Spirit be questioned by his own people? We don't need to present a lengthy discussion on infallibility and how it also has contributed to the people's view that Church governance should be left to its leaders. Thus, while political systems and institutions in the world have been subjected to various forms of quality control tests and mechanisms, the Catholic Church has remained not subject to the demands of social change.

Accountability as a characteristic of governments and private institutions emerged with democracy. Staffan Lindberg explains that the concept of accountability "has a long tradition in both political science and financial accounting" and in political science, it is "traceable to John Locke's theory of the superiority of representational democracy built on the notion that accountability is only possible when the governed are separated from the governors."<sup>27</sup> Eventually, Locke's political philosophy would be reverberated by the founding fathers of the American constitution. At the core of democratic philosophy is this: when decision-making power is transferred from a principal (e.g. the citizens) to an agent (e.g. government) through a social contract "there must be a mechanism in place for holding the agent to account for their decisions and if necessary for imposing sanctions, ultimately by removing the agent from power."<sup>28</sup>

It is not difficult to understand, in light of the foregoing, why accountability has not been given much importance in the Church

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<sup>26</sup>*Christus Dominus*, 1 and 2.

<sup>27</sup> Staffan Lindberg, "Accountability: The Core Concept and its Subtypes," *International Review of Administrative Sciences* 79, 2 (2013) 203-204.

<sup>28</sup>Lindberg, "Accountability: the Core Concept and its Subtypes," 1.

through the years. Basically, it is not compatible to the idea and culture of a system that has retained monarchical and aristocratic practices and ideologies behind its praxis. The absolutist and one-directional power within the Church makes the subordinate answerable only to the authority, and the higher authority only to the supreme authority (who is God).<sup>29</sup> With this set-up it also follows that other aspects of democratic governance are not given importance such as freedom of speech, right to due process, and freedom of information. In a way, the absence of these elements in a system is in itself an explanation for the pervasive and prevailing culture of secrecy among members within the hierarchy and in the other institutions of the Church (e.g. convents, private schools, seminaries, and institutes of religious life).

This discussion brings to mind Saint Thomas Aquinas' political theory of Kingship.<sup>30</sup> Without digressing from our focus, we cannot but mention the Angelic Doctor because it was he who favoured and defended monarchy as the best form of government, and in effect criticized democracy calling it a decadent system. Here we cannot but relate two things: (1) the kind of elitist milieu that St Thomas was part of—of which he was impliedly supportive, and (2) the apparent lack of regard for accountability in his philosophy due to his preference for a monarchical system. It is interesting to note in Thomas' political thought, it is the virtue of the monarch or the king that would give us the assurance of good governance. For Thomas, unity in direction and thus the preservation of the kingdom is more important. As to the interesting question what if the monarch would become abusive, the Dominican theologian would answer: bad kings come into this world with God's consent to punish the wicked and test the good. This, for St Thomas, is affirmed by the martyrdom of the holies who died but did not rebel.<sup>31</sup>

We cannot unfairly blame Saint Thomas for the scandals in the Church more so the abuses committed by its leaders. But what is

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<sup>29</sup>We may even need to emphasize the abuse in the Church and the lack of transparency has a deep biblical basis. This means that abuses are systemic because there is an underlying theology that sustains it, while at the same time such a theology is mutually reinforced and strengthened by the prevailing praxis of the institution. See Nicholas King, SJ, "Theology and Power: A Biblical Perspective," in Stephen Bullivant and others, ed., *Theology and Power: International Perspectives*, New Jersey: Paulist, 2016, 1-16.

<sup>30</sup>Thomas Aquinas, "De Regno," in Dino Bigongiari, *The Political Ideas of St. Thomas Aquinas*, New York: The Free Press, 1953.

<sup>31</sup>Dino Bigongiari, "Introduction," *The Political Ideas of St. Thomas Aquinas*, New York: The Free Press, 1953, xxxii – xxxiii.

being demonstrated at least is the inverse relationship between absolute power and accountability. Where absolute power is high, accountability is low. And in a system where absolutism is perpetuated by elitism then it follows that accountability remains very low. This is the case with the Church in its various levels of governance in the particular Churches, and even in the higher levels of governance in the universal Church. That Thomas suggested martyrdom or the embrace of suffering might appear symbolically virtuous, however, we may also think of it or view it from a different angle and that is suffering as an effect of injustice. This could or might be the experience of some Catholics in their Church, which if it's the case – is unfortunate.

Just to drive in the point further, a comparison can be made between the political system (say the Philippine political system) and the Church (say the local Philippine Church). As a secular entity, the government of the Philippines is accountable to the people who is the source of the State's legitimacy. While it is true that there exists corruption within the political system, there are mechanisms that would make officials who are involved in anomalies and scandals responsible and liable for the damage. Change is possible through periodic elections. And although there exist various electoral issues and problems but at the very least, no politician can claim an absolute guarantee of power similar or tantamount to a Divine Right. Unlike the government as the agent of the State, the Church, and by this we mean the ordained members of the hierarchy seem not directly answerable to their people. Ordination does not come from the people but a gift that comes from God. The narrative of "priesthood as a vocation" has been used time and again to describe the special character of a priest's way of life. The late Pope John Paul II would call priesthood a "gift and mystery."<sup>32</sup> Because of this, the priest does not owe his ordination to the people, though in a certain sense to the Bishop through whom the Holy Spirit moves and acts through the laying of hands. The power, therefore, of the priest should be exercised on the people but it is not sanctioned by the people. Priesthood may be a ministry for the lay but it is not an office whose legitimacy is owed to the ones being served.

The Church has to change its paradigm and heighten further its sense of accountability. This way, the culture of elitism would gradually emasculate. And though abuses cannot be eliminated, realistically speaking, at least the opportunities of abusers would not

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<sup>32</sup>John Paul II, *Gift and Mystery: On the Fiftieth Anniversary of My Priestly Ordination*, New York: Doubleday, 1996.

be as wide or abundant under a system that thrives on excessive privilege and absolute power.

It has been said again and again, even by lay persons who still think of their Church in triumphalist terms, that the Church is not a democracy.<sup>33</sup> This is to some extent true. And there is no need to insist that it should be a democracy. However, just because it is not a democracy does not mean that it cannot value some essential and universally applicable democratic principles. The Church is not a democracy but it is a communion of believers.<sup>34</sup> The very model of this is no less the relationship of Jesus to his Apostles. The latter were not princes but followers who were not just blind subjects of an absolutely powerful monarch.

Within the Church, accountability has to be promoted by giving the faithful enough information on how to be more active and thus participate in caring for their Church. Ecclesial authorities should learn how to live with feedback and healthy criticism. Decision making must be shared with the lay, and not all administrative positions in the parish should be handled by the priest.

#### **4. Reflections on the Philippine Experience**

We shall attempt at some reflections on the above presentation in relation and in application to the Philippine experience. There are a few significant reasons for this. One, the Philippines has a relatively long history of Christian presence in its national life, and to date, the Catholic Church and the other Christian churches continue to influence the state of affairs of the country. In fact, the year 2021 will be a big celebration for the whole country as the quincentennial of Christianity's arrival back in 1521. The event is auspicious not just in spiritual terms but also in the various aspects of the country's social life. It should therefore include a reflection and more serious discussions on how the Church can maintain integrity through the promotion of accountability in the various levels of its transactions and governance.

Using the three variables that have been identified as the main foci of this paper, some proposals and reflections are in order for the Philippine Church:

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<sup>33</sup>See for example Chilton Williamson Jr., "The Church is not a Democracy," *Crisis Magazine: A Voice for the Faithful Catholic Laity*, <https://www.crisismagazine.com/2019/the-church-is-not-a-democracy>.

<sup>34</sup>A more balanced reading on the kind of democracy that is encouraged and practiced within the Catholic Church is that of Richard McBrien who explains that there is no false dichotomy between the Church as People of God and the Church as a communion. See Richard McBrien, *The Church*, New York: HarperOne, 2008, 364-365.

1. *Abuse*: Much has to be done in order to study and explore the depth and extent of abuse by and within the Church in the Philippine context. Due to the issues of clerical abuse in the US and Europe, the same has also become the focus of Philippine media, however not much has been uncovered for example with priests who are having illicit affairs (not involving minors), and thus of illegitimate children living broken lives. Issues involving transparency in the handling of finances and complaints are among the unexplored matters in the Philippine Church. The issue of abuse in the Philippine Church may even extend to the unsettled clamour among the clergy themselves – for the bishops and members of the board of consultors to be clearer and more transparent in their criteria for assignments or reshuffling. Members of the clergy and even some of the religious could be victims of the hierarchy’s abuse of authority.<sup>35</sup>

Cardinal Luis Antonio Tagle, the former Archbishop of Manila, taking cue from a letter of the Philippine bishops pointed out four cultural elements among Filipinos that contribute to clerical abuse specifically in relation to child or sexual abuse. Of the four, two deserve to be mentioned here as factors that increase the probability of abuse: (a) the conferment of much power on adults and those in authority, and (b) the loose and broad definition of the family in Philippine culture (for example, it is common in some Filipino families to easily consider as an adopted member of a Filipino Catholic family the priest or religious).<sup>36</sup>

As mentioned earlier, abuse does not just refer to the acts of specific individuals but a phenomenon involving the excessive misuse of power applied in various forms and in different circumstances. Time and again, the Philippine bishops and clergy have spoken about renewal but unless the many variants of abuse would be comprehensively acknowledged and tackled, there is no way for the people of God to heal and move forward.

2. *Elitism*: Perpetuating the abuses within the Philippine Church is ecclesial elitism. Much has to be done in terms of lessening the feeling of entitlement and privilege among Filipino priests and religious given the very culture that strengthens and reinforces it.

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<sup>35</sup>For a specific case, read A. Rufo’s account of the late Bishop Olivers of Malolos. See A. Rufo, *Altar of Secrets*, 174-182.

<sup>36</sup>Luis Antonio Cardinal Tagle, “Clergy Sexual Misconduct: Some Reflections from Asia,” 3. Delivered during the Meeting: Protection of Minors in the Church, Vatican City, <http://www.usccb.org/issues-and-action/child-and-youth-protection/resources/upload/Reflections-from-Asia-Tagle.pdf>

Local Filipino worldviews enhance the claims of superiority and status symbol of Church authority. For hundreds of years, the clergy were associated with the ruling class. Even the number of years they spent in seminary formation was for a long time considered by many as a source of intellectual superiority (there was this prevailing notion that the three greatest professions in the Philippines, all have to study for at least eight years: lawyers, doctors, and priests).

The Philippine Church has its own claims of elitism intertwined with cultural or nationalistic identity. For example, for hundreds of years, Filipinos have taken pride for being the “only Christian nation” in the Far East. Thus, and in the context of Philippine culture, the priest is not just an ordained minister of and for the Church but also a symbol of pride and authority. Given the largely agricultural economic context of the country and thus the feudal power-relations that goes with it, ordained ministers or religious authorities are treated as cut above the rest, hence part of the ruling class and not the masses.

Again, as Tagle puts it as follows:

Our [Filipino] culture tends to regard the clergy as more than ordinary humans because they possess extraordinary or divine powers. Power in whatever form can harm when misused. Because the culture clouds over the clergy’s humanity, some of them hide their true selves and lead double lives. Duplicity can breed abusive tendencies.<sup>37</sup>

### 3. Accountability

Two major factors can be accounted for the lack of accountability among Church leaders. First, the internal dynamics of the Church (e.g. dioceses or religious congregations) has been largely lacking in terms of democratic features, such as due process, right to information, and freedom to organize. Second, the separation of the Church and State has been used as a justification for a pseudo-autonomy of the Church matters, including the discipline of the clergy and the religious, from the laws of the State.

On the issue of sexual abuse, the Church can very well strengthen its discipline *ad intra* by orienting the clergy of the advancements in Philippine legislation. For example, Republic Act (RA) 7877 or the anti-sexual harassment law provides a clear guide on how relational parameters have to be observed in order to avoid potential allegations especially within the context of official working or even custodial relations. RA 7610 or the law against child abuse is another clear guide

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<sup>37</sup>Tagle, “Clergy Sexual Misconduct: Some Reflections from Asia,” 3.

that must be observed by all members of the clergy and religious when dealing with minors in whatever area of ministry: education, spiritual guidance, formation, and youth animation among others.

Greater appreciation of the role of the laity is imperative in the life of the Philippine Church if it is to take accountability and integrity in ministry more genuinely. The expertise of the lay in terms of psychology, civil and criminal law, and organization management can very well fill-in the gaps and deficits of the Church's system. Pastoral Councils, in many parishes, have remained pro forma fixtures without any actual influence in the decision making process.<sup>38</sup> Sadly, lay participation and lay apostolate have also been operating along clericalist lines. The mindset of many laypeople is also infected by ecclesiastical elitism thus making it difficult even for the faithful to critically collaborate with their pastors.

Finally, seminary training in the Philippines also needs to be revamped as it evidences the lack in orientation to accountability in the Church's general practice of ministry. Most seminarians are given courses in philosophy, theology, and the other ecclesiastical disciplines but none—if not only little—in terms of financial administration, management of the parish's temporal goods, and people management. Already in the seminary, is the prevailing impression and culture that priests do not need to know accounting, human resource management, and the basic knowledge of the country's labour laws and standards.

## Conclusion

At the outset this paper has made it clear that abuse in the Church is not limited to sexual abuse; it encompasses a range of issues that involve the excessive use or application of power that would lead to the detriment, damage and demoralization of the institution's members (i.e. the faithful). Abuse has a context and for that we identify not just clericalism (commonly pointed out as the culprit) but elitism—that is, ultimately, the elitism of the Church. This paper argues that clericalism is just a symptom of a more serious pathology which is that comfort or being at home with privilege, wealth, titles, authority, influence, and power. Taken as a whole, we are speaking of a Church that believes that it is special.

Such a mindset is basically the reason why accountability has not been given the needed attention in the institution's structure and

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<sup>38</sup>See Rhoderick John S. Abellanos, "Amoris Laetitia in a Clericalist Culture: a Case of the Philippine Church," *Asian Horizons* 11, 1 (2017) 183-196.

governance. It is, therefore, necessary that as the hierarchy looks for ways to confront more maturely the issues of abuse in its different aspects, a review of the processes and a more reflective critique of its self-definition as a Church be given serious consideration. For example, it has been since 2004 that a protocol on how to handle reports or cases of sex abuse has been laid down, unfortunately this has never been clearly communicated to the lay faithful.<sup>39</sup> The process has remained an internal matter for bishops (and perhaps some priests) but most of the Catholics are practically clueless on this. Because of this the lay faithful don't know which process to follow should they need to raise a complaint. Without any clear guideline or instruction most ordinary Catholics would go to the media and thus end up sensationalizing a scandal that could have been addressed in the proper forum in the very first place.

In 2006, the former Archbishop of Cebu, the late Ricardo Cardinal Vidal had to prohibit all church officials and priests from giving any public statement on any Church-related issues. Vidal communicated to the local media through his liaison officer that priests would not be allowed to issue statements on matters hounding the local Church of Cebu unless a committee investigation would finalise its findings. The decision of Vidal was in the wake of an allegation made by some altar boys against a parish priest in one of the Archdiocese's southern towns. In addition to this, the Archdiocese also had to face another controversy involving two of its pastors who were accused of excessively overpricing the five-year use of space in the Roman Catholic cemetery in the parish of Pardo, Cebu City. Over 1,000 parishioners earlier held a prayer rally to seek for the ouster of the two priests.<sup>40</sup>

Cases like this show that the problem of abuse in the Church both in the universal and in the local level is a product of its own self-concept of privilege and thus the exemption from ethical standards that run counter to a culture of elitism. The hierarchical nature of the Church may not be done away with as it is part of its tradition, however, reviews of its internal processes have to be made in order to ensure that accountability becomes part of the ecclesial set-up.

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<sup>39</sup>See Cartagena, "The Terror of the Sexual Abuse ...," 364.

<sup>40</sup> Jasmin Uy, "Cardinal Issues Gag Order to Church-officials" (2006) <https://www.philstar.com/cebu-news/2006/08/11/352151/cardinal-issues-gag-order-church-officials>