

Two Dimensions of Transparency in the Digital Age: Material and Spiritual Aspects in Addressing Clergy Sexual Abuse

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Abstract: In addressing the clergy sexual abuse (CSA) crisis, transparency has become a major theme. From the perspective of media studies, and particularly through dialogue with the ideas of Canadian media thinker Marshall McLuhan, this research identifies two dimensions of transparency: static and dynamic. Static transparency emphasizes information disclosure, legal standards, policies, and procedures, adopting a zero-tolerance and straightforward approach to combating corruption. This dimension can be seen as fundamentally representing the structural aspect of transparency. Conversely, dynamic transparency embodies more the spiritual character of transparency. It is fluid, multidimensional, communicative, and dialogical. Rather than focusing on systems and structures, it prioritizes the personal element, conveys symbolic meanings, and considers contextual and proportional factors. While both dimensions of transparency can be useful in addressing CSA, they also have drawbacks. This research concludes that the effectiveness of applying the two dimensions of transparency in addressing CSA depends on the extent to which the needs of victims and survivors are prioritized.

Keywords: Catholic Church • Clergy Sex Abuse • Digital Media • Marshall McLuhan • Safeguarding • Transparency

Introduction

Transparency practices have emerged as a critical theme in addressing clergy sex abuse (CSA). Currently, two main groups of scholars have explored the topic of transparency in relation to CSA. The first group understands transparency in this context in terms of structural and procedural reforms in the Church; this includes e.g. the publication of the names of alleged perpetrators, establishing reporting channels, having external review boards, collaborating with civil

authorities, disclosing the handling process, enhancing bishops' accountability, and increasing lay participation in investigative bodies.¹ The second group sees transparency primarily in the perspective of the spiritual mission of the Church. For them, the Church should implement a transparency practice not because of the external influence from secular society, but because the Church must accomplish her mission, which may not always be understandable to the secular society.² It

¹ See Diane L. Barr, "Transparency vs. Privacy? Civil and Canonical Issues Regarding Releasing Lists of 'Credibly Accused' Clerics," *CLSA Proceedings* 83 (2022): 44-46; Patrick M. O'Brien, "Transparency as a means to rebuild trust within the Church: a case study in how Catholic dioceses and eparchies in the United States have responded to the clergy sex abuse crisis," *Church, Culture and Communication* 5, no.3 (2020): 479-480, <https://doi.org/10.1080/23753234.2020.1827962>; Sunny Kalapurackal, "An Ethical Analysis of Transparency and Accountability in Church Administration," *Asian Horizons* 14, no.2 (2020): 348-349; Francesco Cesareo, Special Report of the National Review Board to the Body of Bishops on the Sexual Abuse Crisis in the Church (report delivered to the body of the US bishops at the USCCB's Fall General Assembly in Baltimore, November 13, 2018); Royal Commission into Institutional Responses to Child Sexual Abuses, Final Report Recommendations (Canberra: the Australian Government, 2017), 51, <https://www.childabuse.royalcommission.gov.au/recommendations>; Cardinal Reinhard Marx, "Transparency as a Community of Believers" (A speech delivered at the International Conference of Presidents of Bishops' Conferences "On the Protection of Minors in the Church," Vatican, 23 February 2019).

² Michael J. Mazza, "Bona Fama in an Age of 'Transparency': Publishing Lists of 'Credibly Accused' Clerics," *The Jurist: Studies in Church Law and Ministry* 78, no. 2 (2022): 457, <https://doi.org/10.1353/jur.2022.0020>; Cristian Mendoza and Carl Beekman, "Transparency Culture & Ecclesial Responsibility: Reflections on Institutional Communications," *Communication, Society and Media* 1, no.1 (2018): 3, <https://doi.org/10.22158/csm.v1n1p1>; Cristian Mendoza Ovando, "What kind of transparency for the Church? Proposing operational transparency for processes, solutions and decisions in the Catholic

seems that secular society tends to call for the first kind of transparency by demanding structural reform of the Church, while paying little attention to the spiritual and missionary aspect of the Church. There is rather limited scientific literature on transparency in addressing cases of CSA. While some work has been done in the study of transparency in the context of CSA, there remains more work to be done to bring more attention and competency to the matter.

In the digital age, media studies can provide a fresh insight into the concept of transparency in addressing CSA.³ Despite the negative portrayal of the Church in the general media, it is not particularly useful for the Church to hide its identity; instead, the Church should have the courage to be transparent and to demonstrate its continued relevance in contemporary society.⁴ Thus, this research will explore the notion of transparency from the perspective of media studies, establishing a theoretical

Church,” *Church, Communication and Culture* 5, no.2 (2020): 215-219, <https://doi.org/10.1080/23753234.2020.1767508>.

³ Revelation of CSA cases on digital platforms can have a great impact on the Church. See Massimo Faggioli and Mary Catherine O'Reilly-Gindhart, “A New Wave in the Modern History of the Abuse Crisis in the Catholic Church: Literature Overview, 2018–2020,” *Theological Studies* 82, no. 1 (March 2021): 167, <https://doi.org/10.1177/0040563921995848>; Katherine W. Bogen, Michelle Haikalas, Richard J. Meza Lopez, Gabriela López, and Lindsay M. Orchowski, “It Happens in #ChurchToo: Twitter Discourse Regarding Sexual Victimization Within Religious Communities,” *Journal of Interpersonal Violence* 37, no. 3-4 (2022): 5 and 9, <https://doi.org/10.1177/0886260520922365>; Bishop-Accountability.org, “Bishops Investigated under Vos Estis Lux Mundi,” accessed September 9, 2023, <https://www.bishop-accountability.org/bishops-investigated-under-vos-estis-lux-mundi-2/>.

⁴ Hans Geybels, “A Long History of Trial-and-Error,” in *Faith and Media: Analysis of Faith and Media: Representation and Communication*, ed. Sara Mels & Michel Walrave Hans Geybels (Bruxelles: Peter Lang, 2009), 20 and 22.

foundation for its implications in addressing CSA. In doing so, this research aims to contribute to enhancing the understanding also in contemporary society by proposing how the Church should employ the two dimensions of transparency in addressing CSA.

This research employs a literature review methodology. First, it will establish a theoretical foundation for the concept of transparency from both secular and Catholic perspectives. Secular sources encompass relevant literature from the fields of Governance and Administration, Marketing and Business Ethics, Political Science, and Law while Catholic sources include Catholic Social Teaching and the virtue ethics of Thomas Aquinas. In this stage, we will present the two dimensions of transparency: static and dynamic. Secondly, the two dimensions of transparency will be explored from the perspective of media studies. Particularly, the research will illustrate how the ideas of Canadian media theorist Marshall McLuhan illuminate the distinction between these two dimensions of transparency. Thirdly, the article continues to investigate how the two dimensions of transparency can be effectively applied in addressing CSA cases. To achieve this, the study explores patterns that represent the characteristics of these two dimensions of transparency within relevant literature on CSA. By examining these patterns, this research will identify both, the necessity and the potential drawbacks of each dimension of transparency in addressing CSA cases. Finally, the research provides a conclusion.

Theoretical foundation of transparency

There are two kinds of transparency: static transparency and dynamic transparency. Based on scientific sources, this research identifies the following

characteristics of static transparency. This first kind of transparency places an emphasis on a legal approach.⁵ As such, the purpose of static transparency is to counter corruption or wrongdoing. Based on fixed rules and regulations (i.e., the legal approach), transparency supports comprehensibility, meaning that through transparency, people easily get to know problems and develop ways to solve them.⁶ To accomplish this, transparency requires data, facts, and information.⁷ In this regard, static transparency can be defined as “the right to obtain official information.”⁸ As such, static transparency follows a material and instrumental approach and works at the level of data and facts accessed through media instruments.⁹ In addition, static transparency can be considered as a minimum requirement for justice as it counters wrongdoings or injustice done to someone.¹⁰ To accomplish this, a

⁵ See Christopher Hood, “Transparency in Historical Perspective,” in *Transparency: The Key to Better Governance?* ed. Christopher Hood and David Heald (Oxford: Oxford University Press, 2006), 5.

⁶ See Torbjörn Larsson, “How Open Can a Government Be? The Swedish Experience,” in *Openness and Transparency in the European Union*, ed. Veerle Deckmyn and Ian Thomson (Maastricht, Netherlands: European Institute of Public Administration, 1998), 40.

⁷ See Patrick Birkinshaw, “Freedom of Information and Openness: Fundamental Human Rights?” *Administrative Law Review* 58, no. 1 (Winter 2006): 189-190, <http://www.jstor.org/stable/40712007>.

⁸ Paraskevas Nikiforos Diamandouros, “Transparency, Accountability, and Democracy in the EU” (lecture given at the School of Advanced International Studies of the Johns Hopkins University, Bologna, Italy, October 17, 2006), <https://www.ombudsman.europa.eu/export-pdf/en/349>.

⁹ See Paddy Corry, “Openness is about more than Transparency,” October 29, 2018, <https://medium.com/serious-scrum/openness-is-about-more-than-transparency-a69c00ce0958>.

¹⁰ See Archon Fung, Mary Graham, and David Weil, *Full Disclosure: Perils and Promises of Transparency* (Cambridge: Cambridge University Press, 2007), xii.

reasonable measure of accountability must be provided for the public.¹¹ Yet, this does not necessarily entail disclosing everything.¹² It is significant to note that the most prevalent element of the first kind of transparency is the provision and disclosure of information. The meaning of static transparency centers around information disclosure.

Regarding the second kind of transparency, João César das Neves and Antonino Vaccaro/Alejo José G. Sison draw on two Catholic sources—Catholic Social Teaching and the virtue ethics of Thomas Aquinas—to interpret it. This second kind of transparency seen through the lens of Catholic sources does not just mean information disclosure at the request of the public. Transparency understood in the field of business ethics is different from that of a Thomistic perspective: the former emphasizes information access, while the latter focuses on a more dialogical and holistic approach based on the virtue of truth.¹³ Transparency interpreted through the virtue of truth, in the light of Thomistic thought, is more comprehensive and holistic because there are three ethical considerations for truthfulness, which refer respectively to “the object,” “the intention,” and “the circumstances.”¹⁴ Thus, it is more dimensional

¹¹ See Anamarija Musa, Domagoj Bebić, and Petra Đurman, “Transparency and Openness in Local Governance: A Case of Croatian Cities,” *Harvatska I Komparativna Javna Uprava* 15, no. 2 (2015): 420, <https://doi.org/10.31297/hkju>.

¹² See Jane Mansbridge, “A ‘Selection Model’ of Political Representation,” *The Journal of Political Philosophy* 17, no.4 (2009): 386, <https://doi.org/10.1111/j.1467-9760.2009.00337.x>.

¹³ João César das Neves and Antonino Vaccaro, “Corporate Transparency: A Perspective from Thomas Aquinas’ *Summa Theologiae*,” *Journal of Business Ethics* 113 (2013): 641, <https://doi.org/10.1007/s10551-013-1682-6>.

¹⁴ *Ibid.*, 621-624; for his source, see also St. Thomas Aquinas, *Summa Theologiae*, I-II q. 18, and CCC (*Catechism of the Catholic Church*) #1755.

and considers different perspectives to solve problems. In addition, through the virtues of prudence and justice, Thomistic thought offers how to maintain a balance between two radical poles: complete secrecy and unrestricted disclosure ; the virtue of prudence goes beyond mere rule-based transparency, while the virtue of justice ensures that information disclosure is proportionate to what justice requires.¹⁵ Moreover, in the light of Catholic Social Teaching, this second kind of transparency does not seek any economic profit through information disclosure.¹⁶ Transparency interpreted through Catholic Social Teaching emphasizes the respect for the dignity of the human person, envisages solutions and problems from multi-dimensional approaches, and engages in a dialogical interaction.¹⁷ Given its foundation in a religious context (i.e., the Catholic tradition), this type of transparency is guided by religious and spiritual principles. Table 1.1 shows the conceptualization between static transparency and dynamic transparency.

¹⁵ Ibid., 644-645.

¹⁶ See Antonino Vaccaro and Alejo José G. Sison, “Transparency in Business: The Perspective of Catholic Social Teaching and the ‘Caritas in Veritate.’” *Journal of Business Ethics* 100 (2011): 20-24, <https://doi.org/10.1007/s10551-011-1184-3>; Benedict XVI, “*Caritas In Veritate*: Encyclical Letter on Integral Human Development in Charity and Truth,” June 29, 2009, http://www.vatican.va/content/benedict-xvi/en/encyclicals/documents/hf_ben-xvi_enc_2009_0629_caritas-in-veritate.html; Antonino Vaccaro and Alejo José G. Sison, “Transparency in Business,” 24-25.

¹⁷ See João César das Neves and Antonino Vaccaro, “Corporate Transparency,” 644-645; Antonino Vaccaro and Alejo José G. Sison, “Transparency in Business,” 20-24.

Table 1.1

Conceptualization between Static Transparency and Dynamic Transparency		
No.	Static Transparency	Dynamic Transparency
1.	Centers on legal standards	Centers on the dignity of a human person
2.	Linear approach (fixed rules and regulations)	Dialogical approach (listening, responsiveness, two-way communication, participation)
3.	Comprehensibility (easy to understand because of fixed regulations, more related to simplicity)	Seeing (trying to understand a situation from different perspectives, more related to complexity)
4.	Provision and Disclosure of Information	Human Interaction
5.	Reason alone	Reason alongside Spirituality and Religion
6.	Minimum requirement for justice (e.g., to combat corruption)	Beyond justice (e.g., seeing the demand of transparency in proportion to the value of the dignity of all persons involved)

The two dimensions of transparency from the perspective of media studies

To gain a comprehensive understanding of static transparency, we can examine its characteristics within the context of digital media through the lens of related concepts such as accountability, trust, freedom of speech, power, and authenticity. In this regard, we will focus on information disclosure, the most significant characteristic of static transparency, to interpret static transparency through these related terms. In the context of the digital online media, information disclosure can encourage the proper use of free expression,¹⁸ guarantee accountability,¹⁹ preserve a balance of power,²⁰ establish

¹⁸ Using the internet technology, people can raise their voice against injustice. See Qiongyou Pu and Stephen J. Scanlan, "COMMUNICATING INJUSTICE?: Framing and Online Protest Against Chinese Government Land Expropriation," *Information, Communication & Society* 15, no. 4 (2012): 572–90, <https://doi.org/10.1080/1369118x.2012.665937>.

¹⁹ The Fifth Estate, which means the role of ordinary media users, can hold a government accountable for their action. See William H. Dutton and Elizabeth Dubois, "The Fifth Estate: a rising force of pluralistic accountability," in *Handbook of Digital Politics*, ed. Stephen Coleman and Deen Freelon (Cheltenham: Edward Elgar Publishing, 2015), 53.

²⁰ The internet has the potential to foster a power equilibrium between entrenched governmental authority and grassroots movements. See Christian Fuchs, "Anonymous: Hacktivism and Contemporary Politics," in *Social Media, Politics and the State: Protests, Revolutions, Riots, Crime and Policing in the Age of Facebook, Twitter and YouTube*, ed. Daniel Trottier and Christian Fuchs (New York: Routledge, 2015), 89.

trust,²¹ and cultivate authenticity.²² However, in such context, information disclosure, the most significant property of static transparency, has been proven to cause privacy breaches,²³ obstruct accountability,²⁴ increase distrust,²⁵ trigger power abuse,²⁶ give rise to the abuse of

²¹ People have trust in the government if they are satisfied with the information provided on the government's website. See Eric W. Welch, Charles C. Hinnant, and M. Jae Moon, "Linking Citizen Satisfaction with E-Government and Trust in Government," *Journal of Public Administration Research and Theory* 15, no.3 (July 2005): 387, <https://www.jstor.org/stable/3525668>.

²² According to Charles Taylor, relationships with others play a crucial role in forming one's authenticity. See Charles Taylor, *The Ethics of Authenticity* (Cambridge: Harvard University Press, 1991), 43-53. In this regard, in the digital age, in contrast to professionalism, an amateur vlogger's authentic performance can be recognized by the audience. It means the role of the audience plays a crucial role in establishing an amateur vlogger's authenticity. See Meredith Salisbury and Jefferson D. Pooley, "The #nofilter Self: The Contest for Authenticity among Social Networking Sites, 2002-2016," *Social Sciences* 6, no.1 (2017): 3, <https://doi.org/10.3390/socsci6010010>.

²³ See Richard Spinello, "The Right to Privacy in the Age of Digital Technology," in *Privacy in a Digital, Networked World: Technologies, Implications and Solutions*, eds. Sherali Zeadally and Mohamad Badra (Cham, Switzerland: Springer, 2015), 293.

²⁴ A lack of proper gatekeeping can undermine accountability practices on digital platforms. See Bhanu Bhakta Acharya, "Media Accountability on Digital Platforms: The Role of Audience," *Amity Journal of Media & Communication Studies* 5, no. 1-2 (2015): 86-87.

²⁵ A news media's disclosure of errors in their Internet reports cannot remedy their users' trust because users have a very high expectation of the truthfulness of online news media. See Michael Karlsson, Christer Clerwall, and Lars Nord, "Do Not Stand Corrected: Transparency and Users' Attitudes to Inaccurate News and Corrections in Online Journalism," *Journalism and Mass Communication Quarterly* 94, no. 1 (03, 2017): 148-167. doi:<http://dx.doi.org.kuleuven.ezproxy.kuleuven.be/10.1177/1077699016654680>.

²⁶ If those who are in a position of higher power use technology and focus only on information disclosure to monitor or put others under surveillance, they will become authoritarian dictators. In this regard, we need to pay "attention to more fluid workings of power,"

free expression,²⁷ and deviate from the fundamental concept of authenticity.²⁸ This paradoxical condition of static transparency requires another dimension of transparency so that a holistic and value-oriented transparency is reached, i.e. is dynamic transparency.

This second dimension of transparency has specific characteristics when examined through the lens of digital media. It considers contextual and proportional factors. According to empirical research, depending on a country's contextual factors, a government's or company's accountability and transparency can be enhanced not merely by means of digital technology but also by human interaction and dialogue.²⁹ However, in the digital age,

which can be brought about by the logic of “*regularizing control*,” according to which emphasis is placed on the “conditions and subjectivities produced by transparency” and transparency can be practiced in a more “communicative and discursive” way. See Mikkel Flyverbom, Lars Thøger Christensen, and Hans Krause Hansen, “The Transparency–Power Nexus: Observational and Regularizing Control,” *Management Communication Quarterly* 29, no. 3 (2015): 387 and 392, <https://doi.org/10.1177/0893318915593116>.

²⁷ Freedom of expression should be limited for several reasons, including the protection of individuals' reputations and privacy, and the prevention of offensive speech that could incite violence. See András Koltay, *New Media and Freedom of Expression: Rethinking the Constitutional Foundations of the Public Sphere* (Oxford: Hart Publishing, 2019), 29-43, <http://dx.doi.org/10.5040/9781509916511.ch-001>.

²⁸ According to Charles Taylor, authenticity means not only the realization of one's own humanity but also incorporating outside influences on the individual. See Charles Taylor, *A Secular Age* (Cambridge: Belknap Press of Harvard University Press, 2007), 475; Charles Taylor, *The Ethics of Authenticity* (Cambridge: Harvard University Press, 1991), 41. However, in the digital age, the meaning of authenticity can vary depending on the definitions used by different social media platforms: for Facebook, authenticity means using “real names”; for Twitter, making “real-time updates.” See Meredith Salisbury and Jefferson D. Pooley, “The #nofilter Self,” 9-17.

²⁹ See Wilson Wong, and Eric Welch, “Does E-Government Promote Accountability? A Comparative Analysis of Website

there is “a tension” between the promotion of transparency and the concern for privacy.³⁰ This shows that information disclosure does not always guarantee the well-being of society and indicates the necessity of the principle of proportionality, highlighting the importance of dynamic transparency. Moreover, it is almost impossible to achieve an ideal state of transparency.³¹ For instance, Facebook’s business model depends on revealing their users’ information, and their transparency ideal is confronted with suspicion.³² In this regard, we should view transparency not as an end in itself, but as an ongoing process.³³ Holistic transparency, an ideal which is difficult to achieve, should be understood in symbolic or metaphorical terms, it should be regarded as something that strengthens safety, reliability, and respectful human relationships, and as an

Openness and Government Accountability,” *Governance (Oxford)* 17, no. 2 (2004): 278, 279, and 283, <https://doi-org.kuleuven.ezproxy.kuleuven.be/10.1111/j.1468-0491.2004.00246.x>.

³⁰ See Mikkel Flyverbom, *The Digital Prism: Transparency and Managed Visibilities in a Datafied World* (New York: Cambridge University Press, 2019), 6.

³¹ Karl-Heinz Nassmacher, ‘Monitoring, control and enforcement of political finance regulation,’ in *Funding of Political Parties and Election Campaigns: Handbook Series*, ed. R. Austin and M. Tjernstrom (Stockholm: IDEA, 2003), 139; Jan Teurlings, and Markus Stauff, “Introduction: The Transparency Issue,” *Cultural Studies, Critical Methodologies* 14, no. 1 (2014): 4, <https://doi-org.kuleuven.ezproxy.kuleuven.be/10.1177%2F1532708613519184>.

³² See José Marichal, *Facebook Democracy: The Architecture of Disclosure and the Threat to Public Life* (London: Routledge, 2012), 7; Frederik Stjernfelt & Anne Mette Lauritzen, *Your Post Has Been Removed: Tech Giants and Freedom of Speech* (København, Denmark: Springer, 2020), 59–60.

³³ Hans Krause Hansen, Lars Thøger Christensen, and Mikkel Flyverbom, “Introduction: Logics of transparency in late modernity: Paradoxes, mediation and governance,” *European Journal of Social Theory* 18, no.2 (2015): 121, <https://journals.sagepub.com/doi/10.1177/1368431014555254>

ideal toward which the Church and society at large should always strive.³⁴ Viewing transparency as a symbol necessitates the second dimension referred to as dynamic transparency.

McLuhan and the two dimensions of transparency

Marshall McLuhan (1911-1980) was a Canadian media theorist. Although his ideas were initially unwelcomed by scholars and cultural icons,³⁵ they have gained significant relevance in the digital media age.³⁶ In this research, we will see how his ideas can be used as interpretive tools to distinguish the two dimensions of transparency in the context of the digital media.

McLuhan's idea of "figure" and "ground" can explicate the two dimensions. He writes, "Communication theory for any *figure* requires the inclusion of the *ground* for that figure and the study of the interplay between the *figure* and its *ground*."³⁷ According to his theory, while the

³⁴ Individuals convey meanings through the digital environment, which can be perceived as a symbolic realm. See Manuel Castells, *Communication Power* (Oxford: Oxford University Press, 2013), Xix; In this regard, achieving the ideal of transparency in the digital age, an aspiration since the Enlightenment, remains difficult; therefore, it is better to view the ideal of transparency in a more symbolic manner. See Lars Thøger Christensen and Joep Cornelissen, "Organizational Transparency as Myth and Metaphor," *European Journal of Social Theory* 18, no. 2 (2015): 132-49. <https://doi-org.kuleuven.ezproxy.kuleuven.be/10.1177%2F1368431014555256>.

³⁵ Paul Levinson, *Digital McLuhan: A Guide to the Information Millennium* (London: Routledge, 1999), 3.

³⁶ See Paul Levinson, *McLuhan in an Age of Social Media* (n.p.: Connected Editions, 2016), 1; Janine Marchessault, *Marshall McLuhan: Cosmic Media*, xv.

³⁷ Marshall McLuhan, *Letters of Marshall McLuhan*, selected and edited by Matie Molinaro, Corinne McLuhan, and William Teye (Toronto: Oxford University Press, 1987), 467.

medium is the ground and invisible to human eyes, the content is visible.³⁸ The figure, which is the content, is only visible in relation to the ground, which is the medium. Applied to the topic of this paper, the disclosure of information, a characteristic of static transparency, should be balanced with other opposing values such as privacy, secrecy, and confidentiality. On a continuum between full disclosure and complete secrecy, transparency becomes the visible figure with secrecy as the invisible ground. In this way, we manage the dynamics of transparency through the principle of proportionality.³⁹ In light of McLuhan's "figure" and "ground" theory, we can conceive of the degrees of the two dimensions of transparency.

McLuhan's four laws of media⁴⁰ can help to understand the relation between the two dimensions of transparency. McLuhan argued that whenever a new medium is introduced, it produces four effects. First, the new medium enhances an existing one, according to his first law of media. For example, the internet enhances our physical communication. Through the internet, we can communicate with each other across geographical boundaries. According to the second principle, new advancements cause old media to become obsolete or outdated. The old medium becomes no longer useful. For example, with the rise of online communication through the internet, people are increasingly ignoring postal letters. However, the third principle states that outdated

³⁸ See Robert K. Logan, "Figure/Ground: Cracking the Medium Code," *E-Compós* 14, no.3 (2014), 2, <https://doi.org/10.30962/ec.709>.

³⁹ See Mikkel Flyverbom, *The Digital Prism*, 18; Clare Birchall, "Introduction to 'Secrecy and Transparency,'" *Theory, Culture & Society* 28, no. 7-8 (2011): 12, <https://doi-org.kuleuven.ezproxy.kuleuven.be/10.1177%2F0263276411427744>

⁴⁰ See Marshall McLuhan and Eric McLuhan, *Laws of Media: The New Science* (Toronto: University of Toronto Press, 1988), 98, 99, and 129.

media are transformed or retrieved into new forms. For example, older forms of in-person interactions become face-to-face online communication. The fourth principle states that when a new medium reaches its extreme form, it can reverse into its opposite. For example, the internet which in theory connects the whole world becomes a (siloe) “global village”, as coined by McLuhan. These four principles of media should be understood as general patterns in the development of media.⁴¹

These four principles can serve as a navigational tool to analyse the implications of the two dimensions of transparency. Transparency can enhance the fight against corruption by disclosing wrongdoings. However, when it obscures or pushes back contextual and proportional considerations, it can take on the form of totalitarianism in the advancement of surveillance technology.⁴² Thus, the benefit is reversed, transparency becoming an excuse for invading another’s personal privacy. Transparency can be either medicine or poison.⁴³ Information disclosure does not always guarantee wellbeing and, thus, this necessitates another dimension of transparency. In this way, McLuhan’s laws of media can help to understand better the respective importance of the two dimensions of transparency.

After exploring the two dimensions of transparency from the perspective of media studies, we can summarize them as follows. Static transparency can be regarded as

⁴¹ Robert K. Logan, *Understanding New Media: Extending Marshall McLuhan* (New York: Peter Lang, 2016), 453.

⁴² If a government focuses solely on monitoring the activities of its citizens without respecting their privacy, it risks transforming into a dictatorship. See Clare Birchall, “Introduction to ‘Secrecy and Transparency,’” 12 and 15.

⁴³ Yehezkel Dror, “Transparency and Openness of Quality Democracy,” in *Openness and Transparency in Governance: Challenges and Opportunities*, ed. Michael Kelly (Bratislava: NISPAcee, 2000), 62.

the material aspect of transparency, while dynamic transparency represents its spiritual aspect. The most significant characteristic of static transparency is the provision and disclosure of information. In addition, static transparency emphasizes legal standards, policies, and procedures, adopting a zero-sum and straightforward approach to combating corruption. It operates based on facts, information, and data. Given these characteristics, we can conclude that static transparency is fundamentally a material aspect of transparency. On the other hand, dynamic transparency embodies the spiritual character of transparency. It is fluid, multidimensional, communicative, and dialogical. Rather than focusing on systems and structures, it prioritizes the human element. It conveys symbolic meanings and considers contextual and proportional factors.

Overemphasizing a single dimension of transparency will not provide the complete picture of reality. As we have seen, information disclosure, a characteristic of static transparency, does not always guarantee the expected outcome. By applying the principle of proportionality, the value of privacy needs to be considered in relation to transparency. On the other hand, taking the dialogical approach of dynamic transparency, there is a risk that – in the name of spirituality (e.g. forgiveness, mercy) – sometimes the attitude towards offenders becomes too lenient. In such a situation, a more stringent form of transparency is needed. Applying legal standards and policy guidelines aims at achieving justice by taking the straightforward approach of static transparency. In the following section, we will examine the necessity and drawbacks of the two dimensions of transparency in addressing CSA.

The two dimensions of transparency in addressing CSA

Having identified the characteristics of the two dimensions of transparency, we will now explore their patterns in relevant literature on CSA to determine the necessity and drawbacks of each dimension in addressing CSA. First, it will be demonstrated why the characteristics of static transparency are necessary, supporting the appropriate use of the material aspect of transparency. Secondly, this study will highlight the potential drawbacks of static transparency, identifying the misuse of the material aspect of transparency. Thirdly, it will be examined why the characteristics of dynamic transparency are necessary, endorsing the spiritual aspect of transparency. Fourthly, the drawbacks of dynamic transparency will be pointed out, indicating the misuse of the spiritual aspect of transparency.

The necessity of static transparency: proper use of material aspect

During the 2019 Vatican summit on the protection of minors, in his speech *Transparency as a community of believers*, Cardinal Reinhard Marx explained why procedures, policies, administrations, and legal standards are necessary for the mission of the Church.⁴⁴ Based on *Lumen Gentium* (nos.1 and 8), he continued, “...the actions of the Church in this world cannot be strictly and solely spiritual. Neglecting the worldly aspects of the Church and its own laws, does not do justice to the reality of the Church.”⁴⁵ Administrative

⁴⁴ See Reinhard Marx, “Transparency as a community of believers.”

⁴⁵ Ibid.

procedures and policies are required because the Church encompasses both spiritual and material dimensions. These procedures and policies represent static transparency, which is the material aspect of transparency in addressing cases of CSA.

Due to the revelation of abuses in the 1980s and 1990s, bishops in the USA realized the need to establish safeguarding policies against abuse.⁴⁶ The revelation of these cases was a significant force driving bishops to take necessary measures. More significantly, the publication of CSA cases in the *Boston Globe* helped people understand that the issue was not just about “a few sinful clerics.”⁴⁷ This publication can be seen as an enlightening factor, helping people overcome the wrongful excuses given in the name of spirituality. Thus, we can say that information disclosure, a characteristic of static transparency, can help church leaders understand and acknowledge the magnitude of the abuse crisis.

Similarly, Poland provides a noteworthy example of the disclosure of CSA cases on digital platforms, which had a profound impact on Polish bishops, leading them to acknowledge the seriousness of CSA in the local context. On May 11, 2019, on the YouTube digital platform, the Sekielski brothers released the documentary *Tell No One*, which included stories of sexual abuses by clergy members, and cover-ups and denials of some of these abuses by Church authorities.⁴⁸ Within a short time, this documentary had reached more than 20 million

⁴⁶ Patrick M. O'Brien, “Transparency as a means to rebuild trust within the Church,” 459.

⁴⁷ Ibid., 460.

⁴⁸ Paulina Guzik, “An Unfinished Story of Conversion: Clerical Sexual Abuse in Poland: A Communications Case Study on Betrayal, Healing and Trust Recovery,” *Church, communication and culture* 5, no. 3 (2020): 435, <https://doi.org/10.1080/23753234.2020.1827963>.

viewers.⁴⁹ Shortly after the release of the documentary, the Polish Bishops' Conference "was forced to publicly admit, for the first time, that there is an ongoing crisis."⁵⁰ More importantly, because of the online publication of *Tell No One*, people came to realize the urgency of "protecting minors and taking care of victims of sexual abuse by the clergy."⁵¹ In this case, the disclosure of information, a characteristic of static transparency, has served as a driving force for church leaders to acknowledge the reality of the crisis and for people to recognize the urgency of protecting minors.

In the context of Australia, an empirical study published in 2015 revealed that the Church has two faces in responding to CSA cases: while it appears to comply with the public law, it denies responsibility to report to civil authorities.⁵² The Church seems indecisive and hesitant in addressing the problem. Thus, the paper proposes updating legal standards and reviewing the mandatory reporting system to effectively safeguard the wellbeing of children.⁵³ This research demonstrates the urgency of updating legal standards and reporting systems when expressions of spiritual power, appears to be an instrument enabling abuses. Counter-reactions through legal standards and procedural reforms may emerge whenever spiritual power enables abuse. In other words, the material aspect of transparency can become

⁴⁹ See Sekielski, "Tell No One," May 11, 2019, <https://www.youtube.com/watch?v=BrUvQ3W3nV4>.

⁵⁰ Paulina Guzik, "An Unfinished Story of Conversion," 418.

⁵¹ *Ibid.*, 440.

⁵² Michael Andre Guerzoni and Hannah Graham, "Catholic Church Responses to Clergy-Child Sexual Abuse and Mandatory Reporting Exemptions in Victoria, Australia: A Discursive Critique," *International Journal for Crime, Justice and Social Democracy* 4, no.4 (2015): 69, <https://doi.org/10.5204/ijcjsd.v4i4.205>.

⁵³ *Ibid.*, 69-70.

most relevant in response to seemingly unreasonable spiritual practices.

Drawbacks of static transparency: misuse of the material aspect

Cardinal Reinhard Marx also warns that administrative procedures and policies can be misused when these procedures and policies become ends in themselves, forgetting the higher goal of serving people.⁵⁴ Some church leaders have used their ecclesiastical power to cover up abuse cases. Susan Mulheron, Chancellor for Canonical Affairs in the Archdiocese of Saint Paul and Minneapolis, points out examples of the misuse of ecclesiastical power at the expense of CSA victims, such as the inability to enforce canonical punishment for abusers, undue protection of the reputation of individuals and institutions, and maintaining secrecy.⁵⁵ When canonical procedures and policies fail to serve the victims, they become merely tools to protect the institution's reputation. Similarly, Hans Zollner points out that survivors of abuse can be marginalized by the institutional church when it becomes self-protective rather than supportive; this can occur through the Church's bureaucratic administration, legal procedures, and delayed processes.⁵⁶ Legal standards, procedures, and policies are characteristics of static transparency, representing the material aspect of transparency.

⁵⁴ Reinhard Marx, "Transparency as a community of believers,"

⁵⁵ Susan Mulheron, "An Overview of Issues, Challenges, and Canon Law," in *Clerical Sexual Misconduct: An Interdisciplinary Analysis*, ed. Jane F. Adolphe and Ronald J. Rychlak (Providence, Rhode Island: Cluny Media, 2020), 159.

⁵⁶ Hans Zollner, "Safeguarding Minors: Challenges and Perspectives," in *Safeguarding: Reflecting on Child Abuse, Theology and Care*, eds. Karlijn Demasure, Katharina A. Fuchs, and Hans Zollner (Leuven: Peeters, 2018), 225.

Misusing the material aspect of transparency can occur when legal standards and procedures become ends in themselves, rather than means to protect victims and survivors.

In her analysis of the contexts of the US and Ireland regarding codes of conduct for Church personnel, Angela Senander, Professor of Theology, observes that the Catholic Church in the US has learned from corporate business models to establish a culture of accountability and transparency in the wake of the CSA crisis; in contrast, the Church in Ireland emphasizes values in its safeguarding policy and is less legalistic.⁵⁷ In this regard, she cautions that merely copying these codes of conduct from business models could overlook the importance of the Church's mission and lead Church leaders to "complacency" in addressing the abuse crisis.⁵⁸ In other words, Church leaders might develop a sense of self-satisfaction, believing that simply having codes of conduct and legal standards in place is sufficient. Therefore, Senander proposes codes of conduct based on Gospel values, particularly the meaning of mindfulness inspired by Christian tradition, to combat complacency.⁵⁹ Similarly, Douglas Hugh Russell et al. observe that even though safeguarding policies, guidelines, and procedural standards have been established in the Catholic Church, it is unclear how capable church leaders are of implementing these policies and guidelines.⁶⁰ It seems

⁵⁷ Angela Senander, "Beyond Scandal: Creating a Culture of Accountability in the Catholic Church," *Journal of Business Ethics* 146 (2017): 860-863, <https://doi.org/10.1007/s10551-016-3217-4>.

⁵⁸ Ibid., 862 and 864.

⁵⁹ Ibid., 866.

⁶⁰ Douglas Hugh Russell, Daryl John Higgins, Lottie Harris, Angela Rinaldi, Marcus Pound, and Hans Zollner, "The safeguarding capability of adults in Catholic Church ministries: A global perspective," *Child Abuse & Neglect* 153 (2024): 3-4, <https://doi.org/10.1016/j.chiabu.2024.106801>.

necessary to state that merely having procedural standards and codes of conduct does not guarantee the strong commitment and willingness of Church leaders to implement them, let alone their effective implementation. Standards and codes represent the material aspect of transparency, referred to as static transparency in this research. Without the strong commitment and willingness of Church leaders, these codes and standards will remain ineffective in protecting minors and vulnerable adults. Neglecting one's responsibility to implement procedures and policies is a lack of attending to the material aspect of transparency.

Necessity for dynamic transparency: proper use of the spiritual aspect

To repair broken trust, besides implementing structural reforms and establishing norms, there is also need for a spiritual conversion of heart. In Poland, people's trust in the Catholic Church has decreased due to the recent crisis of clergy sex abuse cases. To regain trust in this context, Paulina Guzik lists five recommendations: initiating proper investigations, holding wrongdoers accountable, seeking justice for victims, making genuine reforms, and practicing transparency.⁶¹ All these measures represent the characteristics of static transparency. In addition to these characteristics, Guzik emphasizes the importance of transformation, particularly the conversion of hearts, as an integral part of the process. The scholar claims, "But again, the starting point should be the conversion of heart and mind to put victims first and fulfill their duties of being good pastors, with the same priorities as

⁶¹ Paulina Guzik, "An Unfinished Story of Conversion," 446-448.

Jesus.”⁶² As discussed above, the religious and spiritual aspect is considered a characteristic of dynamic transparency in this research. We cannot neglect the importance of this spiritual aspect in our mission to safeguard minors and vulnerable adults.

Chile also provides another example of the proper application of the spiritual aspect of transparency. In the context of Chile, regarding Pope Francis’ handling of the case involving Bishop Juan Barros and the cover-up, Austen Ivereigh, claims that the pope himself was ensnared by the complex mechanisms of protocols and norms, making him unable to see Barros’ cover-up crime.⁶³ Later, according to Ivereigh, the Pope recognized two important points: (1) acts of abuse and cover-ups are not only “sins” but also “crimes,” and (2) establishing “judicial mechanisms” is insufficient without understanding that the problem is rooted in “the heart of faith.”⁶⁴ Thus, the biographer claims, “Legal and institutional reform was necessary but inadequate. Only prayer and fasting, and a process of conversion, could purify the Church.”⁶⁵

As shown above, Senander proposes “mindfulness” to overcome the attitude of “complacency,” which can arise from the self-satisfaction of merely having codes of conduct. In particular, the scholar draws insights from Pope Francis’ application of Ignatian spirituality to combat complacency.⁶⁶ By adopting Ignatian spirituality as a method of mindfulness, one can continuously evaluate and reflect on whether established codes of

⁶² Ibid., 448.

⁶³ Austen Ivereigh, *Wounded Shepherd: Pope Francis and His Struggle to Convert the Catholic Church* (Henry Holt and Company, 2019), 106.

⁶⁴ Ibid.

⁶⁵ Ibid., 107.

⁶⁶ Angela Senander, “Beyond Scandal,” 865-866.

conduct, safeguarding policies, and legal standards are being properly implemented. This approach helps us to remain vigilant and proactive, rather than becoming inactive and complacent with the mere existence of codes of conduct and procedural standards. The act of reflection, or mindfulness, can be regarded as a characteristic of dynamic transparency, as it fosters a more robust and in-depth understanding of procedures and policies, helping to overcome complacency. In this way, we can properly make use of the spiritual aspect of transparency.

Drawbacks of dynamic transparency: misuse of the spiritual aspect

One drawback of using dynamic transparency to address the crisis of abuse cases is its potential misuse within the balance between the obligation for disclosure and the need for privacy. Due to the overemphasis of confidentiality, privacy, or secrecy, this delicate balance can be upset, resulting in cover up of abuse cases. Specifically, in dealing with clergy sex abuse cases, the Catholic Church maintained the practice of neglectfulness, hiding, secrecy, and cover up for a very long time, until Pope John Paul II made a first public apology in 1998.⁶⁷ Pope Francis cut down this disproportionate use of secrecy by eliminating the application of the norm of papal secrecy when it comes to cases of CSA.⁶⁸ Considering the proportionality between

⁶⁷ Faisal Rashid and Ian Barron, "The Roman Catholic Church: A Centuries Old History of Awareness of Clerical Child Sexual Abuse (from the First to the 19th Century)," *Journal of Child Sexual Abuse* 27, no. 7 (July 24, 2018): 790, <https://doi.org/10.1080/10538712.2018.1491916>.

⁶⁸ See Giovanni Tridente, "Hans Zollner: 'The Holy See is committed to the safety of minors,'" November 28, 2020, <https://omnesmag.com/en/newsroom/interview-zollner-abuses/>.

disclosure and secrecy is regarded a characteristic of dynamic transparency in this research. Misusing this principle of proportionality can be seen as the misuse of the spiritual aspect of transparency because it involves exploiting religious practices of secrecy to cover up abuses.

In addition, an undue spirit of fraternal concern for perpetrators can lead to covering up abuse cases. This happens when Church leaders and faithful are too lenient or place unreasonable and unjustified emphasis on mercy or forgiveness for perpetrators. Rather than seeking justice for victims, church leaders might mishandle abuse cases by simply transferring perpetrators from one place to another, misinterpreting fraternal concern for the latter as a proper spiritual practice. In this regard, Zollner highlights the danger of misinterpreting “mercy” for perpetrators, which can stem from “a culture of cheap forgiveness” and dangerously promote the “relativization of the harm caused.”⁶⁹ As discussed earlier, a dialogical approach is considered a characteristic of dynamic transparency. However, placing undue emphasis on this dialogical approach can be viewed as a misuse of the spiritual aspect of transparency because it neglects the justice owed to victims, focusing excessively on the spiritual care for perpetrators.

Perceiving the abuse crisis as a contextual factor can be a drawback of dynamic transparency. Sometimes, the issue is viewed as being relevant only to the Western

⁶⁹ Hans Zollner SJ, “The Child at the Center: What Can Theology Say in the Face of the Scandals of Abuse?” *Theological Studies* 80, no. 3 (2019): 695, 699-700, <https://doi-org.kuleuven.e-bronnen.be/10.1177/0040563919856867>.

context.⁷⁰ Reflecting on the crisis of clergy abuses from the perspective of Asia, Cardinal Luis Antonio G. Tagle acknowledged, “When the crisis erupted in the Northern Hemisphere, there was a tendency to think the problem was mainly tied to Western cultures.”⁷¹ In the past, even Pope John Paul II understood it as “an American problem.”⁷² However, the abuse crisis is a global issue.⁷³ As discussed earlier, incorporating contextual factors into transparency practices is a key feature of dynamic transparency. Nonetheless, using these factors as a justification to overlook the abuse crisis within one’s own contexts can constitute a misuse of dynamic transparency.

Conclusion

Drawing inspiration from media studies, particularly the ideas of Canadian media theorist Marshall McLuhan, we can distinguish between two dimensions of transparency in addressing CSA cases. The first dimension, known as static transparency, focuses on the provision and disclosure of information. It adopts a

⁷⁰ See Hans Zollner, “Safeguarding Minors: Challenges and Perspectives,” 226; Shaji George Kochuthara, “Editorial: Crisis in the Church,” *Asian Horizons* 14, no. 2 (June 2020), 285.

⁷¹ Archbishop Luis Antonio G. Tagle, “Clergy Sexual Misconduct: Some Reflections from Asia,” in *Toward Healing and Renewal: The 2012 Symposium on the Sexual Abuse of Minors Held at the Pontifical Gregorian University*, ed. Charles J. Scicluna, Hans Zollner, and David John Ayotte (New York: Paulist Press, 2012), 80.

⁷² Jo Renee Formicola, *Papal Policies on Clerical Sexual Abuse: God Weeps* (New York: Peter Lang), 39.

⁷³ See María-Paz López, “Church communication highlights 2018,” *Church, Communication and Culture* 4, no.1 (2019): 15, <https://doi.org/10.1080/23753234.2019.1565924>; Massimo Faggioli and Mary Catherine O’Reilly-Gindhart, “A New Wave in the Modern History of the Abuse Crisis in the Catholic Church: Literature Overview, 2018–2020,” 160.

straightforward approach to combating corruption, operating at the level of data and facts from a material and instrumentalist perspective. This form of transparency emphasizes tangible elements such as legal procedures, policies, and structural reforms, and thus can be regarded as the material aspect of transparency. On the other hand, there is a second dimension of transparency, which can be regarded as its dynamic aspect. This dimension is fluid, multidimensional, communicative, reflective, spiritual, and dialogical. Beyond mere information disclosure, it considers contextual and proportional factors in its application. Instead of focusing on structures and systems, it prioritizes the personal element, conveying symbolic meanings in our pursuit of the ideal of transparency.

Characteristics of static transparency, such as legal procedures and administrative processes, are necessary in addressing CSA because the Church has both spiritual and material dimensions. Information disclosure, a key feature of static transparency, can enlighten church leaders and individuals to overcome wrongful excuses made in the name of spirituality, acknowledge the magnitude of the abuse crisis, and recognize the urgency of protecting victims. Whenever spiritual power appears to enable abuses, counter-reactions through legal standards and procedural reforms, which are characteristics of static transparency, may emerge. In this way, the material aspect of transparency is essential in addressing CSA. However, this material aspect of transparency can be misused when policies, procedures, and standards become ends in themselves, forgetting to serve the victims and survivors and instead are used primarily to protect institutions. Additionally, church leaders may become complacent without a strong commitment to implementing these policies and procedures.

In a similar vein, characteristics of dynamic transparency, such as spiritual conversion of hearts, the practice of reflection and mindfulness, and reaching out to those most in need are essential in addressing CSA cases. Through these practices, intentions of institutions and individuals are purified to protect victims and to be transparent with them in processes and relationships. That will help to develop a more robust and in-depth understanding of procedures and policies, helping us to overcome complacency. In other words, the spiritual aspect of transparency is essential to complement the material aspect of transparency. However, on the other side, certain possible pitfalls of dynamic transparency, such as an undue focus on dialogue and an overemphasis on contextual and proportional factors, can lead to a cover-up of abuses, neglecting the needs of the victims and obfuscating the truth.

The benchmark for effectively applying the two dimensions of transparency in addressing CSA cases is prioritizing the needs and rightful expectations of victims and survivors. When one focuses on this, characteristics of static transparency such as legal standards, safeguarding policies, and administrative procedures become meaningful. In this context, the material aspect of transparency is essential for protecting minors and vulnerable adults. Similarly, by adopting practices such as reflection, mindfulness, and conversion of heart, it can be ensured that dynamic transparency also becomes crucial for their protection. This approach promotes the proper use of the spiritual aspect of transparency.

Conversely, the two dimensions of transparency can become tools that enable abuse if the needs of victims and survivors are not considered as they should. Thus, the benchmark is how much the Church prioritizes victims and survivors when applying these two dimensions in addressing CSA.

For further research, the two dimensions of transparency should be more thoroughly elaborated in the context of the synodality project. The culture of transparency aligns perfectly with the objectives of synodality. A report titled *A Synodal Church in Mission: Synthesis Report*, issued by the XVI Ordinary General Assembly of the Synod of Bishops (October 4-29, 2023, Vatican City), under the section “The Bishop in Ecclesial Communion,” states, “Integral to a synodal Church is ensuring a culture of transparency and respect for the procedures established for the protection of minors and vulnerable people. It is necessary to develop further structures dedicated to the prevention of abuse.”⁷⁴ This report promotes the synodality project and emphasizes the importance of transparency in terms of structural reforms. This understanding of transparency aligns more with the characteristics and patterns of static transparency. Moreover, the report acknowledges the difficulty a bishop might face in reconciling his two opposing roles as a “father” and a “judge” in applying transparency to address the abuse crisis.⁷⁵ These roles can be seen as representing the two dimensions of transparency. As a judge, a bishop must adopt a straightforward approach to addressing abuses, reflecting the characteristic of static transparency. Conversely, as a father, a bishop may encounter challenges in mediating between a clergy abuser and a victimized faithful, indicating the dynamic aspect of transparency. Future research should investigate how

⁷⁴ XVI Ordinary General Assembly of the Synod of Bishops, *A Synodal Church in Mission: Synthesis Report* (Vatican: General Secretariat of the Synod, 2023), <https://www.synod.va/en/the-synodal-process/phase-2-the-discernment-of-the-pastors/the-first-sessionofthe-XVI-assembly.html>.

⁷⁵ Ibid.

these two dimensions of transparency can be understood within the framework of the synodality project.

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