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HISTORY AND CANON LAW

On the occasion of his retirement

This number of

THE JURIST

is dedicated to

JOHN E. LYNCH, C.S.P.

Professor *Emeritus* of the History of Canon Law

The Catholic University of America

JOHN E. LYNCH, C.S.P. HISTORY AND CANON LAW

On the occasion of his retirement from active teaching, the editors of *The Jurist* present a couple of special issues of our journal as a tribute to the Rev. John E. Lynch, CSP., professor *emeritus* of the history of canon law at the Catholic University of America. His colleagues wish to pay tribute to one who has made an extraordinary contribution not simply to the University and *The Jurist* and to the Canon Law Society of America¹ but especially to the professions of canon law and medieval history. The breadth of that contribution can be discerned in part by reviewing his extensive list of publications indicated in this issue.

Though not trained formally as a canonist, Dr. Lynch's appreciation of the importance of law in church life has motivated him to provide his canonical and historical colleagues with numerous insights into its relevance especially in periods of notable transition such as we are currently experiencing. Throughout a lengthy academic career he has carefully explored the historical implications of various canonical institutes such as the law of celibacy, shifting patterns of church governance at the diocesan and parish levels, ecumenical marriages, and the selection of bishops to name only a few. Canonists and historians alike are deeply in his debt for his elucidating in so many areas the culture and context in which the law has developed and found its meaning.

In this and subsequent issues of *The Jurist*, Dr. Lynch's colleagues at the University and elsewhere and former doctoral students explore various themes especially in history and in canon and civil law reflecting the diversity of issues he has addressed over the years.

A Paulist confrere Ronald Roberson opens this issue by offering some thoughtful introductory comments on our honoree, followed by a listing of the latter's extensive corpus of published works. Ladislav Orsy then sets the tone for the rest of the issue by using the January 1983 *motu proprio* of John Paul II *Sacrae disciplinae leges* as a key point of reference in discussing contemporary theological-canonical developments especially following Vatican II.

¹ On October 10, 1984 Dr. Lynch received the prestigious Role of Law Award of the Canon Law Society of America for distinguished service to the canonical profession. For the text of the citation honoring him and his reflections on that occasion, see *CLSA Proceedings* (1984) 295-304.

Several essays discuss various distinctly historical topics. Richard Helmholtz addresses the rights of children and the canon law especially in later medieval England. James Brundage examines the notion of full and partial proof in classical canonical procedures. Two historical essays investigate distinctly Eastern canonical concerns. Clarence Gallagher probes the relationship between Patriarch Photius and Pope Nicholas I especially in connection with the Council of Constantinople of 879. John Faris traces the history of Byzantine Christians in southern Italy and Sicily and their relationship to the papacy.

A number of articles deal with contemporary canonical concerns. Robert Kaslyn discusses the accountability of diocesan bishops-an issue of increasing interest in the wake of the clergy sexual abuse scandal. Two pieces address issues affecting the particular church. Joseph Pokusa explores diocese-parish relationships especially in light of shifting demographics and clergy shortages. Roch Pagé examines the current canonical structure of the parish and considers possible alternative parish leadership configurations. Sharon Holland reflects on societies of apostolic life as they address contemporary pastoral challenges.

Two essays not especially commissioned for this special issue focus on matters of increasing canonical-civil law relevance. Mark Chopko probes various civil law issues prompted by the challenging phenomenon of parish reconfiguration noted above. William Varvaro examines a matter of significant interest to tribunal practitioners, i.e., developments in understanding the *bonum coniugum* in recent Rotal jurisprudence.

For many years Dr. Lynch served as the book review editor of *The Jurist*. Not surprisingly then we close this special issue with some selected book reviews.

In closing this brief introduction, may I express the fondest hope of his colleagues and former students: *Ad multos annos*.

THOMAS J. GREEN

Editor