

Obedience Not Always to Be Rendered to the Church or Its Prelates

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Reformed · Late Medieval · Treatise

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INTRODUCTION

Composed during Hus's final years as the noose of ecclesiastical censure tightened around him, this treatise dismantles the claim that obedience to pope and prelate is owed absolutely and under pain of mortal sin. Working through scholastic distinctions between acts "purely good," "purely evil," and indifferent, Hus argues that hierarchical authority binds the conscience only when its commands align with divine law — a position that would carry him to Constance and the stake in 1415, and that Luther would rediscover a century later. The reasoning proceeds by careful syllogism, quoting Augustine and Bernard against the canonists, so the reader should expect not fiery denunciation but the patient, disputational cadence of a schoolman making his case. Read it as the working out of a conviction for which its author was prepared to die.

Again, that the doctors in their double statement may be better understood, since they say that "the Roman church and the prelates are to be obeyed in all things by their inferiors," etc.,¹ and again, "Therefore ought they to be obeyed and submitted to," I take it as true from the rules of grammar that this complex statement "are to be obeyed" means as much as the complex expression, "ought to obey," and further, that this word "ought" expresses a debt of obligation to obey under pain of mortal sin. This supposition appears from the affirmation of the doctors derived from the words of the Saviour: "All things whatsoever they bid you, these do and observe," Matt. 23 : 3. For this word of the Lord is a commandment. Secondly, this supposition appears from the words of the doctors, when they say: "Certain of the clergy in the kingdom of Bohemia who do not agree, striving, so far as in their power lies, to lead the faithful people to disobedience in respect to their prelates and to irreverence for the papal, episcopal, priestly and clerical dignities." It is only noted that there would be mortal sin in disobedience, and irreverence would be mortal sin. Thirdly, this supposition appears from the assertion of St. Augustine, when he says: "If thou art not obedient to thy father (understand not thy bodily father but thy spiritual father) thou hast lost all the virtues." In this way it is plain that a virtuous man is not able to lose all the virtues except by committing mortal sin, and so disobedience to authority involves a serious offence. Therefore this statement, taken from the proposition of the doctors, "the Roman church and prelates are to be obeyed by inferiors in all things," etc, means this much: "that we ought to obey under pain of mortal sin."

Therefore, following this sense, they now cry out that I am disobedient to the Roman church, and for this they excommunicate me. And it is clear from God's law and from the canons that no one is to be excommunicated except for mortal sin. as I have stated in another place.

Letting this proposition stand, I lay down this conclusion, that to no apostolic seat of the Roman church, that is, to no pope with the cardinals (as these are understood by the doctors), and to no prelates do inferiors owe obedience in all things which are neither purely good nor purely evil.

It is proved that king, marquis, duke, baron, soldier, citizen or rustic is bound to obey under pain of mortal sin no Roman church and no prelates so as to be prevented from holding worldly possessions or from entering marriage. These two things, the possession of goods and the entrance upon marriage, belong, in the case of the persons mentioned, neither to the class of purely good things nor things purely evil. Hence the conclusion. The consequence has been noted and the minor premise is presented in St. Bernard's letter to the monk Adam [Migne, 182 : 96], when he says: "Truly it must be known that things intermediate often cease to be so. For marriage may be lawfully contracted or not, but when once contracted it cannot be dissolved. Therefore, what before marriage is permitted to be a thing intermediate obtains, when the parties are married, the force of a thing absolutely good. Likewise, the possession of private property is for a secular man a thing intermediate for he may or may not have property, but for a monk, because he is not permitted to hold property, it is a thing absolutely evil." So much Bernard.

The major premise is proved in this way. No Roman church is permitted to command, under pain of mortal sin, that king, marquis, duke, baron, soldier, citizen or rustic enter upon matrimony or that he may not hold private property, therefore none of the persons mentioned are bound to obey under pain of mortal sin. The consequence has been noted and the antecedent is clear, because the Roman church

has no right to exalt its commandment above a counsel of Christ. In commanding, however, that a king, marquis, duke, baron or soldier may not hold property, the Roman church would exalt its commandment above Christ's counsel, for this is the first among the twelve chief evangelical counsels, namely, voluntary poverty, which consists in the renunciation of private property and is related to need. Christ counselled, he did not command, when he says to a certain young ruler: "If thou wilt be perfect, go and sell all that thou hast and give to the poor and follow me," Matt. 19 : 21. Similarly, if the Roman church commands king, marquis, duke or other secular person to enter upon marriage it would be commanding contrary to a counsel of Christ and would it, therefore, not be acting contrary to Christ? The observance of virginal chastity until death is Christ's third evangelical counsel, and of this he says: "There are eunuchs that made themselves eunuchs for the kingdom of heaven's sake," Matt. 19 : 12 — because Christ does not command but counsels that what is fitting for a person, that he ought with good will to hold, and he says: "He that is able to receive it, let him receive it."

Therefore, it would be great presumption for the Roman church to bind any one, under pain of mortal sin, above what the counsels of his Lord demand. This would be to lay unbearable burdens on men's shoulders, as said the Saviour: The things which the scribes and Pharisees, sitting in Moses' seat, do not keep they lay upon others. Hence, Christ's apostle, who saw the secret things of God, which the Roman church has not seen, says that he did not dare to command any one to marry and not to remain continent, for he says: "Every one hath his own gift of God, one after this manner, one after that," I Cor. 7:7. The apostle did not wish to command anything except what the Lord commanded through him and so what was useful to the one obeying. For there are many counsels for others which are not counsels for us, because of our weakness or ignorance, so that one may marry in the Lord without mortal sin, when, however, it would be better to keep his virgin state, but he is ignorant, believing the opposite. Therefore, the apostle says: "Every one has his own gift from God, one after this manner, one after that." And the words follow: "But if they cannot contain, let them marry, for it is better to marry than to burn." Some things, therefore, are more useful to some which for others would be less useful. Hence, it would be a notable mistake to think that all Christ's counsels would be profitable for all men if they fulfilled them to the letter. And hence a son is not bound to obey his father under pain of mortal sin, when the father commands that the son possess nothing or that he marry. In a similar way, it is also with a daughter, who cannot lawfully be forced to remain a virgin till death or be forced to marry.

Likewise, if that statement of the doctors be true that "the apostolic seat of the Roman church is to be obeyed by inferiors in all things," etc, it follows that Wenzel, king of the Romans and king of Bohemia, and likewise Sigismund, king of Hungary, would be continually sinning mortal sins, for they have not given obedience to the commandments of the Roman church and Pope Boniface with his cardinals, and resigned their kingdoms, the former the kingdom of the Romans, the latter the kingdom of Hungary. And this is clear because to resign their kingdoms is for the one as for the other not a thing absolutely evil, as is seen from the statement of Bernard. And as these kings have not yet obeyed that mandate or been absolved by Boniface, it follows that they are still persisting in disobedience. But who of sound head would want to say this, seeing that that Pope Boniface, according to the Lord's law, ought not to have attempted to bring this about?

Likewise, it follows that certain persons, according to the statement of the doctors, to wit, Stanislaus, Peter of Znaim, John Helius and yet another, are still under the ban of papal excommunication. This seems to be the case, because they have not obeyed up to this day the apostolic seat of the Roman curia, or, if on account of contentions they have secretly obeyed, they are, however, not absolved from the curse, as the mandate was placed upon them by the pontiff Innocent, under the pains of excommunication, deprivation of their benefices and disenablement, that they really should give up and assign to Master Mauritius the place which he wished. And they themselves, though solemnly warned by a notary before witnesses, do not up to this day obey that mandate, although the turning over of a place to Master Mauritius which was commanded is not a thing absolutely evil, although perhaps it is an evil for Master Mauritius that they in such an unusual degree like that place. And to the doctors themselves perhaps it is also an evil because, loving the first place in the synagogues, they do not admit Mauritius himself. Oh ! that on both sides they may not come under the heading of the salutation of that most lowly of masters, Christ, which runs: "Woe unto you Pharisees, that love the chief seats in the synagogues!" Luke ii : 43, "and to be called of men Rabbi!" Matt. 23 : 7.

Likewise in acts good generically, as are fasting and prayer — which are not things absolutely evil — the Roman church and prelates are not to be obeyed except as these acts are weighed in the balances of reason. This is plain because an inferior must continue in prayer and fasting, so far that the neglect to do so would mean damage to himself and the church; but this is to be avoided both by him who commands and by the inferior; therefore, the antecedent is true. For it is certain that it would be tempting God to obey a prelate or for me to vow to myself that I would never eat or drink but so much and never have but so many clothes or wraps. And the same would be true with the other counsels, wrongly interpreted. And much more would it be folly for a prelate to obligate a community to perform such a singular measure of conduct as this. For one and the selfsame individual, in view of the diversity of the times, of weakness and health, of youth and old age, of heat and cold, must vary in practices of this sort; and much more in a community made up of different persons are things that are indiflerent to be adapted to individuals of different temperaments and states of health. According to Aristotle, Ethics, II, that which is a matter of indifference does not apply in the same way to all. For in the indifferent matter of eating, the amount proportioned to Milo, who wished to eat a whole bull in a day, would not be the amount proportioned for every individual whatsoever, young or decrepit, sound or weak.

Hence, the Saviour wholly excused his disciples who were accused of not fasting, when it is said: "Then came to him the disciples of John saying, Why do we and the Pharisees fast oft, but thy disciples fast not?" Matt. 9 : 14. To these calumniators who joined themselves with the Pharisees in reproving Christ, the Saviour replied for his disciples and said: "Can the sons of the bridegroom mourn as long as the bridegroom is with them? But the days will come when the bridegroom will be taken away from them and then they will fast. And no man putteth a piece of undressed cloth upon an old garment, for that which would fill it up, taketh from the garment and a worse rent is made. Neither do men put new wine into old wine-skins, or else the wine-skins burst and the wine is spilt and the skins perish, but they put new wine into new skins and both are preserved," Matt. 9 : 15-17. Here the Saviour excuses his disciples for not fasting, first for the reason that he, the bridegroom of the church, was at that time with his children and providing for them; secondly, because that bodily fasting did not befit them for that time, as Lyra says: "Wherefore does the bridegroom say, 'Can the children of the bridegroom mourn ? ' that is, be sad by afflicting themselves with fasting ? — which is as if he should say, No, for fasting does not befit them now, 'but the days will come/ namely, the days of the passion, 'when the bridegroom will be taken away from them' by death, and £then they will fast,' that is, with the fasting of grief, as it is written: 'Ye shall weep and lament,' John 16 : 20. 'Then shall they fast,' namely, at a time when such fasting befits them. And then by a double example the Saviour proves that bodily fasting did not befit them at that time." SuppHcations are also touched upon in Luke 5 : 33, when they said: "Why do the disciples of John fast often and make supplications,² likewise also the disciples of the Pharisees, but thine eat and drink? And Jesus said unto them, Can ye make the sons of the bridegroom fast when the bridegroom is with them?" which is as much as to say, apart from the bridegroom's will ye cannot lawfully make his sons to fast.

Truly Christ is the good prior and abbot, who does not burden his disciples but, laying on them an easy yoke and a light burden, says of the Pharisees and scribes, sitting in Moses' seat, that they lay heavy burdens and grievous to be borne on men's shoulders, but do not move them with one of their own nngers. Even so, modern prelates and penitentiaries impose many fastings, many prayers, and other hard things upon the people, and they alone do not do the least of them.

Hence, they more often say: "Let us eat and gamble and the coarse may do our fasting." Therefore, when the Saviour calls such hard commandments as they lay upon men unbearable burdens because they are weighty beyond Christ's counsels and commands, what wise man will say that inferiors are bound in such things to obey their prelate under pain of mortal sin? Likewise to eat with unwashen hands is a neutral work, neither absolutely good nor absolutely evil, and Christ's disciples were not obligated by the command of those sitting in Moses' seat to do it. Nor are we now. The consequence has been stated, for the reasoning is the same in the case of traditions of this kind, which are not founded in the Lord's law.

The second part is manifest from Matt. 15 : 2, when the Pharisees and scribes said to Jesus, "Why do thy disciples transgress the traditions of the elders? for they wash not their hands when they eat bread," but he, rebuking them for the transgression of God's commandments, showed that his disciples did not sin in not keeping their commandments, and he said: "To eat with unwashen hands defileth not the man." What, therefore, is the reason now, that any inferior in any act whatsoever that is neutral or intermediate

should be obligated to obey his prelate, if it happens that the prelate is callous, who indiscreetly and overmuch burdens an inferior with such neutral acts? Hence, as said above. Bernard well lays down the conditions of obedience, one of which is that a work commanded is judicious when neither excess nor defect attaches to it.

Hence, no human commandment or decree is valid or to be observed except in so far as it is caused by a divine command before exemplifying it.

And hence, it is, that no obedience made to a superior profits for merit except in so far as it leans towards obedience of the counsels and commandments of the Lord Jesus Christ. This is clear, for obedience to Christ, owed or performed, is in and by itself a reason of merit which increases or diminishes with the degree of obedience or disobedience. Hence nothing is more religious than obedience unto God, as the Decretum 8 : i, Sciendum [Friedberg, i : 593], teaches, where is noted what Samuel, the prophet, says, I Sam. 15 : 22 : "To obey is better than sacrifice, for rebellion is as the sin of witchcraft and stubbornness as a crime." "Obedience itself," says the Decretum, "is a virtue that possesses the merit of faith, and any one who is without it, is convicted of being an unbeliever, even though he seem to be of the faithful. The flesh of others, it says, is slaughtered in the case of sacrifices, but by obedience our own will is sacrificed." Here it appears, it is clearer than the light, that Samuel is speaking about obedience due to God, for he said to Saul: "Because thou hast rejected the word of the Lord, the Lord hath rejected thee from being king, and Saul said unto Samuel, 'I have sinned, because I have transgressed the commandment of the Lord and thy words, for I feared the people and obeyed their voice,'" I Sam. 15 : 23, 24. It is clear how much prelates of the people blaspheme who on the ground of Scripture and ecclesiastical law traffic in such obedience for themselves; secondly, from Augustine's authority, which the doctors quote for their side, Sermon 86, when he says: "If thou wilt fast, make prayer night and day, if thou wilt beg, or be in ashes, or if thou wilt do anything else but what is commanded in the Lord's law, and thou seemest wise to thyself and art not obedient to the Father [understand not the corporal Father, but the spiritual Father] — thou hast lost all the virtues. This is clear, because he who obeys shall die in his iniquity, but his blood will I require of thy hand." Here Jerome says: "The priest is bound to preach, and let him see to it that fear of man does not make him to keep silence. There is a great difference in the keeping of the words of God silent for three causes — namely, out of fear, stupidity or flattery." Likewise is this clear from Gregory, Pastoral Theology, 15 : 43, sit rector [Nic. Fathers, 2d Ser., 12 : 27, Friedberg, 1 : 154], where he gives most solemn proof from many Scripture texts and, among other things, says: "Indeed it is written that 'the sound shall be heard when he [Aaron] enters into the holy place in the presence of the Lord . . . that he die not' [Ex. 28 : 33-35]. For the priest, going in or coming out dies if a sound is not heard from him, because he gets to himself the anger of the hidden judge, if he goes in without the sound of preaching." The same is clear from St. Isidore, who says, de Summo Bono, III: "Priests are condemned for the people's iniquity if they do not instruct the ignorant or convict sinners."

When, therefore, in view of what has been said, any one who has reached the priesthood has accepted as of commandment the office of preacher, it is clear that that commandment ought to be executed, a pretended excommunication to the contrary notwithstanding.

Likewise for no true catholic ought it to become a matter of doubt that a man if he be adequately trained in knowledge is more obligated to teach the ignorant, to advise the uncertain, to punish the unbridled, to remit sins to those committing injury, than he is to do any works of mercy. Since, therefore, when he is fitted for the ministry of alms for the body, he is bound to do these things under pain of damnation, as appears from Matt. 25 — much more when he is fitted to administer spiritual alms [is he under obligation to do spiritual ministries]. From this it is evident that preaching for the priest and giving alms for the rich are not things intermediate but commandments.

Further, it is evident that if pope or other superior command the priest not to preach, who is disposed to do so (as has been said), or the rich not to give alms, the inferior ought not to obey. Wherefore, depending on this command of the Lord, I have not obeyed Pope Alexander's command in regard to not preaching and hence will humbly bear excommunication,¹ confident that I will secure to myself the benediction of my God. And as to God, the Psalmist says: "Let them be accursed, but do thou bless." And he also blessed, when he said: "Blessed are ye when men shall reproach you and say all manner of evil against you falsely for my sake. Rejoice and be exceeding glad, for great is your reward in heaven," Matt. 5 : 11, 12.

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