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# SAINT JOSEPH'S DISCALCED CARMELITE MONASTERY

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April 18, 2019

Dear Brothers and Sisters in Christ,

May this letter find you at the end of a fruitful Lenten journey as we enter the holiest time of the year.

The purpose of this letter is to provide background for those concerned about persistent rumors that we are closing our institute to visitors, as well as reassurance to the faithful who visit us seeking spiritual direction and sacraments.

In early March, the Diocese of St. Augustine authored a statement concerning our monastery's relationship with the faithful, and delivered it to me for publishing in both our bulletin and websites.

This statement, which was also provided to several groups of faithful in our diocese, reads as follows:

*A note to our visitors at the Carmelite House of Prayer Oratory,  
This Oratory is permitted by the Ordinary of Diocese for the witness of  
consecrated life of our Carmelite Religious community, which includes vowed-  
clergy and secular-members of the Carmelite Order.  
Our visitors should know that our Oratory is not a parish. Churches are erected  
by the bishop of a Diocese to provide for the divine worship, sacraments, and  
liturgical needs of the faithful. Whereas the faithful have the right of entry into a  
proper parish church; they do not have the same right of entry to an Oratory. A  
religious Oratory is meant to be used for the internal life of the members of the  
religious community.  
Some have asked whether funerals may be permitted in the Oratory of our  
House of Prayer. They cannot. Church law is clear that the funeral of a deceased  
member of the faithful must be celebrated in his or her own parish church.  
St Mary Parish is the church that is erected in the Diocese of St Augustine to  
provide the Mass, sacraments, and to serve the needs of the faithful living or  
visiting in the area of Korona and Bunnell. Any questions are appropriately  
addressed to the pastor of St Mary Parish.*

Because I am not an expert in the rules and regulations concerning religious houses in canon law, I asked our monastery's canon lawyer and procurator to analyze this statement. I also requested a review of all documents relating to the canonical establishment and current status of our monastery.

Our monastery's canon lawyer, Dr. Philippe Yates, JCD, studied for his license in canon law at St. Paul University, Ottawa. He was subsequently awarded a doctorate in canon law *summa cum laude* by the Antonianum Pontifical University in Rome. Dr. Yates has practiced canon law since 2001, and currently teaches at both Holy Apostles College and

Seminary in Cromwell, CT and Christ the King Seminary in Buffalo, NY. He also serves as an advocate at the Tribunal of the Diocese of Buffalo and consultor for the St. Joseph Foundation.

Included in the assessment of Dr. Yates are corresponding references to canon law that are available on the website of The Holy See (w2.vatican.va).

Once again, this analysis is intended to clarify the character and proper purpose of our institute, the nature of our apostolate, and our relationships within the Diocese of St. Augustine.

Yours in Christ,

*Fr. Artur Chojda OCD*

Father Artur Chojda OCD, Superior

**Canonical Questions and Answers  
about Saint Joseph's Discalced Carmelite Monastery**  
by Dr. Philippe Yates, JCD

**Introduction**

In His providence, Christ has provided his church with a body of law, known as canon law, to govern the rights and relationships of members of the Church. The law of the Catholic Church in the West is laid out in the Code of Canon Law, promulgated by Pope St. John-Paul II in 1983. In this code, canons deal with the role of religious such as the Discalced Carmelite friars and the status of their monasteries and churches. This brief fact sheet explains some of these rights and responsibilities.

**Why is the Carmelite House in Bunnell called a “monastery”?**

On April 1, 1987, Bishop John J. Snyder of the Diocese of St. Augustine gave the Discalced Carmelite friars permission to establish a House of Prayer on property they owned in Bunnell, FL. The friars celebrated the first Mass at their House on July 16, 1988, the Solemnity of Our Lady of Mount Carmel. On January 20, 1993, Bishop Snyder gave permission for this house to be erected as a permanent house of the Order of Discalced Carmelites (c. 609 §1). Discalced Carmelites call such permanent houses “monasteries” and since then the friars have referred to their house as a monastery.

**What are the vocations of the Discalced Carmelite friars?**

The Holy Spirit has endowed the Church with different types of religious brothers and sisters to meet different needs. Discalced Carmelites are mendicants, meaning they are active religious who seek to pass on to others the fruits of their contemplation.

St. Thomas Aquinas, himself a Dominican mendicant friar, defined this essence of the mendicant life as “*contemplata aliis tradere.*” Mendicants, and Discalced Carmelites in particular, do not live secreted from the world. For this reason the Discalced Carmelite friars in Bunnell have always responded to their vocation to share their Carmelite spirituality with the faithful who are interested in it. This makes available to the faithful insights of such spiritual giants as St. Theresa of Avila, St. John of the Cross, and St. Theresa of Lisieux.

### **What is the status of Our Lady of Mount Carmel Chapel, which is attached to Saint Joseph’s monastery?**

The Discalced Carmelite Order is an exempt clerical religious order of pontifical right, therefore the friars have the right to build a church attached to their house (c. 611 §3). Canon law requires the friars to get the permission of the diocesan bishop to build their church in a “certain and determined place”, which they did. Bishop Snyder gave his consent on February 12, 1993 (c. 1215 §3), and he blessed the church on February 2, 1995 (c. 1217 §1). So the chapel attached to the monastery is a *church* in canon law, and not an oratory such as might be attached to a community of religious sisters.

### **Who Can Attend Liturgies at the Carmelite Monastery’s Church?**

A church is defined as “a sacred building designated for divine worship to which the faithful have the right of entry for the exercise, especially the public exercise, of divine worship” (c. 1214). So anyone in communion with the Catholic Church has a right to enter the church of the Discalced Carmelite friars and take part in its services. Entry into a church must be free and gratuitous at the time of sacred celebrations (c. 1221).

### **What Sacraments can be Celebrated at the Church?**

All acts of divine worship can be performed in a church which has been blessed (c. 1219). The friars have the right to celebrate Mass in their church, and if this Mass is on a Sunday, it fulfills the Sunday obligation. Baptisms, weddings, and funerals are usually held in the parish church, but under certain conditions may be celebrated at the monastery church (c. 857 §1, 2, c. 1115). A priest with faculties and permissions from the local diocese or pastor could also celebrate a wedding in the church (c. 1108, 1118). Any Catholic may request that their funeral be conducted at the monastery church, as can the funeral organizer (c. 1177 §2). The local parish keeps records of all these celebrations. Confessions can be heard anywhere for a just cause (c. 964 §3), but the Church expresses a preference that they be heard in churches or oratories, so the monastery church is a proper place to receive the sacrament of penance (c. 964 §1).

### **Are the Discalced Carmelites Subject to the Diocesan Bishop?**

In order to promote the needs of the apostolate and for the common good of the Church, the Supreme Pontiff (Pope) has exempted some religious orders from the governance of local ordinaries (such as diocesan bishops) and subjected them to himself (c. 591). The Order of Discalced Carmelites is one order that has been granted this privilege. Thus

Discalced Carmelite friars are directly subject to the Pope rather than to the diocesan bishop. This limits the authority that the diocesan bishop has over any monastery of Discalced Carmelites in his diocese.

### **What is the Scope of the Friars' Autonomy from the Bishop?**

The papal exemption enjoyed by the Discalced Carmelites reinforces the just autonomy from the diocesan bishop that every religious institute of pontifical right enjoys (c. 586 §1). A bishop cannot interfere in the internal affairs of the monastery, such as when the friars celebrate Mass in their church (including weekdays, Sundays, and Holy Days of Obligation), who they invite to join them for their Masses and which groups they choose to host in their monastery and its church (provided the friars obey the liturgical laws and other laws of the church). Each diocesan bishop rather has the duty to protect and promote the autonomy of the friars and their monastery (c. 586 §2).

### **What Rights does the Bishop have over the Life and Ministry of the Friars?**

As previously discussed, the diocesan bishop must give his consent for the erection of a monastery of Discalced Carmelites (c. 609 §1), and this was given by Bishop Snyder on January 20, 1993. This consent also gave the friars the right to build a church attached to the monastery (c. 611 §3). The friars had to obtain the permission of the diocesan bishop to build their monastery church in a specific location (c. 1215 §3). Bishop Snyder gave this permission on February 12, 1993. A church should be blessed or dedicated, and Bishop Snyder blessed the monastery church on February 2, 1995 (c. 1217 §1). The diocesan bishop has the right to visit the church of the friars and the charitable and other works that the friars undertake in his diocese (c. 397 §1 & 2). If a most serious cause exists, the diocesan bishop can exclude individual friars from his diocese (c. 679). The friars are subject to the bishop's authority in those matters which involve the care of souls, the public exercise of divine worship and other works of the apostolate in the diocese (c. 678 §1). So where the friars are given care of souls (for example when they are appointed as pastors of parishes) or undertake other apostolates such as running schools or hospitals, they are subject to the bishop. However, the diocesan bishop exercises this authority by way of consultation with the Provincial Superior of the friars (c. 678 §3). In law, if a canon requires consultation and that consultation is not undertaken, then any decisions based upon the provisions of that canon are not enforceable (c. 127 §2).

### **What Responsibilities does the Bishop have towards the Friars?**

Local ordinaries such as the diocesan bishop and his vicars have the responsibility to respect the just autonomy of the friars and to encourage the friars in living out their patrimony (c. 586). This patrimony is sometimes called the charism of the friars and it consists of the mind and designs of the founders regarding the nature, purpose, spirit, and character of an institute, which have been sanctioned by competent ecclesiastical authority, and its sound traditions (c. 578). As previously noted, Discalced Carmelites

are mendicants<sup>1</sup> (cf. c. 1265) with a tradition of preaching and ministering to Christ's faithful in word and sacrament, in their churches and in other apostolic works. The diocesan bishop has a responsibility to encourage their exercise of this patrimony.

### **What is the Patrimony of the Order of Discalced Carmelites?**

The Discalced Carmelite patrimony includes celebrating daily Mass (Rule of St. Albert). Their rule tells the friars to take St. Paul the Apostle as their example "God made him preacher and teacher of faith and truth to the nations (cf. 1 Tim 2:7): with him as your leader you cannot go astray." From its earliest days, the Carmelite Order has been entrusted with an apostolic ministry.<sup>2</sup> As their constitutions state, "The very nature of our charism demands that our prayer and our whole religious life be ardently apostolic, and that we put ourselves at the service of the Church and of all mankind. This must be done in such a way that 'our apostolic activity stems from our close union with Christ'. Indeed we must aim at that most fruitful of all apostolates which derives from the 'state of union with God'. It is for this twofold service, contemplative and active, that we share life as brothers in the community. United by the bond of love in fraternal life, we also bear witness to the unity of the Church, faithful in this to our Holy Mother, who wanted her communities to resemble 'the college of Christ'."<sup>3</sup> In summary, the life of a Carmelite friar is one of contemplation and the sharing of the fruits of that contemplation in apostolic ministry. This is the life that the friars have the obligation of living and the diocesan bishop has a responsibility of fostering.

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<sup>1</sup> Innocent IV, QUONIAM UT AIT, 13 June 1245 (Bull. Carm., I, 7), and SACROSANCTA ROMANA ECCLESIA, 2 Aug 1245 (ib. 12-13); Boniface VIII, TENOREM CUIUSDAM CONSTITUTIONIS, 5 May 1298 (ib. 48-49), interpreting UNAM EX CONSTITUTIONIBUS of Gregory IX, 3 Mar 1275 (ib. 34-35); Benedict XII, OMNIS NATURAE HUMANAE, 4 Nov 1335 (ib. 70-71).

<sup>2</sup> Innocent IV, DEVOTIONIS AUGMENTUM, 24 Aug 1254 (Bull. Carm., I,13).

<sup>3</sup> Rule Constitutions and Norms of the Discalced Carmelites, Dublin 1988, p. 16, C-015