

## **ROLE AND REPSONSIBILITY OF A FATHER IMMEDIATE IN OUR CURRENT LEGISLATION**

### **Filiation; paternity; the function of Father Immediate as the juridic “form” of filiation**

#### **Monks:**

- Traditionally filiation has its juridic form in the function of the Father Immediate. Paternity and filiation are expressed through mutual assistance and support. (C. 73m).
- When a foundation is raised to an autonomous monastery, the abbot of the founding house automatically becomes its Father Immediate. (St 73A m)

#### **Nuns:**

- Traditionally filiation has its juridic form in the relationship established between a community of nuns and the monastery of monks whose abbot becomes the Father Immediate of the nuns. Paternity and filiation are expressed through mutual assistance and support. (C 73f)
- When a foundation is raised to an autonomous monastery the abbot who assumed the paternity becomes its Father Immediate. (St 73.B f)
- Until autonomy, the Father Immediate of the founding house acts as the Father Immediate of a foundation of nuns. (St Foundations 7)
- The Father Immediate of the founding house is also the Father Immediate of the members of the foundation. However, in the case of a monastery of nuns he can delegate his powers to another superior of the Order, especially if it is foreseen that the foundation will have this other superior as Father Immediate at the moment of autonomy. He consults beforehand with the interested communities (St Foundations 13).
- It belongs to the General Chapter with the consent of the communities involved to approve the appointment of the Father Immediate of each monastery of nuns. (C 74.3 m)

#### **Role of Father Immediate (of nuns) is defined by the General Chapter:**

- The duties and rights of the Father Immediate (of nuns) are given in the proper law of the nuns, subject to the consent of

the General Chapter. (C 74.3 m)

- Changes in the rights and duties of the Father Immediate as defined in these Constitutions are subject to the consent of the General Chapter. (St 74.3.A f)

### **Role (job description) of Father Immediate**

- The Father Immediate is to watch over the progress of his daughter houses. While respecting the autonomy of the daughter house he is to help and support the abbot/abbess in the exercise of his/her pastoral charge and to foster concord in the community. If he notices there a violation of a precept of the Rule or of the Order, he is to try with humility and charity and having consulted the local abbot/abbess, to remedy the situation. (C 74.1, m and f)

### **Regular Visitation**

- Monasteries are visited by the Father Immediate; he delegates this to another person at least once every six years, after the necessary consultations (C. 75.1 m [awaiting confirmation by the Holy See] and f; also Statute on Regular Visitation, n. 7 and 8)
- It belongs to the Father Immediate or to the Visitor of the founding house to extend the Visitation of the latter to the foundation. (Statute on Foundations 13)
- In an affiliated monastery, the regular Visitation is made by the same Visitor who makes the regular Visitation of the affiliating monastery. (*Ad experimentum* text on Affiliation 13)

### **When a visitation is delegated, the Father Immediate is to be kept informed of what happens**

- As far as possible he makes himself available for consultation and advice during the regular visitation when he has delegated his right of visitation. (C 74.3 f)
- A delegated visitor who perceives that the monastery is in a dangerous economic situation must inform the Father Immediate. (St 43.3.A, m and f; also Stat Temp Ad 30.g)
- A delegated visitor who judges that the community needs a change of superior must consults the Father Immediate before informing the superior. (Stat Reg Vis 21 [22?])
- If a delegated visitor in exceptional cases removes an officer, the Father Immediate is informed (Stat Reg Vis 23)
- If a delegated visitor leaves a Visitation open for a limited and definite period of time, the Father Immediate is consulted. (Stat Reg Vis 24)
- A delegated visitor is also to send a copy of the Visitation

Card and of the report to the Abbot General to the Father Immediate (Stat Reg Vis 26; cf St 75.2.C m and f - slightly different version in the latter

### **Change of superior in a daughter house**

- The Father Immediate is always consulted when an abbot/abbess offers their resignation (St 40B m and f; St 74.2.B)

### **Sede vacante**

- for monks, the Father Immediate assumes responsibility for all things (C 39.1 m)
- for nuns, the prioress assumes the governance, but can take important decisions only in grave and urgent situations, when she is bound to listen to the conventual chapter and to the Father Immediate (C 39.1 f, also C 74.2)

### **Abbatial election**

- The Father Immediate ensures that a daughter house that is without an abbot elects a new superior within three months. (C 74.2; not stated explicitly for nuns but applies in fact)
- The Father Immediate presides at the abbatial election by right. (C 39.2 m and f; C 74.2 m and f)
- He (or his delegate) is to promote among the brothers/sisters a spirit of faith and discernment so that they may set a worthy steward (m) / administrator (f) over the household of God. (C. 39.2 m and f)
- If the welfare of the community requires it, the Father Immediate may postpone an election beyond three months and propose that the community pass to the regime of a superior *ad nutum* (St 39.2.B m and f). He names the superior *ad nutum* after following a specific process. (St 39.2.B m and f; C 74.2 m and f)
- In an exceptional situation, the Father Immediate can ask a superior *ad nutum* to delegate the exercise of his right of paternity. (St. 34.1.C monks, also St 74.2.A)
- If the regime of superior *ad nutum* lasts more than three years, the Father Immediate, having first consulted the community, submits the case to the General Chapter (St 39.2.B m and f)
- An abbot is elected by the conventual chapter, acting collegially with the superiors of the daughter-houses (C. 39.2 m only).
- Any brother who has made profession in the Order can be elected abbot, including the abbot of a daughter-house if this is necessary (St 39.3.B m only)

## Consent and Consultation

The Father Immediate must give his **consent**

- When a superior asks the Abbot General to oblige a brother / sister for the sake of peace to transfer temporarily to another monastery (St. 60.B m and f; St 74.1.A m and f)
- For a community to pass from the rank of Simple Priory to that of Major Priory or Abbey, or to pass from Major Priory to Abbey (Stat Foundations 18a)
- He has to **approve** the decision of the conventual chapter of the daughter house concerning which acts of administration require the advice or consent of the conventual chapter or the finance committee (St Temp Ad 27 d)

The Father Immediate is to be **consulted**:

- When a superior gives permission to a monk or nun for a prolonged absence [up to one year] (C. 13.3 m and f, *new texts awaiting approval of the Holy See I*)
- When a superior asks the Abbot General to request the Holy See to impose exclaustation on a monk or nun (C. 62.1.A m and f).
- When a community begins to think seriously about making a foundation (Stat Found 2)
- Before a foundation obtains autonomy [both the Father Immediate of the founding house and the new Father Immediate, when applicable]. (Stat Found 16)
- When an autonomous community transfers to another location. (Stat F 21a)
- When a community establishes an annex house. (Stat F 23)

## General Ongoing Care

- The Father Immediate concerns himself with the quality of the formation given in his daughter houses. (Ratio 66)
- In the course of the regular visitation the Father Immediate (or the designated visitor) examines how formation is being carried out and how the *Ratio Institutionis* is being implemented. (Ratio 66)
- The Father Immediate helps the abbot or abbess of a daughter house in seeking solutions to particular difficulties in formation (Ratio 66)
- If necessary, the Father Immediate refers formation difficulties in a daughter house to the Abbot General (Ratio 66)
- The Father Immediate, as part of his general role of vigilance, will see that the Statute on Temporal Administration is observed

in his daughter houses (Stat Temp Admin 30.e, cf. C.74.1).

- The norms of the Statute on Temporal Administration are to be applied and practiced by each community in agreement with the Father Immediate and according to local culture, circumstances and traditions. (Stat Temp Admin 2)

He is the first instance of appeal and recourse:

- It belongs to the General Chapter to ensure that the members of the Order have the possibility of unimpeded recourse to the various instances of appeal as needed: that is to the Father Immediate, the Abbot General, the General Chapter or the Holy See (St 77.2.B, both)
- In the case of a negative judgment on a book presented for an *imprimi potest*, a monk or a nun can have recourse to the Father Immediate or the Abbot General. (Statute on Publications 9)

He is also a channel through which a brother can submit desires or suggestions to the General Chapter:

- Any brother can submit desires or suggestions to the General Chapter. This is done through his abbot or Father Immediate, through the regional conference or the regional delegate, or even directly through the Abbot General (ST 77.2.A monks, not in the nuns because it was not updated after the single chapter)

### **Foundations:**

As well as the consent and consultations mentioned above,

- the Father Immediate is to be kept abreast of the developments of a foundation of at all stages of the process (Stat Found 4)
- He is to receive a detailed report from the founding abbot/abbess when the situation is judged sufficiently mature to establish a foundation. (Stat Found 7)
- At autonomy of a foundation of nuns, the declaration of autonomy is to be read in his presence by the abbess of the founding house (Stat Found 17 a); likewise for reaching a higher rank (Stat Found 18b)
- He is to inform all the houses of the Order of the autonomy of a foundation and at the same time communicate the news of the election of the new superior. (Stat Found 17d)

**Special Situation:** Removal of an abbot from office, removal from office or suspension of exercise of office of an abbess

For monks:

- If because of an infirmity or other reason (such as imprisonment, banishment or exile - cf. Can 412 CIC) it is impossible either physically or psychologically for an abbot to exercise his pastoral function, it is for the Father Immediate, having consulted experts and obtained the consent of the conventual chapter, to investigate and verify the matter. If the impossibility is evident he immediately informs the Abbot General, who with the consent of his council, can remove the abbot from office. (St 40.B bis m; cf St 37.C m and St 74.2.B m)

For nuns:

- If because of any infirmity, it is impossible either physically or psychologically for an abbess to exercise her pastoral function, it is for the Father Immediate, having consulted experts and obtained the consent of the conventual chapter, to investigate and verify the matter. If the impossibility is evident he immediately informs the Abbot General, who with the consent of his council, can remove the abbess from office.
- If the reason is different, such as imprisonment, banishment or exile (cf. Can 412 CIC), it is for the Father Immediate, with the consent of the conventual chapter, to ask the Abbot General to suspend, with the consent of his council, the abbess from the exercise of her office. The Father Immediate then appoints a superior ad nutum or asks the conventual chapter to choose a temporary superior. (St 40.B bis f; also St 37.C f and St 74.2.B f)

## **General Chapter**

The community writes its House Report for the General Chapter in consultation with the Father Immediate (*Study of the House Reports at the General Chapter*, A.1.1)

At the General Chapter, the Father Immediate must always be consulted by the President of the Commission studying the report of his daughter house. He has the duty to provide pertinent information and the right to be heard, which does not necessarily imply that he participates in the discussions (*Study of the House Reports at the General Chapter*, B.2.1.1, voted Sept 22)

When a Commission of the General Chapter judges that a community requires special pastoral attention, it will always discuss the matter

with the superior concerned and will consult the Father Immediate. If there is need for a specific decision, the Commission first tries to reach an agreement with the local superior, the Father Immediate, and—when appropriate—the Abbot General. (*Study of the House Reports at the General Chapter*, B.2.2.3)

The following-up of the decisions taken by the General Chapter will normally be made by the Father Immediate. (*Study of the House Reports at the General Chapter*, B.2.3.3)

All the documents established by the Commissions of the Chapter will be presented to the persons who are concerned - Superior, Father Immediate - as well as to the Abbot General, before being presented in Plenary Session. (*Study of the House Reports at the General Chapter*, B.2.8)

### **Solemn professions**

The Father Immediate presides at the solemn professions of nuns (C. 74.3 f).

“in the presence of the Father Immediate” is mentioned in the formula of solemn profession of nuns (C. 57 nuns)

### **Chaplain of nuns**

In accordance with the norms of cann. 567 and 630 CIC, the Father Immediate, having consulted the abbess and the nuns, should propose to the local Ordinary as chaplain and ordinary confessor, a monk of the Order who has the necessary liturgical and pastoral knowledge. C 76.1 monks, cf 76.1 nuns

### **Fragile Communities**

A community in a situation of grave fragility deserves the special attention of the Father Immediate (67.1, both)

A fragile community should ask for and accept help from the Father Immediate, *inter alia* (SFR Comm 4)

In a situation of increasing fragility in his daughter house, the Father Immediate must have the courage to help the superior and the community to face this reality. The regular visitation is the most suitable instrument for this purpose (SFRC 5; S Reg V 15).

If the situation of fragility persists, the Father Immediate will bring the situation to the particular attention of the General

Document extrait du [site de l'abbaye Notre-Dame de Scourmont](#), qui se trouve sur le territoire de Forges, à sept kilomètres au sud de la ville de Chimay, en Belgique. Notre-Dame de Scourmont est une abbaye de l'Ordre Cistercien de la Stricte Observance.

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Chapter. (SFR C 8)

“When after consulting the abbots of the region” (St 79.B monks) if the Father Immediate judges that the community can no longer form new aspirants, he requests the General Chapter to suspend its right to receive aspirants (ST 79B. ST FR C 8).

The Father Immediate is a member of the Commission for the Future established by the General Chapter under par. 9 of the ST Fr C.

In an especially grave situation, the General Chapter may suspend the exercise of autonomy of a community and authorize the Father Immediate to appoint a monastic commissary in accordance with par. 10 of the Statute on Fragile Communities (C 34bis); St Fr C 10

The monastic commissary reports regularly to the Father Immediate (ST Fr C 10).

In some exceptional or urgent cases, Father Immediate can be appointed as Monastic Commissary (St Fr C 10).

If the community whose exercise of autonomy is suspended has daughter houses, the Father Immediate, in consultation with the daughter houses, decides how the exercise of paternity will be carried out (St Fr C 14).

If the situation of the community improves, the Father Immediate can advise the General Chapter that the suspension of the exercise of autonomy can be lifted. The General Chapter enquires into the matter and judges... (St Frag C 15)

When the community has reached the awareness that it must be closed, the Father Immediate invites the conventual chapter to express its acceptance of this reality through a vote which requires an absolute majority. St Fr C Par 19

If a fragile community wishes to become affiliated to another community, the Father Immediate may request this special form of assistance (St Affil 2)

As long as a community is affiliated to another, the functions of Father Immediate of the affiliated house are assumed by the same person who is Father Immediate of the affiliating monastery (St Affil 13)

To consider the suppression of a monastery, the General Chapter requires a written report from the Father Immediate and the Monastic



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Commissary together with their opinions on the matter Par 20

### **Cîteaux**

The Abbot General acts in every way as a Father Immediate to the Community of Cîteaux. (St 82.2.E monks)