

Voices for Hope and Challenge Conference

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Inclusive, transparent and accountable governance in the Church

Introduction: Inclusive, open and accountable values

Church governance must become much more inclusive, transparent and accountable.

What I have to say reflects my professional background in the study of government and political science and my church background, including service on many church boards and advisory councils and, since April 2017, being the foundation chair of Concerned Catholics Canberra Goulburn.

My church background makes me understand the severe limitations in church governance. I've had a very good run on national church bodies over the past three decades, but at the age of 71 that is coming to an end. It's a good time to reflect on that experience.

My professional background immediately suggests the benefits of the application of democratic principles to church governance. Personally I find the image of active citizens rather than passive subjects helpful, but I know that any suggestion of democracy raises hackles within the church. Democracy means voting and that is anathema, although voting is built into some church governance. After all the Pope is elected by the vote of Cardinals and the ACBC President is elected by the vote of episcopal conference members. Any suggestion that the membership of the Plenary Council 2020 should be elected would be frowned upon, but votes will be taken at PC2020.

More importantly general democratic principles like equality, inclusiveness, transparency, representation, accountability, freedom of communication,

etc, should be essential components of the way the church conducts its affairs. Opposing values like exclusiveness, authoritarianism, secrecy, and undue hierarchy and deference should be unacceptable and rooted out.

The case for a focus on governance

My advice is not to let church governance reform become like constitutional reform in the political sphere, which is often so dry and removed from daily life that it becomes a haven for lawyers. The general church public then can't see the point and turn off.

The case for good governance should be linked to living our values and to the best Christian outcomes. The Royal Commission recommendation (Final Report, R. 67) that the ACBC "should conduct a national review of the governance and management structures of dioceses and parishes, including in relation to issues of transparency, accountability, consultation and participation of lay men and women" was not based on idle theory but on the church's poor response to the institutional child sexual abuse in its midst.

Those who are primarily concerned with Gospel values, liturgy, evangelisation or the social mission of the church must be shown that good governance is central to their concerns and will make the life and work of the church better.

Orders and Congregations: Catholic Religious Australia

The Governance Review concentrates not just on diocesan and parish governance but on orders and congregations and PJPs and lay organisations as well as peak bodies, such as Catholic Religious Australia. Much of what I have to say will also apply to that 'other' part of the church, which also runs schools, parishes, social services and international aid and development.

The Responsible Role of Lay Persons

Accountability depends on those holding authority being held responsible, not just acting responsibly. The language of citizenship is not accepted within

the church, but the notion of active citizenship, not just subject-hood, passivity or apathy is still extremely valuable.

Citizenship is challenging, hard work and time-consuming. That is one reason why many people are not engaged in political life. There are so many other calls on our time-family, work and recreation- and we don't trust the system, any system, to be responsive when we try to have our voices heard.

Holding church authority accountable for good governance is also personally challenging and sometimes we are just not up to the challenge. It can involve interpersonal conflict and discomfort.

I have had a very recent example (late 2019) of this in a national church agency on whose advisory council I serve. The story has two parts relevant to good governance.

The first part is the way the advisory council was badly treated. It has been restructured out of existence and replaced from next year by a new structure on the basis of an ACBC consultant's report which has not been made public and a subsequent episcopal working party which was set up without the knowledge of the advisory council and has held meetings in private. The advisory council has been kept in the dark and disrespected and its undoubted expertise untapped. It is the appalling process rather than the new structure which is the issue.

The second part is the way the council reacted on the evening when this news was sprung on us. We all took it meekly even though the meeting was 'in camera'. Later the lay members of the council vented our irritation and anger among ourselves over drinks. Yet when we reconvened for a second 'in camera' session the next morning we were still timid and tentative in our questioning of the episcopal chair. We were passive and deferential despite our extensive secular credentials and experience. In short, we were culpable. Only later was the bishop confronted but to little or no effect.

This has all happened while we are all preparing for a plenary council and at a time when we are told by those in authority that business as usual has failed us. The lesson for me is that authority must be held accountable for good governance to become the norm in the church. There will often be personal sacrifices involved in doing this.

Why, What and How?

My thinking about how best to proceed follows Justice Neville Owen's three-part 'Why, What and How' framework. Neville is the chair of the Governance Review Project Team.

Why?

We take these for granted in the renewal movement, but the case must continue to be made.

The parlous state of the church and the specific recommendation of the Royal Commission.

- **We are a shrinking church which has lost touch with our younger generations and older faithful Catholics in staggering numbers**
- **We frequently neglect the talents and leadership abilities of our laity, especially our lay women**
- **We have failed to live up to our own standards laid down by Vatican II in governance and culture**
- **We have been found guilty of widespread abuse of morality and power by a Royal Commission and by numerous courts**
- **We have failed to be inclusive, accountable and transparent to our own people and to the Australian people**
- **We are a powerful source of good in Australian society, but we have not lived up to the privileged position that society has afforded us**
- **We have much to learn about principled organisational behaviour from society at large. We are lagging not leading.**

What? We think we have the answers at the level of values and themes and general ideas. Our vision is for a church in which the talents, gifts and wisdom of all Catholics, lay women and men, religious women and men and ordained priests and bishops, contribute to all levels of participation and decision making as spelled out in Canon Law and encouraged by Pope Francis. This vision is widely held. The Final Report on Submissions to the Plenary Council 2020 reported that the structure of church life drew a great

deal of attention, including a “passionate desire” for “a greater involvement of the laity at all levels”.

In the words of Pope Benedict our aim is for the laity to be not just “collaborators” with the clergy, but “people truly co-responsible for the life of the church”. As Pope Francis said in his Letter to the People of God (August 2018): “Without the active participation of all the Church’s members, everything being done to uproot the culture of abuse in our communities will not be successful in generating the necessary dynamics for sound and realistic change”.

We need to hear new voices too, not just those already identified with the renewal movement. I took great consolation from the thoughts of the outgoing CEO of the National Centre for Evangelisation and the Catholic Enquiry Centre, Shane Dwyer, last month (Catholic Voice, October 2019). Following Pope Francis he identified clericalism and the desire to put rules above people as barnacles on the church which must be scraped clean: “The prioritising of rules over people frequently involves the prioritising of an ordained elite over the baptised majority”.

How?

This is where the debate and discernment must be. Even the best thinking in the renewal movement is often short on detail of how renewal ideas, like inclusivity, lay leadership and accountability, will actually be introduced and put into practice. The GRPT has a role here because it will publish a lengthy report in May next year. The relevant writing groups of the Plenary Council 2020, including the one called Inclusive, Participatory and Synodal, may also get to the detail of governance, but by a process of deduction (dividing the one week period available by the number of issues to be discussed), time for discussion of details will be at a premium at the first session in October 2020 in Adelaide.

What needs to be done is both general and specific. Pastoral Councils are a practical example of specific governance reform. This includes parish pastoral councils, which are not mandated in canon law, unlike parish finance councils, and diocesan pastoral councils, which are mandated but have a miserable history of introduction and operation in Australia in clear breach of canon law.

Parish pastoral councils are the building blocks for lay participation. They should be mandated and act in a spirit of co-responsibility in joining parish priests in pastoral planning.

Diocesan pastoral councils to advise bishops should bring parish pastoral councils together through their representatives, and also carry out their business in a spirit of co-responsibility.

The general includes the adoption of accepted civic and corporate standards in our governance, greater transparency and community participation in the appointment of bishops, greater financial transparency and accountability at all levels of the church, co-responsibility in pastoral planning for laity and clergy, greater transparency in all its forms at all levels, wider consultation between leaders and those affected over episcopal and priestly appointments, media and communication freedom within the church, continued debate about the PC2020's composition and leadership, and training and formation in synodal leadership for all the People of God so that cultural practices not just formal structures change.

Church law

The battlegrounds may be theology and canon law. Both will be used by church leaders to deflect reform. One Archbishop said recently that we can't change the nature of the church.

Yet there is no impediment under church law to much better governance practice, with the one major exception (the Elephant in the Room) that the male priesthood and male episcopate and the powers inexorably accruing to these leaders are severe impediments to gender balance in church leadership and to full lay partnership. That major impediment aside there is so much that can be done to improve governance practice within existing church law. On some matters, such as diocesan pastoral councils, church law is more in tune with modern governance principles than is church practice in Australia.

Church law about the composition of and processes associated with plenary councils and synods also constrains good governance in the church. The composition of the council, especially the balance between its lay and clerical members, while still to be finally decided, will almost certainly not be properly inclusive because it will under-represent lay people.

The processes so far have included a massive exercise in consultation on which the church should be congratulated (17,500 submissions). The task has been enormous at all levels. But aspects of the process have been problematic. These include the lack of transparency in the failure to publish those submissions and the episcopal overload in the writing groups which greatly over-represents one section of the Australian church. To have two bishops in a small group of ten discussing the Inclusive, Participatory and Synodal theme, for instance skews the discussion away from inclusiveness and is a missed opportunity.

Theological and Civic Underpinnings

My GRPT colleague Susan Pascoe informs my understanding of both the ecclesial and civic underpinnings of good governance. She points to potentially strong ecclesial principles such as subsidiarity, stewardship, synodality, dialogue and discernment as principles which have their civic equivalents. This language is important even though the differences between church and civic principles can be exaggerated by those defending the status quo.

These ecclesial principles are vigorously advocated by Pope Francis and the general idea of the Plenary Council 2020 is putting many of them into practice. PC2020 is both a great opportunity and a severe test of whether these principles can be implemented effectively in a hierarchical church which accords bishops supreme power and often embeds cultural practices which run counter to these principles.

Leading from the top: the ACBC and Bishops Commissions?

The Australian Catholic Bishops Conference (ACBC) is a model of how church governance in Australia operates in practice, showing the challenges ahead. Its composition is restricted to male bishops, with a single Catholic Religious Australia observer who may at times be female. Its General Secretary has always been a cleric. Its agenda is carefully guarded, even to members of its commissions and councils and its public communications about its business

are strictly limited. It is not accountable in its decisions to the general members of the Australian Church, who are not privy to what is being discussed.

The staff of the ACBC includes clerics, religious and lay men and women. The appointed chairs of ACBC agencies are increasingly lay men and women and the executive leadership of these agencies is now overwhelmingly lay. Of the four biggest national agencies-Catholic Health Australia, Catholic Social Services Australia, National Catholic Education Commission and Caritas Australia-three are now led by lay women.

Engaging with the ACBC or its executive, the Permanent Committee, or getting a message to it is not easy. Concerned Catholics Canberra Goulburn was formed in April 2017 with a view to engaging with the May 2017 ACBC meeting's response to the Royal Commission through our archbishop and/or through the general secretary. But we found it to be a frustrating thing to do. The Australian Catholic Coalition for Church Reform (ACCCR) sought a face-to-face meeting with the Permanent Committee about the PC2020, but that proved impossible and four delegates met instead last year with the ACBC President, Archbishop Mark Coleridge and the PC2020 facilitator, Lana Turvey-Collins.

Leading from below: parishes

Rev Dr Brendan Reed of the Archdiocese of Melbourne is helping to inform GRPT's understanding of healthy parish governance. Parishes are the life-blood of the church for most Catholics and are a microcosm of church governance. The role of well-balanced pastoral councils and finance committees working according to the best ecclesial principles is the real test of how inclusive, transparent and accountable parishes are.

Like dioceses, parishes are a lucky dip for church members. There is such variety that where you are located is the prime factor in your experience of church governance. Many parishes fall well short of full transparency and accountability in their pastoral and financial activities.

Bishops and diocesan governance

The bishop is at the heart of governance and can make or break good governance. He holds legislative, administrative and judicial authority with limited checks and balances and governance by episcopal fiat remains a

possibility. Bishops still defend the role of ‘king’. While within his diocese the bishop exercises the responsibility for teaching and pastoral care, church governance should be a partnership between bishops, clergy and laity. The laity can cooperate in the exercise of the power of governance.

The diocesan bishop runs a mini-government. Transparency demands that the structure of church government in each diocese is as clear as possible in terms of who does what when and with what authority. There are some good examples of such clarity on church websites, including in the Diocese of Broken Bay.

Church law provides for the presence of lay people in governance through their participation in appropriate administrative/advisory structures, including in synods, assemblies, pastoral councils and finance committees.

Right relationships must exist between bishops, clergy and laity. At their heart is the principle of consultation between those who hold responsibility for the final decision and those who have a lawful right to be consulted. This requirement for consultation “acts as a restraint on absolute power”, though it does not eliminate hierarchy nor diminish structural inequalities between partners (Lucas et al, Church Administration Handbook, 2018, 400)

Appointment of Bishops

Diocesan bishops are appointed by the Vatican after consideration of recommendations made by the Apostolic Nuncio. The recommendations are arrived at after limited, private consultation with episcopal, clerical, religious and lay people. There is no public consultation. This situation is neither inclusive, accountable nor transparent. If recent cases of undue delay are any guide it is also inefficient. Changing this process to make it as inclusive and transparent as possible by giving greater opportunities for the wider church to participate should be a priority. Such opportunities for a wider voice would become more easily available if authentic diocesan pastoral councils were put in place.

Dioceses without Bishops

The same standards must apply in dioceses without bishops. Transitional arrangements, including continuity of governance arrangements, are really important, especially at a time when dioceses are often left without bishops for years.

The management of the diocese is placed in the hands of an Administrator, who is himself appointed after only limited consultation, not including the wider faithful. The governance arrangements instituted by the previous bishop, including lay participation through a diocesan pastoral council, lapse upon his retirement. This transition period is a dilemma for good governance.

Bishops and Parishes

There should be greater mutual respect and lay involvement in the shape of parishes and in parish appointments. Such matters are often ones of considerable controversy and great importance to lay people as well as to the lives and career of the priests and others involved. The context includes declining Mass attendance, increased amalgamation of parishes, declining priestly vocations and increased employment of foreign priests.

These matters should all involve co-responsibility and discussion of options in pastoral planning with the lay faithful, through advisory bodies and lay parish leaders, as well as clerical advisors. Such consultation and transparency can be regularised more effectively where pastoral councils exist at both diocesan and parish levels.

Diocesan Financial Governance

Diocesan financial administration is a deeply embedded aspect of diocesan governance. There are many long-serving chief financial administrators, lay men and women, dealing with severe financial pressures within the Australian church.

There are two main governance concerns. One is the extent to which financial governance is effectively integrated within the broader governance of dioceses.

The other lies in lack of public transparency and the failure of dioceses to publish full public accounts. This limitation is magnified by the exemptions that the church is privileged to have from government financial reporting, including tax returns and ACNC reporting. Avoiding full civic reporting, which has been the aim of church leadership in Australia, also serves to limit such reporting to the faithful. Some good international models exist for fuller and more open financial reporting, including the Archdiocese of Washington, DC.

Leadership Formation and Training

Leadership formation and training in governance principles is essential. Synodality and co-responsibility doesn't come naturally. The traditional culture of the church is embedded in institutional practices and ingrained in individuals. A lifetime of clericalism and lay deference is not easily changed for all concerned with church governance.

This means that church leaders and prospective leaders, episcopal, clerical, religious and lay, must be formed. For clerical and religious leaders this must be built into their religious formation in seminaries and houses of formation. For everyone this must be a constant aspect of adult church life.

There are some well-researched models available for the content and delivery of such formation and training and these should be sought out.

Church Communications and Media

Good governance depended on healthy church communications and media. Church communication includes PC2020 communication, including its failure to publish and identify submissions despite promising to do so. Too often the emphasis is on top down communication which divides and conquers. There is little opportunity for horizontal communication.

Church media, which like all traditional media is struggling to survive, is one aspect of communication which needs attention. Too often church media at the diocesan level runs more like a house journal than a free press. Letters to the editor are not encouraged. There is often no transparency about editorial responsibility either and therefore no accountability. These are just some symptoms of the lack of open and robust internal debate and disrespect for alternative points of view.

Another contentious issue is episcopal control over the choice of speakers at designated church events and on church property. There have been several recent controversies, involving major public figures, including Fr Frank Brennan and Sister Joan Chittister, and many other cases of disinvited speakers have been kept quiet by those involved. Such episcopal censorship and lack of plain speaking is indefensible in an open society.

Measuring Inclusiveness and Accountability

Diocesan (and parish) agencies should be held to the highest standards of civic accountability norms. This should be measured at regular intervals and the measures should not just be numbers but the authority of those involved in decision-making. Equal numbers but unequal authority or seniority on advisory bodies limits accountability and does not equal inclusiveness.

Boards and advisory bodies should be as socially representative as possible of the distribution of the faithful according to categories such as gender, age, clerical/lay, sexuality, race and ethnicity, ability/disability, and region.

To be worth the effort lay participation must be able to hold those in authority accountable. Co-responsibility must be real and not a chimera and lay advice must be taken seriously. Those who are alienated must be encouraged by obvious results to make that effort or they will walk away.

For consultation to be effective advisory bodies, such as diocesan pastoral councils, must meet regularly, be staffed effectively and have their costs met. These costs will include the travel and accommodation costs of participants to make participation inclusive.

Conclusion

There are roadmaps available for us to travel along the necessary journey, including books like Getting Back on Mission. The undoubted benefits must be balanced against its demands and costs, especially at a time of widespread lay alienation and distrust of church leadership and real financial pressures caused at least in part by the church's own actions.

My advice to prospective reformers is to get informed and involved, maintain a healthy scepticism while taking opportunities offered, do things locally and immediately rather than waiting for diocesan, national and international developments. Be ready for widespread disinterest and opposition; but take heart that we have widespread support among the People of God.

I share the desires of Pauline Connelly, Chancellor of the Archdiocese of Adelaide, and another colleague of mine on the Governance Review Project Team, expressed in her Lenten Address to St Ignatius Parish, Norwood, South Australia, in March this year.

“I want to see a governance structure where the laity have a legitimate governance role. A workable structure, an accountable structure, a transparent structure, an open structure.”

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