

The Law of God the Standard of Ecclesiastical Judgments

Jan Hus

Reformed · Late Medieval · Treatise

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INTRODUCTION

Written in 1413 from the thick of the Bohemian reform controversy, this treatise answers the charge that Hus and his fellow Czech clergy had elevated Scripture above the judgment of pope and cardinals. Hus takes the accusation head-on, dismantling his opponents' reading of Deuteronomy 17 and arguing that ecclesiastical authority is bound to, not identical with, the law of God — a position that would carry him to the stake at Constance two years later. The prose has the sharpness of a man answering named accusers point by point, and behind its scholastic form lies the seedbed of arguments Luther would inherit a century on. Expect a sustained polemical argument, dense with citation, in which every paragraph is a move in a fight for his life.

Further, the aforementioned doctors lay down that "certain of the Bohemian clergy, leaning too little on the pope and the college of cardinals, do not want to agree to this, wishing to have holy Scripture for the only judge in such matters, which Scripture they interpret and wish to have interpreted according to their own heads, not caring for the interpretation accepted by the community of wise men in the church nor heeding the holy Scripture recorded in Deut. 17 : 8-12: 'If thou seest that there is a matter in judgment too uncertain and hard for thee, between blood and blood, between plea and plea, between leprous and nonleprous, and perceivest that the words of the judges do not agree within thy gates; then arise and get thee up unto the place which the Lord thy God shall choose and thou shalt come unto the priests, the Levites, and unto the judge which shall be in those days, and thou shalt inquire from them and they shall pronounce for thee a sentence of truth. And thou shalt do according to whatever they may say who preside in that place which Jehovah hath chosen; and they shall teach thee according to his law and thou shalt observe their sentence, nor shalt thou turn aside from the sentence to the right hand or to the left. And the man that doth presumptuously, not willing to obey the priests' jurisdiction who at that time standeth to minister before thy God, and to obey the sentence of the judge, even that man shall die: and thou shalt put away the evil from Israel. And all the people shall hear and fear and do no more presumptuously.' 1 It is certain that for all the faithful the Roman church is the place which the Lord has chosen, the place where the Lord has placed the primacy of the whole church, and the high priest who occupies the primacy, and is set over that place, is the pope, the true and manifest successor of Peter. And the cardinals are the priests of the tribe of Levi who are joined with the lord pope in the

administration of the priestly office, to whom in cases of doubt and difficulty recourse must be had in matters, catholic and ecclesiastical, the judgment of God being followed.

"Hence Jerome, Ep. ad papam [Letter to Damasus, Friedberg, i : 970], speaking of the same thing, says: 'This is the faith, most blessed pope, which we have learned in the catholic church and which we have always held, and, if anything less proper or anything indiscreet has been placed in her, we desire that it be corrected by thee, who holdest Peter's seat and faith. And if this, our confession, approves itself to the judgment of thy apostleship — whosoever may wish to charge me with guilt — he will prove himself to be inexperienced or malevolent, or perchance not a catholic but a heretic' "

This exposition, so far as the principles go, I think flowed chiefly from the head of Stephen Palecz, for by it he attempts first to arouse the pope and the cardinals against the party opposed to him, when he says: "Certain of the clergy of Bohemia, leaning too little on the pope and the cardinals, do not wish to agree to this": namely, that the pope is the head of the Roman church and the cardinals its body, the true and manifest vicars of Christ. However, in regard to this too little dependence, I say that, so far as their vanity, greed and illegal commands go, the pope with the cardinals ought to be depended upon little. For so the Saviour put little dependence upon the savorless salt, which was good for nothing except to be trodden under foot of man, Matt. 5 : 13, 1 and he added: "Nor is it fit for the dunghill," Luke 14 : 35. And Judas Iscariot he depended upon little, for he called him a devil and the son of perdition, John 6 : 71; 17 : 12. Peter he also called Satan, when Peter opposed him, Matt. 16 : 22.

Later on that doctor heaps together many lies against us. The first lie is that we wish to have the holy Scriptures alone for our judge in such matters. And in this statement he affirms that we would not wish to have for our judge God, the apostles, the holy doctors, or the universal church. But he draws this lie from a certain disputation in which we were engaged, when it was said that he would offer Scripture for his statements and for the reason that we would not agree to the positions of our opponents. The doctor, however, ought to know that neither with him nor with any of his adherents do we agree in matters of faith unless they ground themselves in Scripture or reason. But revelation I do not expect from them, and if it did perchance come to them, we would feel that it taught otherwise than the Scripture teaches.

The second lie that he ascribes to us is that we interpret holy Scripture according to our heads, that is — as he himself and the other doctors allege — that we expound holy Scripture according to our erroneous understanding or according to our pleasure, and in this he charges upon us the arrogance of wisdom and also heresy, but mendaciously, because, with God's help, we do not intend to explain Scripture otherwise than the Holy Spirit requires and than it is explained by the holy doctors to whom the Holy Spirit gave understanding. And I could wish that that doctor and all his colleagues might show which Scripture it is which we expound ill. Hence, he is the more to be suspected of lying xIn his Reply to Palecz, Mon., 1 : 352, Huss says Christians must judge by the effects or fruits whether the pope and cardinals are the salt of the earth and the light of the world.

when he adds, "And they wish to interpret," because if he is not a knower of hearts how does he dare to say that we wish to expound Scripture otherwise than we ought? But this statement is vented forth because we do not follow his pleasure and the pleasure of his colleague Stanislaus, and stand with them who deem themselves, with the doctors agreeing with them, the wise in the church. And even much

more are they to be suspected of lying for they have not dared to charge us with not giving heed to the interpretation of the holy doctors.

But they add the biggest lie of all when they speak without applying the holy Scripture as written in Deut. 17 : 8-12. For this these doctors ought to know that we turn to sacred Scripture and affirm that it is the true Word of God, which also confirms our judgment. For that diligent expounder of Scripture, Nicholas of Lyra, on Deut. 17, says: "The opinion of no man, whatever his authority may be, is to be held if it plainly contains falsehood or error, and this appears by the promise made in the text, ' They shall pronounce for thee a sentence of truth,' and ' they shall teach thee according to His law.' From this it appears that, if they said what was false or plainly fell away from God's law they were not to be heard." Thus much Lyra. And what has been said is confirmed by that word of the Lord: "Thou shalt not follow the multitude to do evil; neither shalt thou acquiesce in the judgment of the many to depart from the truth," Ex. 23 : 2. On this Lyra says that in the Hebrew it runs: " Thou shalt not fall away after the rabbins — that is, teachers or the great men — to commit sin." And further on, he says: "As you are not to fall away from the truth on account of the larger number who sit in judgment, and fall away from the truth, so you are not to fall away on account of those who have greater authority in giving judgment." Thus much Lyra.

Certainly I confide in this expounder, so far as this opinion goes, more than in all the aforesaid doctors. For Lyra aptly draws from Scripture (1) that the opinion of no man, whatever his authority may be — and consequently the opinion of no pope — is to be held if it plainly contains falsehood or error. It seems to me to be certain that Palecz and Stanislaus are so afraid of the pope and the cardinals that they would not dare publicly to avow this holy saying. (2) Lyra declares that God's law is the standard according to which individual judges and especially ecclesiastical judges ought to pronounce sentence and not otherwise. For this law shows what ought to be accepted as true. Hence he says that this appears from the words: "They shall pronounce for thee a sentence of truth." And the words follow: "They shall teach thee according to His law." O doctors, why do you not hold to this Scripture? You were asked and for God's sake publicly besought in the convocation of the university to pronounce a sentence of truth according to God's law, whether the bulls for the raising of the cross obligated the scholars of the university to give of the goods collected by God subsidies to the pope against Ladislaus and against his allies at the pope's command. And you responded that you did not comment on all the books of the Bible. He was much used by the Reformers, especially Luther, so that it was said: "If Lyra had not harped, Luther would not have danced." Lyra quotes Raschi at length on the wish to instruct them [the convocation] nor pronounce judgment upon the pope's bulls, and interpret them. But in corners you have written differently, and especially have I heard Palecz say about the articles which were handed to him by the pope's legates that they contained plain errors evident to the eye, which articles, nevertheless, were taken from the bull and were handed out to the preachers by these legates as the first deputies under the authority of the pope to be promulgated. Hence, as I have heard, the preacher, Master Briccius, in their lecture-room said to those masters that he would rather die than announce those articles. But when Palecz receded and was followed by others, Briccius also receded, for letters from the lord king frightened them, which letters the legates used for their financial support — subsidium.

(3) Lyra deduces from the aforesaid Scripture of the Lord that if judges say what is false or plainly fall away from God's law they are not to be heard, because God said, as I have quoted: "Thou shalt not follow the multitude to do evil; neither shalt thou acquiesce in the judgment of the many to depart from the truth" [Ex. 23 : 2]. How, therefore, can we be bound contrary to that most holy mandate of God to follow the multitude which the doctors gathered together and led to the city hall that they might overcome by fright those whom they were not able to overcome by Scripture or reason? The priests, scribes and Pharisees did not dare to go into the praetorium and accuse Jesus for fear of being polluted. But these, when the scribes and Pharisees and elders of the people were assembled, gladly went in and one of them, named Palecz, read, while all listened, the words of Deut. 17 : 8-12: "But that man that doeth presumptuously, not willing to obey the judge's decree, even the sale of the indulgences and declared the pope's bull to his legates was full of evident errors. For the bulls and Huss's treatise, Mon., 1 : 212-235, see Schaff: John Huss, p. 111 sq., 116-122.

that man shall die." He did not fear to incur irregularity, and if perchance he had been with the Jews in accusing Christ, perhaps he would have said: "His blood be upon us and upon our children; for we have a law and by that law he ought to die." Pilate was not, therefore, excused because he heard the high priests and the magistrates, scribes and elders of the people, for God said: "Thou shalt not follow the multitude to do evil," etc. Here Lyra says the Hebrew is, "Thou shalt not fall away after the rabbins," that is, the teachers or great men, "to commit sin" — whoever the great men and teachers in the city hall were who condemned and decreed many things which down to this day they have not shown should be condemned at their pleasure.

And according to the purpose of the doctors, in the Scripture quoted, some might Judaize and say that under the rule of Caiaphas, the high priest, or Annas, who then presided in the holy place which the Lord had chosen, and by Pilate's decree the judge, Jesus Christ, was justly condemned, a thing which is against what Paul says: "They that dwell in Jerusalem and their rulers, because they knew not him or the voices of the prophets which are read every Sabbath, fulfilled them by condemning him. And though they found no cause of death in him, yet asked they of Pilate that they might slay him," Acts 13 : 27, 28. And it is clear that, in condemning Christ, the high priest was present, the priests of the house of Levi were present, and Pilate, the judge, was present in the place which the Lord had chosen; and these persons Christ Jesus did not wish to obey in the evil they were doing, although he obeyed God, his Father, and Pilate, submitting to death meekly. Did, therefore, the high priest, followed by the priests, the Levites, the magistrates and elders of the people, Pilate and the soldiers, yea, and by the crowd shouting, "Crucify Him, crucify Him!" did they justly condemn Christ the Lord? Yea, truly, because not love but hate, not truth but lying, urged them on and ignorance of God's law led them astray, did they err gravely.

Equally, there may be a leading astray in the case of the pope and cardinals, our doctors themselves being included, that they should condemn some truth or other. For if the apostles, chosen by Christ, who received the Holy Spirit, fell into heresy, as St. Augustine and Bede affirm, how is it that the pope and cardinals have received greater gifts of the Spirit, making it impossible for them to stray off in the same degree or even in a larger degree? And it is not a matter of doubt that obedience should be rendered to pope and cardinals so long as they teach the truth according to God's law, as the authority says: "They shall pronounce for thee a sentence of truth, and thou shalt do whatsoever they say and whatsoever they teach thee according to His law." But if the rabbins, that is, the teachers or great men, as Lyra says, or popes or cardinals charge or admonish anything besides the truth, even though the whole Roman curia is on their side, the faithful is not to obey when he knows the truth, for God says: "Thou shalt not follow after the multitude to do evil."¹ Daniel, Nicodemus and the thief on the cross put this principle into practise, who would not fall in with the crowds in condemning the truth, as the Scripture states. For Daniel condemned as naught the sentence of the elders of the children of Israel by liberating Susanna and pronouncing against the senior elders from whom the iniquity started, Daniel 13. 2 Nicodemus in the council of the Pharisees and priests, when they had sent the servants to bring Jesus, wishing to put him to death, and when they said to the servants, "Hath any of the rulers believed on him or of the Pharisees? But this multitude that knoweth not the law are accursed" — then Nicodemus said to them: "Doth our law judge a man except it first hear from himself and know what he doeth?" John 7 : 47-51.

O blessed Nicodemus, thou didst accord such force to God's law; thou didst bear witness to the law that it should be the judge of man.

See, how inconvenient the statements of our doctors are when they pronounce the sentence that we wish to have the law as judge — a judge which judges most justly and does not judge otherwise than does God, the most just judge. Thou sayest, "Doth our law judge a man, except it first hear from him and know what he doeth?" as if he would say, No, because it judges justly. To that judge Christ referred the priests, Pharisees, scribes and Jews, who accused him of sin because he kept not the Sabbath day, and called God his Father, saying: "Ye search the Scriptures. These are they which bear witness of me," John 5 : 39. Did not, therefore, Christ wish the Scriptures to judge the Jews which believed not on Christ? Certainly, he wished it. In proportion, therefore, as the doctors wish that the Scriptures be not the judge, in that proportion they wish themselves to be believed that whatever they condemn should be condemned and that whatever they approve should be approved. For this they asked and begged in the city hall; for this they sought the signatures of the magisters who gainsaid their opinions. But the counsel of the Pharisees, scribes and priests has come to naught, because the faithful who gainsaid them were not willing to agree without hearing the proof from the law, which holds wrapped up in itself all truth that is to be believed. If the pontiffs, Pharisees, priests and elders of the people had known this law they would not have condemned Christ— but they did condemn and blaspheme. More learned than they was the thief, who, hanging on the cross, bare witness to Christ, saying: "This man hath done nothing amiss," Luke 23 : 41.

And, so far as the chief purpose of the doctors goes, who intend that the pope ought to be the judge of all cases and that whoso does not obey him ought to die the death of the body, these doctors ought to be revered for their apish and cruel comparison [that is, to those who put Christ to death], especially as our Lord Jesus Christ, priest of both Testaments, neither wished to pronounce civil judgment nor to condemn the disobedient to bodily death. For, so far as the first goes, he said: "Man, who made me a judge or divider over you?" Luke 12 : 14. And so far as the second, he said to the woman taken in adultery, whom the Pharisees pronounced worthy of death according to the law: "Neither do I condemn thee; go thy way; from henceforth sin no more," John 8:11.

But, perhaps it may be said by the doctors that this is not to the point, that the law says: "He who does presumptuously, not willing to obey the rule of the priest. " See, I will give a case in form — for, Christ said: "If thy brother sin against thee, go show him his fault between thee and him alone: if he hear thee, thou hast gained thy brother, but if he hear thee not, take with thee one or two, that at the mouth of two witnesses or three every word may be established; and if he refuse to hear them, tell it to the church: and if he refuse to hear the church let him be unto thee as the gentile and the publican," Matt. 18 : 15-17. See, to whom the supreme lord of the law and the supreme pontiff speaks? Certainly to Peter, the future Roman pontiff, next after himself, that he might kindly correct the erring and convince the disobedient person before witnesses, and if he remained hardened in disobedience he spoke to the church, that is, he announced to the multitude, not to put to death the perverse and disobedient with corporal death, but to avoid him as a publican and gentile. What ground, therefore, is there for the argument from comparison [with those who put Christ to death]? Under the old law the disobedient person was to be put to death, therefore, also under the law of grace. Even Christ's disciples have been deceived by this argument

from comparison, for after the manner of Elijah the prophet, they wanted the Samaritans who refused to receive Christ to be consumed by fire from heaven, saying: "Lord, wilt thou that we bid fire to come down from heaven and consume them?" That most good priest and best of masters reproved them, for the words follow that he, turning around, rebuked them, saying: "Ye know not what spirit ye are of, for the Son of Man came not to destroy souls but to save them," Luke 9 : 54-56.

This good Gospel the doctors did not turn to and so they have joined to their statements this sanguinary corollary — sanguinolentum corollarium — and say: "If any of the clergy be found in Bohemia acting contrary to these premises or a single one of them, such an one is to be corrected by ecclesiastical censure and, if he refuses to be corrected, he is to be turned over to the secular tribunal." For a certainty in this they follow the pontiffs, scribes and Pharisees who, when Christ refused to obey them in all things, said: "It is not lawful for us to put any man to death," and then delivered him over to the secular tribunal. Are they not murderers ? Truly they are worse murderers than Pilate. The Saviour bore witness and said to Pilate: "He who delivered me to thee hath the greater sin." These are they to whom Peter spoke when he said: "Ye denied the Holy and Righteous One and asked for a murderer to be granted unto you and killed the Prince of Life," Acts 3 : 14.

Then the doctors add: "It is fixed for every one of the faithful that the Roman church is the place which the Lord hath chosen, where the Lord placed the headship of the whole church. And the high priest who presides there is the pope, the true and manifest successor of Peter, and the cardinals are the priests of the tribe of Levi." In this statement, the doctors heap together many things that they do not prove. For when did they prove that it is fixed for every one of the faithful to accept that legal loaf of theirs? — brodium — [see DuCange, Glossarium, vol. 1]. For many of their party are without doubt among the faithful and know nothing about Rome, the pope, and the cardinals, and especially whether the pope is the true successor of Peter, and the cardinals the priests of the order of Levi. But these doctors call the church perhaps that place of which the Saviour prophesied when he said: "When ye see the abomination of desolation standing in the holy place (let him that heareth understand)" Matt. 24 : 15. Or the doctors call the Roman church a place, the basilica of St. Peter, or the apostolical dignity, for in these two senses "the place" in their statement may be understood, for there the Lord located the chief government — principatus — of the whole church because he wanted the apostles Peter and Paul to undergo their chief sufferings there, men who were appointed to be the spiritual rulers over the whole church and in whom, after Christ's death, the spiritual government of the church chiefly inhered. And in this church not the pope but Christ is the chief ruler who presides over that place, that is, the basilica or apostolic dignity, and he rules the church which is his bride. But, if in the pope is discovered a life at variance with Christ, lived in pride, greed, restless impatience, ambition, and in the flaunting of power and giving preponderance to his own law over the law of Christ — then is seen the abomination of the desolation of Christ's virtues standing in the holy place, where it ought not to stand, as Christ said, Mark 13 : 14. Wherefore, if faithful souls should observe anywhere the spiritual state of the church set up, where one head of a family was accustomed to preside over his house, who graciously received all his servants whom he had invited, took care of them by warming them, and defended them by helping them, but if in that same house he should find that one presides over a condition altogether the opposite, it would not be wondered at if many were confounded, just as though a traveller wished to be entertained by a true head of a household, a man of large hospitality, goodness and good nature, and of an altogether virtuous life, and afterward should find a monstrous wild beast which was wont to tyrannize over the guests by giving them cold comfort and by craft, cruelty and avarice and betrayal — the traveller, entering the house and seeing such an one sitting in the chair of the good head of the household, would wonder, be troubled and not a little confounded at his looks. So the abomination of desolation may be understood in accord with Zech. 11 : 15: "Take unto thee yet again the instruments of a foolish shepherd, for I will raise up a shepherd in the land which will not visit those which are cut off, neither seek those which are scattered nor heal that which is broken nor feed that which is sound; but he will eat the flesh of the fat sheep and will tear their hoofs in •This is taken from Gregory the Great, Migne, 76 : 1154.

pieces. Woe to the shepherd and idol 1 that leaveth the flock!" If, therefore, this description of "the idol" and this forsaking of the flock fit the pope, how could the saying of the doctors be true of any possible pope in the future, that he is the high priest, the true and manifest successor of Peter, presiding over the church which is the bride of Christ? For it does not follow, — he is the idol [worthless shepherd] who forsakes the flock; therefore, he is the high priest, the true and manifest successor of Peter. And it also does not follow, — he is the pseudo-Christ, therefore, he is the true and manifest Christ; for the

true Christ said: "If any one shall say to you, Lo here is Christ or there ! believe it not, for there shall arise pseudo-Christ and pseudo-prophets." Let, therefore, the faithful beware lest, moved by flattery, they call the pseudo-Christ most holy and the worthless shepherd high priest and true successor of St. Peter, the apostle. For, in so calling Agnes most holy father and high priest, presiding over the whole church — Agnes who gave birth to a child — they are deceived.

Then, to turn to the saying of Jerome, " This is the faith,, O most blessed pope," Decr. 24 : 1 [Friedberg, 1 : 970], it is said that presumably he spoke of the apostolic works of Pope Damasus as he wrote to St. Augustine in letters addressing him "Augustine, our lord and most holy and blessed pope."² And so likewise the saints are reported to have spoken of prelates when they saw them straying away from the steps of Christ, and said they were to be condemned or were members of the devil. But, woe to them who see the pope doing works directly at variance with Christ and yet call him most holy father, for it is written, "Woe unto them that call evil good and good evil," Isaiah 5 : 20, for by their lying flattery they deceive both themselves and him. For, again, it is written: "O my people, they that call thee blessed, they deceive thee, and destroy the way of thy paths. The Lord standeth to judge," Isaiah 3:12. For, if those learned in the law would boldly speak the truth about the pope and the cardinals and not flatter them out of fear or in hope of promotion to benefices, then the popes might at times recognize themselves and not allow themselves to be venerated as gods. But, because both parties sin in hypocritically rejoicing over honors and beatification [allowing themselves to be called and treated as blessed], and are tickled over such lying adulation, so necessarily both parties shall be hurled down. For the prophet says, Isaiah 9 : 16: "They that bless this people and lead them astray and they that are blessed will be hurled down." And who these are, the prophet shows in the verses immediately preceding: "The Lord will destroy in one day from Israel head and tail, crooked and refractory. The elder and honorable man, he is the head and the prophet who teaches lies, he is the tail." Lo, the one prophet expounds the head and the tail. Let him, therefore, that will, take note that he is called honorable and elder father whom they call head. And with probability it may be said of every pope, from the first one to the last, who lives at variance with Christ and whom they have called or will call head and holy father — that he is that honorable and elder one, because this succession began a long time ago. But the tail, which by flattery or false show or by vain excuses covers the works of that elder father, and the prophet who teaches lies, represent the learned clergy which teaches that the pope is neither God nor man but a mixed God or an earthly God and also teaches that the pope is able to give me another's good and that I will be safe, because the pope is able to depose a bishop without cause, is able to dispense at variance with the apostles' teaching, at variance with his oath, his vow and with natural law, and no one has a right to say to him, Why doest thou this?

For he himself may lawfully say: "Thus I will, thus I command; let my will be the reason." And so he is impeccable; and he cannot commit simony because all things are his. Therefore, he may do with his as he pleases, for he is able even to command angels and to save men or damn them as he chooses, and, what is more, he is able to bend not only the pope but the subject people and those who will not bow themselves in flattery and in a worldly way before him as the head and the honorable one and bend their knees to him. For the pope, the people and themselves also they lead astray into wrong paths by sowing such lies. And it is about them, as is probable, that Christ spoke the words : " There shall

arise pseudo-Christ and pseudo-prophets and shall show great signs and wonders so as to lead astray if possible even the elect," Matt. 24 : 24.

But, returning to the statement of St. Jerome, it is said that "it was, presumably, of his good works that he spoke in addressing that pope" [Damasus]. But whether St. Jerome had a revelation with regard to this pope's predestination and the righteousness of his works is unknown. In the second place, it is said that St. Jerome addressed the pope in this way, secure about the faith of which he wrote, because in that letter he wrote expressly what is contained in Scripture and in the symbols of the church, as appears to one who wishes to read the letter. And hence he says: "This is the faith which we have learned in the catholic church, and which we have always held." It is clear how the conditional element in St. Jerome's statement is to be understood. For, if that confession of his was confirmed by the judgment of that pope, whosoever might impugn it would be a heretic. For presumably he said and affirmed nothing by revelation or certitude of the faith he was setting forth which the pope would not confirm except it were true, and he would not change anything rightly held in the church long before. But it would be insane to believe that a conclusion is to be drawn from this concerning every Roman pope, for it is certain that many of them have ratified errors and heresies, for they were heretics themselves.

Hence the text, Dist 24, in nomine Domini [Friedberg, 1 : 78], describes how the pope laments because that [apostolical] seat has often been smitten with the frequent din of simoniacal heresy. Therefore, wishing to provide a remedy for the future, he [Nicolas II] decreed that, at the pope's death, the cardinals, the religious, clerics and laymen, shall meet together for the election of a suitable pope from the bosom of that church or from the bosom of some other, wherever the most fit might happen to be found, and that the privilege of the emperor, Henry, should always be honored, namely, that he and his successors shall have the right to be present at the pope's election. But a true pope being elected, he shall have before his consecration, following the example of St. Gregory, power to dispose of the goods of the church, and every one who should hinder this ordinance he might anathematize as a most wicked antichrist. Here the Glossa ordinaria says, that at this point is plainly touched upon what is read in the Chronicles, how Benedict, who succeeded Stephen, was ejected from the pontifical office, and for a money consideration John, bishop of Sabina, was made pope, to whom the name Sylvester was given. But he in turn was cast down and Benedict restored, and Benedict was again ejected and the papacy given to John, archpriest at the Latin Gate, on whom was imposed the name Gregory. And he was cast down by the emperor Henry and transferred beyond the mountains; and these things all happened in a single year. On account of these things that privilege was given to Henry. Thus much the Glossa of the Decretum.

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