

Suspension and the Interdict

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INTRODUCTION

Written during the years Hus spent under ecclesiastical censure for defying the Prague archbishop's ban on preaching, these pages dismantle the machinery by which medieval prelates silenced clergy and shuttered churches. Hus argues that suspension and interdict bind only insofar as they ratify a prior judgment of God — a claim that stripped the hierarchy of its most potent disciplinary weapon and would echo a century later in Luther's confrontations with Rome. The scriptural citations pile up not as ornament but as the substance of the case, since Hus means to try canon law before the tribunal of the prophets and apostles. Expect a closely reasoned polemic by a man writing under the very penalties he examines, and reading his own condemnation back through the words of Hosea and Paul.

Now of suspension this is to be said that, in the statement, to suspend is an administrative act or to prohibit any good thing on account of a criminal offence. Hence, what the old decretals call suspension the new law and decretals call the interdict, and then they speak of ecclesiastical suspension from an office or from a church benefice or of an ecclesiastical interdict from executing an office of the church.

This definition of suspension, therefore, being laid down, it is to be noted that, just as it is proper in itself in the first instance for God to excommunicate a man, so also it is proper for Him in the first instance to suspend him. Hence it is impossible for a pope or bishop to suspend any one justly, except as he has been before suspended of God, just as it is impossible for the pope to think anything righteously unless the thought be before suggested of God. Hence the apostle rightly says: "Not that we are sufficient of ourselves to think anything as of ourselves, but our sufficiency is of God," II Cor. 3:5. And the supreme Bishop himself said: "Apart from me ye can do nothing," John 15 : 5. From this it is clear that a suspension pronounced by a prelate is only worth as much as God almighty makes it to be worth. Hence, God's efficient suspension extends itself to priests, kings and every one in authority whom He removes from office or whom He takes from life by a decree of retribution. Hence, He suspends any one from the sacerdotal dignity, as it is written: "Because thou hast rejected knowledge, I will also reject thee. Thou shalt be no priest to me," Hosea 4:6; "Bring no more vain oblations," Isaiah 1 : 13; and "I have no pleasure in you, neither will I accept an offering at thy hand," Mal. 1 : 10. And Christ's apostle suspended all who were guilty of criminal offence from the ministry of Christ's body and blood and the Lord, as he said: "Wherefore whoso shall eat the bread and drink the cup of the Lord in an

unworthy manner shall be guilty of the body and blood of the Lord," I Cor. 11 : 27. Likewise, we read of the severe suspension of Eli and his family, in that he did not duly correct his sons, as the Lord said to Eli: "Wherefore kick ye at my sacrifices and my offerings which I have commanded that they should be offered in my temple and honorest thy sons above me, to make yourselves fat with all the chiefest of the offerings of Israel my people ? Therefore the Lord saith to Israel, I said indeed that thy house and the house of thy father should minister for ever before me, but now the Lord saith, Be it far from me, for he who honoreth me, him will I honor, and they that despise me shall be lightly esteemed. Behold the days come that I will cut off thy arm and the arm of thy father's house . . . and this shall be the sign unto thee that shall come upon thy two sons, on Hophni and Phinehas; in one day they shall die, both of them. And I will raise me up a faithful priest, who shall do according to my heart and my mouth," I Sam. 2 : 29-35. Likewise, of the suspension of the king, Saul, who, in the face of God's commandments had spared God's enemies, we read: "Because thou hast rejected the word of the Lord, the Lord also hath rejected thee from being king," I Sam. 15 : 23.

It is plain how suspension varies, for one is a suspension from office, one from a benefice or from some other good from which the sinner is justly suspended on account of open sin. Likewise, there is a suspension in fact and a suspension by law and there are other sorts of suspension. But, as has been said, suspension by law belongs chiefly to God to originate and regulate, but suspension in fact occurs when God sometimes through good, sometimes through bad, ministers suspends by the natural order of things any offending prelate from his office and ministry when he is actually in criminal offence. For he sins by the very fact that he falls into mortal sin, whatever it be that he may do, and consequently he is forbidden of God to sin in that way, and consequently he is suspended by God from that office. Hence, the prophet says: "God said unto the sinner, What hast thou to do, to declare my statutes, and that thou hast taken my covenant in thy mouth? seeing thou hatest instruction and castest my words behind thee. When thou sawest a thief thou rankest with him, and hast been a partaker with adulterers. Thy mouth abounds in evil and thy tongue blabbeth deceit. Thou sittest and speakest against thy brother and thou settest up slander against thy mother's son," Psalm 50 : 16-20. Here God enumerates the sins for which He suspends the sinner from the publication of His covenant which is the law of truth. The first sin is disobedience to God, the second, rejection of His words; the third, theft; the fourth, adultery; the fifth, wickedness of mouth, which divides itself into lies, blasphemy, false testimony, deceit, slander, vain speaking, malediction, base speaking, and such like; the sixth, the sin of taking offence at Christ.

From this we gather how rare are judges, preachers and others who publish God's covenant to the people who should not be suspended of God from the publication of that covenant. Therefore, let the faithful note in the matter of suspension just spoken of from the office of publishing God's covenant and for the threefold example spoken of above whether or not our prelates and clerics are suspended of God. First, if they thrust from themselves the knowledge of Scriptures and the task of evangelization, then are they suspended by God, as in the lesser case [that is, preaching under the O. T.] we read in Hosea 4, for our prelates have, on the one hand and the other, greater material for preaching and a better model and also certain reasons for preaching above what the priests of the old law had, and yet they exercise this office less. Therefore, as there is a greater reason now underlying the duty to preach, and as the same Lord is present, who is not able to withhold natural vengeance in view of the greater sin in not preaching,

and the demands of His justice, it is clear that if our prelates are of this kind, they are under a more severe suspension. Yea, and they are under a still more severe suspension in so far as they are under more urgent obligation to fervently proclaim Christ's law in these times of antichrist.

So far as the second kind of suspension goes — that of Eli pronounced by God — the faithful should note whether our prelates either do not punish at all or punish their spiritual sons as more guilty than the natural sons of Eli, who were punished of God. And in order to discern their greater guilt, the faithful ought to note these two things: (i) that a prelate is under greater obligation to his spiritual son than any one by the law of reason is to his natural son and (2) that more detestable is the punishment meted out on account of the lack of money for which [pardon for] sin is sold than is a punishment remitted for the vindication of an injury against God out of natural affection, as Eli seems to have spared his sons. So far as the third kind of suspension goes, as it holds for prelates, kings, and other secular princes, let the faithful note that the prelates show more favor to the public enemies of God for the sake of their own comfort than Saul showed to Amalek moved by lust for his temporal goods. If this is so, then there is no doubt but that the same God who at all times must exercise the same justice punishes the delinquent more severely. Therefore, it is an evident mark of the severity of punishment that God puts off punishment till after death and does not punish them in this life in any other way but permits them to wander about in mundane prosperity as reprobates who are not reprov'd.

But, alas, this threefold suspension men do not think of, and especially ought those higher in worldly rank often revolve in their minds the way in which they may be suspended from office and from benefice forever. Hence, on the words, "The Lord in his anger said to Moses, Take all the chiefs of the people and hang them up before the sun on the gallows," Num. 25 : 4, Origen, *Hotn.* 20, speaks thus: "The Lord said unto Moses that he should take all the chiefs and hang them up to the Lord before the sun. The people sin and the chiefs are hung up before the sun, that is, they are brought forward that they may be examined, and may be convicted by the light. Thou seest what was the condition of the chiefs of the people. Not only were they convicted for their own transgressions but they were also obliged to give a reason for the sins of the people lest perhaps the guilt was theirs that the people came short, and lest perhaps they had not taught nor moved nor been solicitous to convict those who were first in the guilt that the contagion might not be spread among many. For the leaders and doctors ought to do all these things, for, if they do not and have no concern for the common people, the people sin, and they themselves are held up and brought forth to receive sentence. Moses, that is, God's law, convicts them as neglectful and indolent, and the wrath of God is turned against them and withdrawn from the people. If men would think of these things, they would never desire the chiefs of the people or go to them. For it is sufficient for me, if I am convicted of my own sins and shortcomings, it is sufficient for me to render a reason for my own self and for my own sins. Why is it necessary for me also to be held up for the people's sins before the sun, in the face of which nothing can be hidden or kept dark or veiled?" And Origen adds, "the chiefs are held up before the sun and, if guilt is found in them, God's anger ceases towards the people." So much Origen, who shows how chiefs are heavily censured for the sin of self-indulgence which the people practise.

Woe, therefore, to the modern spiritual and secular princes who themselves practise self-indulgence, who give to their subjects a bad example and do not reprove them or, if they reprove them, do this out of avarice! Such, without doubt, are suspended from office by God, for it is written in the papal law, Decretals, 3, de vita et honestate [Friedberg, 2 : 455] : "We command your brotherhood that, as far as the clerics of your jurisdiction are concerned, who are in the subdiaconate or the orders above it, if they have mistresses, ye should studiously take care to admonish them that they remove from themselves these women who least of all ought to have been admitted. But, if they refuse to acquiesce, ye shall suspend them from their ecclesiastical benefices until they make condign satisfaction, and if they who are suspended presume to keep these women, ye shall see to it that ye remove them permanently from those benefices." Because there is no defect in the law but in the superiors who ought to practise it, therefore, the pope in the preceding chapter says that prelates who may presume to hold on in their iniquities to such persons, especially for the sake of getting money or some other temporal good, them we wish to subject to the same punishment. And it is said by the authority of St. Gregory, Dist. 83 [Friedberg, 1 : 293]: "If any bishop shall assent to the fornication of clerics for a price or at their petitions and not assail their authority, he ought to be suspended from his office." And this suspension, according to the archdeacon, ought to be permanent, equivalent to deposition, because of the difficulty of assembling the bishops for the purpose of deposing such bishops or bishop who simoniacally have sold or sell righteousness. And because a metropolitan — as is the Roman pontiff — may be slow so far as his cardinals are concerned in the execution of this holy duty, therefore, in the third place, they have ordained laws intended to remedy the disorders, namely, that the mass of the priest shall not be heard from him to whom it is notorious that that priest is living in fornication, nor shall the goods of the church be administered to him to encourage the deed. For Pope Nicolas, Dist. 32, Nullus [Friedberg, 1 : 117], says: "Let no one hear a mass said by a presbyter of whom he knows beyond a peradventure that he is keeping a concubine." Hence, Alexander II in the same place says: "We charge and command that no one hear mass said by a presbyter of whom he knows beyond a peradventure that he has a concubine." And he goes on to say: "Therefore the holy synod [Roman synod, 1063] also decreed this under the head of excommunication, when it said: 'Whatsoever priest, deacon, or subdeacon, in view of the constitution passed by our predecessor of blessed memory, holy Pope Leo [IX] or Nicolas [II], on the chastity of the clergy, shall again take a concubine or not give up the one he already has, we in the stead of Almighty God and by the authority of the princes, Peter and Paul, charge and wholly forbid that he sing mass or read the Gospel or the Epistle in the missal service or that he remain in the presbytery with those who, in performance of divine service, have been obedient to the aforesaid constitution or that he receive anything from the church.'" On this the archdeacon says: "That the people ought to withhold from such a one voluntary tithes, because a benefice is not given except for the performance of duty. And inasmuch as the same sentence or a greater one holds for spiritual fornication, which is a greater offence, it is evident that the inferior ought to be suspended by the superior prelate, namely, for the spiritual sin — which is more grave — whatever it may be. And as it is certain that Luciferian pride in a prelate, neglect of evangelizing and avarice like that of Iscariot are sins more grave than carnal fornication, it is plain that the supreme prelate, Christ Jesus, to whom these graver sins are chiefly known, does not withhold suspension on any excuse proportioned to the guilt. From these things, when the condition of the church is inquired into, it is gathered that from pope down to the lowest priest

rarely is one exempt for a given time from suspension unless it be he who blamelessly follows the Lord Jesus Christ. For it has already been said how fornicators are suspended. Likewise of simoniac clerics, *Quicumque* by Gregory, and *Reper.* by Ambrose [i: i : cap. 2, 7; Friedberg, 1 : 358, 359]. Likewise clerics are suspended for brooding over base gains and lucre," Dist. 88 [Friedberg, 1 : 307]. And since all these persons, in view of the law of Christ, minister to the church unworthily, it is clear how manifold are the irregularities and profanations which the clergy of the church are involved in.

Of profanation I have treated in the tract *contra adversarium occultum*,² showing how every wicked presbyter profanes — that is, violates, curses, and contaminates — God's spiritual temple. For, to follow the saints in their lives is undoubtedly more honorable than all material temples, which will not last after the day of judgment. And woe is me, if I keep silence, not assailing the avarice or the evident luxury of the clergy. For it is said, Dist. 83 [84, 85, Friedberg, 1 : 292 sq.], an error not resisted is an error approved and the truth, inasmuch as it is defended least, is oppressed. Indeed, as one is able to convict perverse persons, to neglect to do so is nothing else than to favor them. And there is not lacking the suspicion of a hidden fellowship in the case of him who neglects to oppose a deed evidently bad. For what does it profit him not to be polluted with another's error if he gives assent to the one who errs? For he evidently assents to him who is in error who does not help him to cut out those things that ought to be reproved.

Hence St. Gregory, *Pastoral Theology*, cap. 15 [2:4, Nic. Fathers, 2d Ser., 12 : 11], quotes Lam. 2 : 14, "Thy prophets have seen for thee false and foolish visions and they have not uncovered thy iniquity to provoke thee to repentance," and says: "Indeed in the sacred oracle the prophets are sometimes called doctors, who, while they present the present as fleeting, declare the things that are to come as evident. And the divine discourse asserts: 'They have seen false things/ for while they fear to correct guilt, they, in vain, flatter the sinning by promises of safety, because they never in any way uncover the iniquity of the sinning. For they suppress the voice of chiding. Indeed the key which opens is the word of reproof . For by chiding the voice uncovers guilt, of which often he himself is not aware who is chargeable with it.'" These words of St. Gregory are also found, Dist. 43, *sit rector* [Friedberg, 1 : 154].

Oh that our doctors would turn to these things, for then they would not speak fair of the life of prelates and they would not be slow to uncover to them their iniquity, that they might provoke them to penitence. They would see in how many ways one may consent to the open sin of another, for he consents who co-operates, who defends, who gives counsel, and sanctions, and also who neglects to threaten and rebuke.

Now, in regard to the interdict with which, on account of the sin of a single man, or of a number, the clergy vex Christ's common people — plebs. For by the three censures, excommunication, suspension and interdict, for their own exaltation they keep the laity at their feet, increase their avarice, protect wickedness and prepare the way for antichrist. And all three censures they heap up on the ground of [as a punishment for] disobedience in this way, that every one that does not obey them and yield to their will, him they excommunicate or suspend from office, and when he continues to resist their will, they place the interdict over the people, interdicting the exercise of divine services, the display of the

sacrament, burial — and these things they interdict to men altogether righteous, that they may carry out their will by the deliberate imposition of such burdens.

But this is an evident sign that these censures proceed from antichrist; and these they call in their legal proceeding fulminations when they are directed against those who preach Christ's law and who show up the wickedness of the clergy. A second sign is that these censures are multiplied on account of disobedience done to themselves rather than on account of disobedience done to God and, therefore, rather on account of the injury done to themselves than for the injury done to our God. For in this way the old enemy, skilled in wickedness, proceeds, by exalting obedience to antichrist above obedience to Christ, and so he usurps, for disobedience to himself, that excommunication which Christ instituted for disobedience to God.

And he proceeds after this fashion: He infames Christ's disciple, later accuses, and then cites him, excommunicates and suspends him, and, if he cannot bring him into prison or death, he then invokes the secular arm and, if he cannot vanquish him in this way, he superimposes by his wickedness the interdict. Chiefly, however, he proceeds in this fashion against those who lay bare the malignity of antichrist, who has monopolized the clergy in largest measure for himself. Therefore, he launches these censures for the sake of his clergy, notably those engaged in litigation out of greed for benefices and at such times as the people have not given their tithes according to promise, or in case the prince has seized or received the temporal things, or if any cleric— even though he be the most iniquitous thief or otherwise taken in crime — has been held in custody by the secular authorities, or if a priest has been wounded to the shedding of blood, or even when the people lawfully have withdrawn for a time their obedience from their prelates. But Christ, the high priest, when the prophet was imprisoned, than whom no greater has arisen born of women, did not impose the interdict, nay not even when Herod beheaded him. Yea, when he himself was stripped, beaten and blasphemed by the soldiers, scribes, Pharisees, ofEcers, and priests, not even then did he pronounce any malediction, but he prayed, saying: "Father forgive them, for they know not what they do," Luke 23 : 34. And this doctrine he gave to his members, saying: "Love your enemies, do good to them that hate you, and pray for them that persecute you, that ye may be sons of your Father which is in heaven, for He maketh His sun to rise on the good and the evil, and sendeth rain on the just and the unjust," Matt. 5 : 44, 45.

Therefore, following this doctrine in word and work, Christ's first vicar, the Roman pontiff, also taught the faithful, saying: "Hereunto were ye called, because Christ also suffered for us, leaving us an example, that we should follow his steps: who did no sin, neither was guile found in his mouth: who when he was reviled, reviled not again, and when he suffered, threatened not," I Peter 2 : 21-23. And Paul traversing the same path, said: "Bless them that persecute you; bless and curse not," Romans 12 : 14. This doctrine the other saints also followed, who, in the time of persecution did not fulminate excommunication or suspension or impose the interdict, but when more serious persecution came, the more urgent were they in performing divine ministries.

But after the thousand years, when Satan was loosed and the clergy was fat with the refuse of this world and lifted up in pleasure, pride, and ease, the interdict had its origin. For Pope Hadrian, who began to reign 1153, for a wound which one cardinal had received, placed all Rome under the interdict. Oh, how patient under trial was that pope — not, indeed, as Christ, Peter, or Paul, or the apostle Andrew! Later Alexander III also, who began to rule 1159, placed the interdict on the kingdom of England,² *de Sponsalibus*, cap. 2, *Non est vobis* [Friedberg, 2 : 665]. Pope Celestine III, who began to reign A. D. 1082, says something about the interdict in chap. *Qucesivit de majoritate et obedientia* [Friedberg, 2 : 506]. Later Innocent III, who began to rule 1199 A. D., announced the interdict in many decretals, as in chap. in concilio Lateranensi *de pcebenendis*, lib. 3 *Decretalium* [5 : 28 sqq., Friedberg, 2 : 478 sqq.]. Still later Boniface VIII, Innocent IV and Clement V imposed interdicts of this kind, in the *Liber Sextus* and the *Clementines* [Friedberg, 2 : 937 sqq.]. And in this way many such interdicts have been multiplied, while the clergy were inflamed with avarice, the pomp of this world and restless ambition.

Hence I always wish to know the ground or reason of the general interdict by which the righteous without demerit of their own are deprived of the sacraments, such as communion, confession, and others, and at times infants are deprived of baptism; similarly why it is that the divine ministries of God are reduced in the case of righteous men by an interdict issued on account of one single individual. Exceedingly wonderful would it be if service was withdrawn from an earthly king by all good servants on account of one of the servants who was opposed to him. And especially wonderful would this be if, on account of one that was a good and faithful servant of the king, a vassal, wishing to bend him to his own will, should interdict all the king's servants to do ministry to the king himself. How, therefore, does a pope or bishop so inadvisedly, without support of Scripture or revelation, interdict with such extraordinary ease ministry to the king, Christ? For when a general interdict is laid upon a city or diocese, sin does not decrease but rather increases. For to the righteous, sepulture is denied contrary to Scripture: "Thou shalt not withhold favor from the dead," *Ecclesiasticus* 7 : 33. For who doubts but that to bury the righteous dead is a work of mercy, for the angel Raphael addressed Tobias thus: "When thou didst pray with tears and bury thy dead and didst leave thy repast and hiddest the dead in thy house, and didst bury them in the night — I carried thy prayer to the Lord," *Tobias* 12 : 12, 13. Who even doubts that to hear confession and consult unto salvation and to preach the Word of God are works of mercy? Similarly to present the sacrament of the eucharist to the devout people and to baptize are works of mercy. What, therefore, is the reason for withdrawing these things from the people of God without any demerit on their part ?

Hence St. Augustine writes to Bishop Maximus,¹ 24 : 3 [Friedberg, 1 : 987 sqq.]: "If thou hast a judgment about this matter, based on sure reasoning or Scripture testimonies, wilt thou deign to teach us how a son may be righteously anathematized for the sins of his father, or a wife for the sin of her husband, or a servant for the sin of his master, or how any one in the household, yea a child not yet born — if born at the time, when the household is held under the band of anathema — why it should not be healed by the laver of regeneration if it were in danger of death? For this was bodily punishment of which we read that some despisers of God with all their households, which had been partakers of the same impiety, perished among the saints. Then forsooth, that the living might be struck with fear, the mortal bodies which were destined sometime to die were destroyed. But the spiritual punishment

of which it is written, 'Whatsoever thou shalt bind on earth shall be bound in heaven,' binds souls, and of them it is said, As the soul of the father is mine, so is the soul of the son mine. 'The soul that sinneth it shall die' [Ezek. 18 : 20]. Ye perhaps have heard of some priests of great name who anathematized some sinner including his household, but if perchance they were ever asked about it, it would be found that they did not give me a fitting reason [for the act]. But, if any one should ask me whether it was done rightly I do not find anything to reply to them. I have never dared to do this thing for any deeds done against the church, without having admonished most solemnly. But, if God has revealed to thee that this was done righteously, ter, says concerning these words of St. Augustine: "That that bishop had excommunicated Clazianus's whole family for Clazianus's sin, and that seemed to him the right thing to do, because one is sometimes punished with corporal punishment for the sins of another and also because some priests of great name have excommunicated certain persons for sins not their own. In the first part of the chapter Augustine asks of him [Maximus] the cause and reason of his judgment. Later he teaches that none of the reasons aforesaid suffice to confirm his sentence. Thirdly, he comes down to the specific act itself and proves that the sentence issued against the family of Clazianus was unjust. And, finally, he advises the bishop that if he is not willing to give a reason for the judgment, he ought to abandon his error and follow the truth." Thus far the Gloss.

Would, therefore, that those who excommunicate would heed the saying of St. Augustine together with the Gloss, and also they who impose a general interdict for the sake of a single man in the church or the state. Why do they afflict with excommunication and the interdict a community which is not guilty and altogether deprive the good and devoted presbyters of the exercise of the divine ministry and God's devoted people of the sacraments and God Himself, who is therein set forth, of honor, the dead of burial, and often infants of baptism, without which they pass away and are damned, according to the judgment of Augustine? Here the Gloss of the Decretum says on these words: "In case one soul through this severity, by which that whole household was anathematized, should perish, passing out of the body without baptism, the death of innumerable bodies, if innocent men are violently removed from the church, is not to be compared with this injury." The Gloss, Argumentum, says: "Greater is the sin if one soul perish through the sin of unbelief than if they should put to death the bodies of innumerable martyrs for God's sake." This seems to correspond to the very letter, namely: "If the innocent are removed out of the church, and the bodies of martyrs perish, it is not an injury but in popular speech it is said there has been homicide." Likewise, the Gloss says: "More grievously does he sin, by whose guilt a boy's soul goes out of this life without baptism, than he who should destroy many innocent persons by violently removing them from the church."

But, alas ! all such things as these the clergy, blinded by wickedness, do not receive, who, on account of the non-payment, now and then, of a little money, deprive by interdict, as has been said, the people of the sacraments of the church. Not so did Christ teach, who above all taught that the clergy ought not to contend by resort to law, when he said: "To him that smiteth thee on the one cheek offer also the other; and to him that taketh away thy cloak withhold not thy coat also. Give to every one that asketh thee and of him that taketh away thy goods ask them not again," Luke 6 : 29-30. But the clergy, at ease, hearing this most salutary teaching of Christ, ridicule it. Nor is this to be wondered at, for the Saviour

says later: "Every one that heareth these words of mine and doeth them not, shall be likened to a foolish man who built his house upon the sand," Matt. 7 : 26.

Who, I say, is a more foolish man than the cleric who grounds himself in the refuse of this world and holds Christ's life and teachings in derision? To such a low pitch is the clergy come that they hate those who preach often and call Jesus Christ Lord. And, when any one claims Christ for himself, immediately with carping mouth and angry face they say: Art thou the Christ? and after the manner of the Pharisees denounce and excommunicate those who confess Christ. Hence, because I have preached Christ and his Gospel and have uncovered antichrist, desiring that the clergy may live in accord with Christ's law, the prelates first arranged with Lord Zbynek, the archbishop of Prague, to secure a bull from Pope Alexander that in the chapels the Word of God should not be preached to the people. And from this bull I have appealed and never have I been able to secure a hearing. Therefore, being cited, I have on reasonable grounds not appeared because this excommunication was secured through Michael de Causis,¹ after we had made an agreement, and now at last they have procured the interdict with which they vex Christ's common people who are without guilt.

Therefore, I could wish that the doctors, who say that in the acts of procedure nothing absolutely good is forbidden, nor anything absolutely evil enjoined but only things intermediate, would prove that these things are so, and that they would prove that an interdict so general is a thing intermediate, something between what is absolutely good and what is absolutely evil, depriving the innocent of the sacraments and sepulture, interrupting the exercise of the divine ministries and leading to no good, but to offences, distractions and hatred. And how would the doctors be able to show that it is lawful to excommunicate God's people from the sacraments and sepulture and from divine ministries? For it was about this, as has been said, that that most able doctor of the church, St. Augustine, confutes Bishop Auxilius. And the proof of the doctors, which is a combination of hypocritical excuse and the reasoning of rustics, would not satisfy Augustine as reasonable when they say: "According to the method customary with the church and the Roman curia and observed by it." See what a hypocritical excuse that is ! "Before the fathers of our fathers." What a rustic method of reasoning that is ! "Here only things indifferent are commanded." O doctors, of what church is this the method? Of the apostolic church? What apostle observed this method or what saint after the apostles? Never was it the method of Christ, that head of the holy church, in whose method all truth useful for the church is contained.

But I ask where is this saying found: "Every place, city, walled town, villa, or castle, privileged or not privileged, to which the same John Huss may have gone, and how long soever he may remain and how long soever he may tarry, and for three natural days after his departure from such places, we, by these writings, do put them under such a great ecclesiastical interdict and wish that divine ministries be stopped in them"?

Perhaps that method is founded on these words: "Men ought always to pray and not to faint," Luke 18 : 2, or on these: "Praise God all ye peoples," and these: "In every place praise ye the Lord." And what will the authors of the method say, if it should happen that John Huss came to the holy city, Jerusalem, in which cherubim and seraphim cease not to cry daily with one voice, saying: "Holy, holy, holy, Lord God of Sabaoth"? Will they then stop these ministries there in obedience to the fulmination, just as if Christ, the righteous advocate, would not intercede to God the Father for his faithful members or that the angelic choir would not sing: "Holy, holy, holy, Lord God of Sabaoth"? Will that voice stop of which John says: "I heard a voice of many angels round about the throne and the living creatures and the elders, and the number of them was thousands of thousands saying with a great voice, 'Worthy is he that hath been slain to receive the power, and the riches, and wisdom, and might, and honor, and glory, and blessing'; and every created thing which was in the heavens and which is on the earth, under the earth, and in the sea and all things that are in them," Rev. 5 : 11-13? And let not the doctors say that this is not pertinent, for all rational creatures, according to the method practised by the Roman curia, are subject to the curia's command, for every human creature is subject to the Roman pontiff, so it is said in the Extravagante of Boniface VIII [the bull Unam sanctam], namely: "Further we declare, say and define that it is altogether necessary for salvation for every human creature to be subject to the Roman pontiff." Similarly, the angelic world is subject to the Roman pontiff, as appears in the bull of Pope Clement: "We command the angels of paradise that they lead to the glory of paradise the soul of him who has been wholly absolved from purgatory."

Since, therefore, according to this method of the curia, every rational creature — angel and man — is subject to the commands of the Roman pontiff, and since the method in the processes of the same curia states that "whatsoever place, privileged or unprivileged, to which John Huss shall go, and as long as he may be there, we do subject them to the ecclesiastical interdict" — it follows that if, by the highest possibility, John Huss, according to God's absolute power, reached by death the heavenly Jerusalem, that city would be subject to the ecclesiastical interdict. But blessed be God Almighty, who has ordered that the angels and all the saints in that heavenly Jerusalem are not subject to an interdict of this sort! Blessed also be Christ, the chief Roman pontiff, who has given grace to his faithful ones that, when there is no Roman pontiff for a given time, they may, under Christ as their leader, arrive in the heavenly country! For who would say that while the woman Agnes, to all appearances, was for two years and five months the only pope, no one then could be saved? Or again, who would say that after a pope's death and in the interval between the pope's death and the election of his successor, no man dying in that period could be saved? Blessed also be God Almighty, who ordains that His militant church shall have such life that, when a pope is dead, she is not on that account without a head or dead!

Because not upon the pope but upon the head, Christ, does her life depend. And blessed be God that, when a pope is insane or become a heretic, the church militant remains the faithful spouse of the Lord Jesus Christ!1 Blessed also be the Lord, the one living head of the church, who preserves her so effectually in unity that, even now, while there are three so-called papal heads, she remains the one spouse of the Lord Jesus Christ!

For now Balthazar, called John XXIII, is in Rome; and Angelo Correr, called Gregory XII, is in Rimini; and Peter de Luna, called Benedict, is in Aragon. Why does not one of them, called most holy father,

out of the fulness of power constrain the others with their adherents to submit to his jurisdiction ? By authority of which one does the Roman curia speak ; which one has fulness of power over every man on earth? Therefore, the foundation is feeble enough as a foundation and proof, to wit, that anything should be held to be inviolable which is announced by the Roman curia. For the rule is laid down, de Constitutionibus, lib. 6, [Friedberg, 2 : 937], that, when two persons having letters from the pope in regard to the same provision given on the same day, he to whom the pope offered the canonical office has the preference, to whom he did not give it without the knowledge of the executor who first besought it. But if they are equally in grace, so far as the form of the papal brief goes, he who first presents it [in the diocese concerned] will have the stronger claim over the prebend. And, thirdly, if they were equal in these three things then the canons, to whom the collation pertains, or the greater part of them, are bound to proceed to an election, the one left out being deprived of the fruit of grace — unless from the tenor of the papal letters it expressly appear that the pope wished to provide for both of them. But this three-membered method of the curia seems to be a principle most contrary to Christ, because, if it be laid down, as for the most part happens, that the one placed in the canonical office, either by reason of the time of the presentation or the bestowment of grace or, thirdly, the election of the chapter is, in respect to God, somewhat less worthy than the one left out, then by this greatest thing called method, a sentence ought to be pronounced contrary to Christ. From this it follows that that greatest thing called method is contrary to the conscience, and consequently contrary to Christ. What sort of a proof, therefore, is this: "The method customary with the Roman curia and observed by it grants a thing or affirms a thing; therefore, that thing is to be received as consonant with Christ's law and as catholic"?

But this rustic mode of reasoning which the doctors lay down, that "before the fathers of our fathers" such and such a thing was believed and observed, would lead to the conclusion that the doctors themselves believe and observe false customs of the Gentiles and Jews, yea, that they ought to worship Baal, as the Bohemians worshipped him when they were Gentiles. They have for their case the words of Ezek. 20 : 18: "Walk ye not in the statutes of your fathers, neither observe their ordinances." How shameless, therefore, is this argument of the doctors, "before the fathers of our fathers" such or such a thing was believed, observed or held, therefore, it ought to be believed, observed or held by us. For such insipid arguments are made by unsanctified — insulsi, unsalted — men, to excuse excuses for sins. Of their number is not he who said: " We have sinned, O Lord, with our fathers; we have committed iniquity; we have done wickedly. Our fathers understood not thy wonders in Egypt; they remembered not the multitude of thy lovingkindnesses," Psalm 106 : 6, 7.

And if, perchance, the doctors should say that in their statement they mean by "the fathers of the fathers" the holy prophets or the apostles or the later saints, then would they be able to give their express writings against which no one would dare to rebel. And their urgency would cease which breaks down argument and reasoning, when they say that in the proceedings, following "the method of the church customary with the Roman curia and observed by it before the fathers of our fathers," only things intermediate are enjoined, things between what are absolutely good and what are absolutely evil. For which of the holy Fathers, prophets, apostles or other saints enjoins that, wherever even the worst of men might go, there they ceased from divine ministries? For Christ, seeing that most disobedient Judas, who was also his

betrayed, did not cease from divine ministry at his great supper. Yea, with Judas sitting by, he exercised the divine ministry and gave to him his most holy and divine body to eat and only the more urgently admonished the disciples to watch and pray with him lest through the violent assault of the scribes, Pharisees and priests they should fall into temptation. And that most good pontiff did not withhold the most divine prayer when he was being blasphemed and crucified, but prayed for those that crucified him, saying: "Father, forgive them, for they know not what they do," Luke 23 : 34. "Hence, praying with a loud crying and tears, he was heard for his godly submission," Heb. 5:7. Hence, also, his true and real vicars, the apostles and other saints, have imitated him in this, and first of all Stephen, who said: "Lord Jesus, lay not this sin to their charge," for they know not what they do, Acts 7 : 60.

And it is wonderful how, in view of the Jews, who denied Christ to be God and so his whole law, they did not impose the interdict or in view of open simoniacs who are the chief heretics, and by writings of the apostles and other saints cursed, excommunicated, suspended and interdicted and aliens from the holy priesthood. The reason is because those simoniacs buy and sell excommunications, suspensions and interdicts, and with these as their weapons they feed and defend their simony most powerfully. And a proof is not necessary, for this simoniacal trafficking is patent even to the eye of rustics, who are bound, vexed, oppressed and plundered by these selfsame simoniacs. For to such proportions has this heresy of Simon Magus and Gehazi grown that men without compunction in season and out of season, and even the unwilling, are impelled on to this sort of criminal offence. And all trafficking of this sort arises from the method in vogue with the Roman curia, which practises it in turn with the curias of the bishops after the manner of Simon Magus and Gehazi. This appears in the dimissorial letters for confirmings, pardonings, admissions, and also in other things invented to get pecuniary plunders.

Now, as to the condemnation of the XLV Articles,² it should be said — but I speak briefly — that up to this day the doctors of the city hall — pratorium — have not proved that a single one of them is heretical, erroneous or scandalous. And I wonder why at the present time the doctors do not teach in the city hall that the article about the withdrawal of temporal goods should not be put into practice, the reason, presumably, being this: that temporal lords may at their own discretion take away temporal goods from ecclesiastics who are habitually delinquent [in their living and duty]. But now they are silent as were the priests and Pharisees, and do not assemble at the city hall to condemn those who put this article into practice. And certainly because, as they feared, it is being applied to them and will be applied in the future. Let them lose their temporal goods but God grant they may preserve their souls.

The doctors kept saying that when the articles were once condemned, then there would be peace and harmony. But this, their prediction, is turned into the very opposite. For they rejoiced while they were condemning, and now they lament while they have to give up their taxes [ecclesiastical incomes]. They condemned this article — namely, that tithes are pure alms and only alms, but many coming into the city hall begged that their taxes — which are alms — be not withheld. But certain lords of the city hall replied and said: Behold, ye yourselves before condemned the principle that tithes are pure alms and now ye are saying that, indeed, they are alms and so ye are acting contrary to your condemnation. So much for the present, other things being left to be discussed in the future.

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