

The Law of Christ (*Lex Christi*) and the Law of God (*Lex Dei*) – Jan Hus’s Concept of Reform¹

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I.

By the mid-nineteenth century František Palacký (1798–1876) had already compiled a literary monument to the Bohemian reformer, Master Jan Hus, in his *History of the Czech Nation*. In the apologetic national story the patriarch of Czech historiography presented the greatest of the Bethlehem preachers as “the originator and founder of Protestantism” and even as “a representative of intellectual freedom.”² Palacký’s historical account soon became a highly influential master narrative and sank deep roots even outside the strictly academic discussions. It influenced not only the debates about national identity, but also powerfully effected – by its imaginative and narrative power – Czech cultural history, and finally became an inseparable part of the political discourse.³ The contours of Hus’s thought were more precisely

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² František Palacký, *Dějiny národu českého* [History of the Czech Nation] (Prague, 1968) III. 39–44, 52–136 (esp. 126). See further Jiří Kořalka, *František Palacký (1798–1876), Der Historiker der Tschechen im österreichischen Vielvölkerstaat* (Vienna, 2007) 352–354, also Jiří Štaif, *František Palacký, Život, dílo, mýtus* [Life, Work, Myth] (Prague, 2009) 122–123, 206–211, 273–281. For an overall assessment of Palacký’s concept of Jan Hus, see Jiří Kořalka, “Mistr Jan Hus v pojetí Františka Palackého [Master Jan Hus in the Concept of František Palacký],” in *HT Supplementum 1* (2001) 609–635.

³ Palacký’s interpretation of Hus played a key role in the so-called Czech Question, thanks to Masaryk’s text about Jan Hus, in which he explicitly adhered to Palacký’s national programme, see Tomáš G. Masaryk, *Česká otázka, Naše nynější krize, Jan Hus* [The Czech Question, Our contemporary crisis, Jan Hus] (Prague, 2000) 313–372. Masaryk’s book evoked a series of polemics, see Miloš Havelka (ed.), *Spor o smysl českých dějin* [Dispute about the meaning of Czech History] (Prague, 1995) 18, 24. For further details concerning Palacký’s influence on cultural history, especially in the context of historical imagination, see Kamil Činátl, *Dějiny a vyprávění, Palackého Dějiny jako zdroj historické obraznosti národa*

revealed during the twentieth century within modern Hussite scholarship, above all by the Czech Roman Catholic historian, Jan Sedlák (1871–1924), two influential Czech positivist historians, Václav Novotný (1869–1932) and Vlastimil Kybal (1880–1958), Dom Paul De Vooght (1900–1983), and of course a whole series of other authors.⁴ The scholarly discourse soon recognised the meaning of Hus’s principle of reform – the concept of Christ’s law (*lex Christi*) and God’s law (*lex Dei*). The most detailed interpretation of both concepts in Hus’s literary canon was offered in the monumental work of the previously mentioned Czech historian Vlastimil Kybal.⁵ The Czech positivist historian postulated the thesis about a certain conceptual development in the work of the Bohemian reformist theologian, namely, from the figure of Christ’s law, evidenced mainly in early writings, to the concept of God’s law, used in later texts and treatises. Thanks to Marxist theoreticians, Milan Machovec (1925–2003) and especially Robert Kalivoda (1923–1989), the theoretical and practical aspects and consequences of Hus’s principle of reform were for the first time understood more precisely. In particular, both scholars demonstrated the close connection between these two concepts and political theory. Furthermore, they indicated more precisely some of the connecting links with, and influence of, the English philosopher John Wyclif (ca. 1330–1384).⁶ The significance of the concept of Christ’s or God’s law for Hus and Wyclif was likewise confirmed in several partial studies into the political ideas of both thinkers, and this significance is noted in most contemporary interpretations.⁷ Even the latest analyses of Wyclif’s political philosophy

[History and Narration, Palacký’s History as a Source of Historical Imaging of the Nation] (Prague, 2011).

- ⁴ Jan Sedlák, *M. Jan Hus* (Prague, 1915); Václav Novotný, *M. Jan Hus, Život a učení* [Life and Teaching] *Díl I. Život a dílo* [Life and Work] I/1–2 (Prague, 1919–1921) a Vlastimil Kybal, *M. Jan Hus, Život a učení, Díl II. Učení* [Teaching] II/1–3 (Prague, 1923–1931), Paul De Vooght, *Hussiana* (Louvain, 1960) and Paul De Vooght *L’hérésie de Jean Huss* (Louvain, 1960), *ibid.*, *L’hérésie de Jean Huss I.–II.* (Louvain, 1975); other influential interpretations, for instance, see Matthew Spinka, *John Hus, A Biography* (Princeton, NJ, 1968), and Amedeo Molnár, *Jan Hus, Testimone della verità* (Torino, 1973).
- ⁵ Vlastimil Kybal, *M. Jan Hus, Život a učení, Díl II. Učení* II/1 (Prague, 1923) 342–364.
- ⁶ Milan Machovec, *Husovo učení a význam v tradici českého národa* [Hus’s Teaching and Significance in the Tradition of the Czech Nation] (Prague, 1953) 186, and especially, Robert Kalivoda, *Revolution und Ideologie, Der Hussitismus* (Cologne, 1976) 17–19, 27–28, 34–38. On the meaning of the concepts of Christ’s and God’s law and their application in the political theory of John Wyclif, see Lowrie J. Daly, *The Political Theory of John Wyclif* (Chicago, 1962) 97–116, briefly Howard Kaminsky, HHR 32–34, especially, however, William Farr, *John Wyclif as Legal Reformer* (Leiden, 1974) 42–94, 116–127, 139–163 and Michael Wilks, *Wyclif, Political Ideas and Practice*, ed. Anne Hudson (Oxford, 2000) 16–84.
- ⁷ Ernst Werner, *Jan Hus, Welt und Umwelt eines Prager Frühreformators* (Weimar, 1991) 145–157, further Thomas A. Fudge, “The ‘Law of God’: Reform and Religious Practice in Late Medieval Bohemia,” BRRP 1 (1994) 49–72 and especially, Bernhard Töpfer, “Lex Christi, dominium und kirchliche Hierarchie bei Jan Hus im Vergleich mit John Wyclif,” in HENC 157–165; also František Šmahel, “Das Ideal einer gerechten Ordnung und sozialen Harmonie im Werk des Magisters Johannes Hus,” in *ibid.* 203–211. For recent interpretations

emphasise the importance of this concept in the works of the Evangelical Doctor.⁸ In his recently published study Stephen E. Lahey attempted to deal in greater detail with the concept of Christ's law in several treatises of moral theology from Wyclif's *Summa theologiae* and their influence in two texts of Jan Hus, namely, his commentary on Lombard's *Sentences* and his short text known today as *De sufficiencia legis Christi*.⁹

Our study begins where the Marxist theoreticians, Paul De Vooght, and most contemporary interpreters have finished. All of them referred to the significance of Hus's concept of Christ's or God's law. None of them, however, explained in detail the structural content of this fundamental concept in the thought of the Bohemian reformist theologian. An attempt will be made to sketch the Bethlehem preacher's ideas about the law – more precisely Christ's law (*lex Christi*) and God's law (*lex Dei*) – genealogically on the basis of his theoretical treatises (chronologically from ca. 1404 to ca. 1414). Both concepts, of course, can also be encountered in several sermons and other texts of Hus.¹⁰ The main conceptual line and development, however, can be followed in several of Hus's treatises which will be the subject of our analysis. Our attention will be directed toward the use of terminology and the strategy of argumentation, the means by which Hus, in several theoretical works, legitimised his principle of reform. We shall pay special attention to the interpretation of Vlastimil Kybal, the Marxist interpreters and their inheritors. And in conclusion, we shall indicate the role of this concept during the political campaign in a series of debates about the reform programme in 1413 and 1414, and further we will demonstrate how it became an inseparable part of the reform praxis, as well as a personal inward obligation.

see: Thomas A. Fudge, "Hussite theology and the law of God," in David Steinmetz and David Bagchi (eds.), *The Cambridge Companion to Reformation Theology* (Cambridge-New York, 2004) 22–27, also *ibid.*, *Jan Hus, Religious Reform and Social Revolution in Bohemia* (London and New York, 2010) 44–45, 70–71, 95–96, 105–106, 114–115, 120–122, 130–134 and Thomas Krzenck, *Johannes Hus, Theologe, Kirchenreformer, Märtyrer* (Gleichen-Zürich, 2011) 127, 135–141, 179–180, further Fudge, *The Memory and Motivation of Jan Hus, Medieval Priest and Martyr* (Turnhout, 2013) 6–7, 11–12, 33–34, 56–57, 62–66, 244–245; and recently, František Šmahel, *Jan Hus, Život a dílo* [Jan Hus, Life and Work] (Prague, 2013) 169–173.

⁸ Stephan E. Lahey, *Philosophy and Politics in the Thought of John Wyclif* (Cambridge, 2003) 24–170, also Takashi Shogimen, "Wyclif's Ecclesiology and Political Thought," in Christopher Ian Levy (ed.), *A Companion to John Wyclif, Late Medieval Theologian* (Leiden-Boston, 2006) 199–240; Lahey, *John Wyclif* (Oxford-New York, 2009) 169–221 and most recently Vilém Herold, "Ideové kořeny reformace v českých zemích [Roots of Reformation Ideas in the Czech Lands]," in Vilém Herold, Ivan J. Müller, and Aleš Havlíček (eds.), *Politické myšlení pozdního středověku a reformace, Dějiny politického myšlení* [Political Thought of Late Middle Ages and the Reformation] (Prague, 2011) II/2: 223–236.

⁹ Lahey, "Wyclif, the 'Hussite Philosophy,' and The Law of Christ," *BRRP* 9 (2014) 54–71.

¹⁰ For instance, Iohannes Hus, *Leccionarium bipartitum, Pars hiemalis*, ed. Anežka Vidmanová-Schmidtová (Prague, 1988) 264, 339 or Iohannes Hus, *Sermones de sanctis*, ed. Václav Flajšhans (Prague, 1907) 8, 34, 203.

II.

In our analysis we shall be interested in the theoretical treatises from Hus's canonical literary oeuvre, where he discussed the law and lawfulness. The concept of Christ's and God's law appear in the context of those passages. We will start with Hus's early works, specifically with his biblical expositions from the years 1404–1405. Hus performed cursory commentaries with the prescribed exegesis of the selected biblical texts during his study at the Prague Theological Faculty. More specifically he commented on several epistles, and later Psalms. For the purpose of the exegesis of these biblical passages he utilised traditional exegetical instruments (such as the *Glossa ordinaria*) and the authority of canonical interpretations from the writings of Augustine, Ambrose, the Venerable Bede, as well as Remigius of Auxerre (d. 908), Peter Lombard (d. 1164), Nicholas of Gorran (d. 1295) and Nicholas of Lyra (d. 1349).¹¹

In the exegesis of one of the verses from the Epistle of James (Jas 1: 25) Hus's attention turns to the term law of perfect liberty.¹² His exposition of the text equated the law of perfect liberty with the new law of Jesus Christ. Hus further maintained that the law of perfect liberty freed one from the obligations imposed by the Old Testament and man could, thanks to this law, enter into heavenly glory immediately after death – of course, only on the basis of his merits. He further super-ordinated the New Testament to all other laws, such as canon and civil law which so often restricted the faithful Christians in this world. The law of Jesus Christ was, according to Hus's exposition, the freest, the shortest, and the lightest, because it led directly into the heavenly homeland. Despite this, the sons of this age do not care about it and do not hold unto the law of perfect liberty, and instead fly around like owls shrouded by the law of darkness. In further exegesis of the same verse, Hus calls the mentioned perfect law of freedom the easiest perfection. Christ grants it to everybody without difference of grace, as far as place, designation, or state of mind are concerned.¹³ No matter how a person is externally disposed, if only he or she will perform virtue in action, he or she will never be excluded from Christ's law (of perfect liberty). But they will be called like the labourers, who accepted the work of the easiest law, the sweet and light burden,

¹¹ Concerning Hus's cursory expositions in details, see Iohannes Hus, *Enarratio Psalmorum (Ps. 109–118)* [CCCM 253] xiv–xv, xviii–xix, xxiv–xxvii. On the set of biblical authorities used at the Theological Faculty of Prague, we are indirectly informed by the list of books, bequeathed in 1410 to Heidelberg University by the Prague alumnus, Matthew of Cracow, see Matthaëus de Cracovia, *Opuscula theologica*, eds. Władysław Seńko and Adam Ludwik Szafrński (Warszawa, 1974) 58–64 (here is the list of authors mentioned in the text).

¹² Iohannes Hus, *In Epistolas Apostolorum Canonicas Septem Commentarii*, in *Historia et monumenta Joannis Hus atque Hieronymi Pragensis, confessorum Christi, Vol. II.*, ed. Matthias Flacius Illyricus (Norimbergae, 1715) f. 173A.

¹³ Iohannes Hus, *Explicatio M. Joannis Hus in Epistolam Jacobi Caput I*, in *Historia et monumenta Joannis Hus atque Hieronymi Pragensis, confessorum Christi, Vol. II.*, ed. Matthias Flacius Illyricus (Norimbergae, 1715) ff. 193A–194A.

namely, to love God above all. In the end only those will be blessed, who will be obedient to Christ's law, they will fulfil it with their deeds and will uphold the divine commandments. Hus concludes his extensive exegesis of James with the assertion that Christ's law as a configuration of truth will persist through eternity.¹⁴

In the *Exposition of the Psalms*, dated to 1405–1407, the problem of Christ's law (and law in general) is treated in the exegesis of several verses of the Psalm 118 (specifically, Ps 118: 2, Ps 118: 33–34, Ps 118: 44, Ps 118: 72, Ps 118: 77, Ps 118: 92, Ps 118: 96, Ps 118: 165). In the first exegesis (Ps 118: 2), Hus at first seeks help by referring to another Old Testament text (Job 11: 6) and notes that Christ's law exists above all other laws as an unshakable truth.¹⁵ In the second exposition of Psalms (Ps 118: 33–34) he interprets the term law as a law of love and law of grace.¹⁶ In this relatively detailed exegesis of the text he further asserts that the Law was given to the faithful Christians by Christ as a grace, truth, and way leading from death to life, toward a better registering of emotions and also toward a fuller investigation by the intellect. For them, it is necessary to investigate the law of grace by the intellect, which was infused into man and is also inspired by God. The activity of the intellect, which Hus in his exegesis calls the re-examination of the law, concerns, according to him three areas – investigation of secret things, spiritual things for faith, heavenly and eternal things for hope and for desire – the real gifts of the true people of Christ. The gifts of grace can be accepted, by faithful Christians, only through Jesus Christ (again in a triple manner – by understanding the secret law, by fulfilment of the spiritual things by faith, and in the hope for a heavenly love). They should hold unto the law of grace and love with their entire heart during their earthly pilgrimage.

The most detailed exposition of the concept of the law – as to its entire scope – can be found in his exegesis of Ps 118: 44.¹⁷ Hus, first of all, distinguishes the law, the strength of the law, the activity of the law, and the purpose of the law. The law, according to his third exegesis of the Psalm verse, means complex of commandments and sacraments, which are designed for observance. The law exists in three temporal segments and diverse forms within history of the world – as natural law at the time from Adam to Moses, then as the law of darkness at the

¹⁴ Ibid., f. 194A: "Lex autem Christi sicut veritas figurae permanet in aeternum." with reference to Mt 24: 35.

¹⁵ Iohannes Hus, *Enarratio Psalmorum (Ps. 109–118)*, [CCCM 245] 176/275–276. For Hus's exposition of the Psalms see: Amedeo Molnár, "Husovo Enarratio Psalmorum," *Theologická příloha Křesťanské revue* 31 (1964) 67–72, and for his exegetical method see Libor Švanda, "Husova Enarratio Psalmorum: K Husově metodě výkladu Žalmů," *Studia historica Brunensia* 56 (2009) 37–47. On the significance and influence of Augustine, see for more details Marcela Andoková, "Přítomnost Augustínovho Výkladu Enarratio in Psalmum 118 v Husovom komentári k Žalmu 118," *Studia historica Brunensia* 56 (2009) 69–91.

¹⁶ Iohannes Hus, *Enarratio Psalmorum (Ps. 109–118)*, *ibid.* 225–229.

¹⁷ *Ibid.*, 245–247.

time from Moses to Christ, and finally as the law of grace from Christ until the end of the world. No other law will follow in further historical development and the third phase of the of the law of grace is the last period before the fulfilment of grace in future glory, that is, in life in eternity on the basis of the rule of love. Hus further analyses in detail the virtue of these three laws in global history. He points out that the virtue of natural law rested in the instinct of reason, because reason in agreement with naturalness guided toward what was correct and decent. The virtue of the law of darkness was the instinct of anxiety, because anxiety and fear of evil stimulated toward the good. The virtue of the law of grace is the grace infusing faithful Christians with a condition of love so that the commandments of the law would be observed out of love. With reference to Romans 8: 15 Hus even calls this virtue an outright appropriation of a filial status. The following exposition of the action of laws in the history of the world concern only the laws of naturalness and grace. The action of natural law led to a perfection of moral good in man in the manner of moral character, which corresponds with reason. The action of the law of grace – with reference to Eph 4: 23 – leads to a spiritual renewal. Ultimately, however, the purpose of each of the three laws is solely a derivative of the one supreme and highest law, which has only one commandment and benefit – the love of God. The law of nature and the law of darkness were once guarded temporarily, but the law of grace is to be guarded forever, during the entire age of Christ, that is eternal. Properly speaking, the love of God never ends, it cannot be fulfilled in the present world through any efforts, or in the proper way, this can happen only in the heavenly kingdom.

In the fourth exegesis of Ps 118: 72, Hus first of all identifies the mouth, mentioned in the Psalm, as the uttered words of Christ.¹⁸ The law of the mouth, according to him, signifies the Law of the Son of God as the incarnate word. There also exists the Law of Scripture and the law of deeds, which is the Law of the Holy Spirit and is imprinted in the heart of every Christian. It serves all the faithful Christian for his or her own preservation and delight, and is to be expressed in deed, as asserted according to the authority of Jer 31: 33. Even though two laws, of the Son and of the Holy Spirit, are the same, nevertheless the Gospel publicly proclaimed by Christ is called pointedly the Law of the Mouth, otherwise also the rightful Law of Christ, carrying more weight than all the goods of the temporal world.

The fifth passage of the exposition, i. e. Ps 118: 77, analyses words “your Law.”¹⁹ According to Hus’s exegesis of the text, these words mean to love God above all and fellowman as one’s self. As long as the faithful Christians could live in this way of life, they lives in the present life are in grace. Hus’s exegesis of Ps 118: 92 explores in greater detail the utility deriving from the spiritual exercises in the Law of God (*ex meditatione legis Dei*).²⁰ From the exposition

¹⁸ Ibid. *Enarratio Psalmorum* (Ps. 109–118), 291–292.

¹⁹ Ibid., 299–300.

²⁰ Ibid., 317–318.

of the verse, Bohemian reformed theologian deduces that such a spiritual exercise is a cause of persistence with the help of grace, which forms and fortifies the inner man against disfavour. Likewise it directs faithful Christians towards the good and successfully renders their minds calm, as well as their yearning human body.

In the exegesis of Ps 118: 96 Hus maintains that the goal of all perfection is Christ and his commandment of love.²¹ For the enemies of Christ this commandment is too broad and they stretch it further, but the true faithful Christian, according to Hus, easily and gladly becomes fond of it. In the last exegesis of a passage analysing the problem of the Law (Ps 118: 165), Bohemian master explains the locus of the utility of the love of the Law, which Christ, the law-giver, has given to faithful Christians.²² According to him, it is peace of mind (because God's love repels all perturbations of the mind).

Let us follow the development of Hus's views in other texts connected with his theological training at the Prague University, together with his other duties and activities. One of his university works, probably dating to 1408, is known today in an abbreviated form as *Quaestio de lege divina*.²³ It is a key treatise for the understanding of his entire thought. This text reveals a certain transfiguration, especially a regrouping of the biblical material – originally analysed in the expositions of Epistle of James and Psalms – into a new structure and form. In the introduction, material mined through a thorough analysis of biblical texts is enriched with new concepts and sources, and gains a more strikingly expressive theoretical power. In the *quaestio* Hus introduces the problems of his investigation: *Utrum aliquid lege divina prohibitum possit in aliquo casu homini esse licitum*.²⁴ First of all, he provides a detailed analysis of the fundamental terms. He devotes most space to an analysis of the term the Law of God, which was also frequently used by Wyclif, for instance, in the treatises *De mandatis divinis* and *De civili dominio*.²⁵

²¹ Ibid., 321–322

²² Ibid., 409–412, on the concept *Christus legifer* see Iohannes Wyclif, *De mandatis divinis*, in idem., *Tractatus de mandatis divinis accedit Tractatus de statu innocencie, De differentia inter peccatum mortale et veniale*, eds. Johannes Loserth a F. D. Matthew (London, 1922) 27/9–10. The two earliest known manuscript of Bohemian provenance with the extant text of the treatise *De mandatis divinis* are dated, first one to 1404 (MS Prague, NK V.A.3, fol. 1r-121v) and the second one to 1405 (MS Prague, NK IV.D.22, fol. 1ra-129va), for both of them see Willliell R. Thomson, *The Latin Writings of John Wyclif, An Annotated Catalogue* (Toronto, 1983) 45.

²³ Iohannes Hus, *Quaestio de lege divina*, in *Questiones* [CCCM 205] 17–22. For dating see introduction to the edition Iohannes Hus, *Questiones*, ix–x and also Jiří Kejíř, “Husovy kvestie” [Hus's *quaestiones*], in idem., *Z počátků české reformace* [From the Beginnings of Bohemian Reformation] (Brno, 2006) 200.

²⁴ Iohannes Hus, *Quaestio de lege divina*, 19/3–4.

²⁵ Iohannes Hus, *Quaestio de lege divina*, 19/5–30, further for Wyclif's reflections on God's and Christ's Law see Iohannes Wyclif, *De mandatis divinis*, 34/15–29, 35/12–36/8, 48/11–49/7, 83/26–86/8, 94/24–26, 170/20–33, 303/23–29, 342/27–343/20, 370/1–4 and also Iohannes Wyclif, *Tractatus de civili dominio*, ed. Reginald Lane Poole (London, 1885) I: 33–39, I:

From a general standpoint, Hus in the text distinguishes three laws: divine law; natural law in the form of the Gospel commandment of love known from Matthew (Mt. 22: 36–39); and human or positive law, which he calls – in its proper sense – political or civil law. The Law of God, according to Hus, is of two kinds.

The first kind, non-created or objective law is one of eternal configuration, and pre-ordination of the divine mind and of the divine essence; the other kind, created or formal law, exists as the authoritative and directing truth for man, for instance, as the duty to serve one's God. Hus pays further attention to the interpretation of the Law of God in the created or formal aspect. The created Law of God is oriented toward God; it is principally derived from God, and serves to direct people as rational creatures. For this reason, people have a duty toward God to be his servants. They are, once and for all, betroth to God, and never in conflict with divine authority. The Law of God prohibits evil habits and all acts contrary to moral virtue. The only moral agency and permissible deeds are those which are without sin and in agreement with conscience.

After a detailed analysis of the fundamental terminology, Hus formulates three principal conclusions. He maintains in the first that something commanded by the Law of God is always and forever permitted to man, the contrary is always impermissible.²⁶ Hus justifies this view by the commandment to love God, which is always permitted to man, since it does not include anything impermissible. In corollaries to the first conclusion, Hus makes his standpoint more precise. He explains that something prohibited by the Law of God cannot be permitted in any human situation. Further, he proves the validity of this assertion by the fact that to hate God is prohibited by the Law of God, and it is not permitted to man in any case. The second corollary moreover specifies that every man obliges himself to love God always and forever. And the final corollary concludes the view that those who do not love God elevate themselves above him, and sin against God through their deeds.²⁷

The second conclusion, to a certain extent, limits the absolute validity of the first conclusion.²⁸ Hus here defends the position that not everything commanded by the Law of God is always and forever permitted to man. As an example, he mentions the Old Testament commandment to keep the Sabbath,²⁹ as well as the example of renunciation of pork together with the behaviour of a mother and her seven sons, known from 2 Macc 7: 1–42. Hus,

145/3–9, I: 206/6–12, I: 226/18–26, I: 348/16–351/7, I: 396/17–398/13, I: 406/25–407/22, finally Iohannes Wyclif, *Tractatus de civili dominio*, in idem., *De civili dominio*, ed. Johann Loserth (London, 1900) II: 195/30–39.

²⁶ Iohannes Hus, *Quaestio de lege divina*, 20/31–37.

²⁷ *Ibid.*, 20/38–45.

²⁸ *Ibid.*, 20/46–21/70.

²⁹ For more on this commandment, see Iohannes Hus, *Super quattuor Sententiarum*, lib. III, dist. 37, <5.>, eds. Václav Flajšhans and Marie Komínková (Prague, 1904–1906) 489–490.

however, posits the authority of another biblical text – 1 Cor 10: 25 – into direct opposition against the Old Testament commandments.

How does one resolve the collision between Old and New Testament authorities? An answer is provided by the text. Hus maintains that something ordained by the Law of God may be changed according to the needs of time, or place, or decency (*secundum necessitatem temporis aut locum aut epykeiam*³⁰). The converse of a commandment of God's Law does not need to be sin. After all, even advice may be God's Law, because it mitigates to a certain extent the strict principle of obedience to God. Advice does not command outright, but counsels one to carry out or not – an order according to circumstances or out of decency (*cum epykeia*). On the basis of the arguments in the second conclusion, Hus responds positively to the question posed. If something is prohibited by God's Law, it may be permitted in some human situations as far as it fulfils certain concrete and necessary circumstances (that is, the conditions of time, place, and dignity for the execution, or non-execution, of the commandment or order). The moral agency of that kind, after fulfilling the stipulated conditions, is permitted without sin, if it does not disturb but is also in harmony with the conscience.

The third conclusion concludes, in detail, the relationship between God's Law and human law.³¹ If whatever ordered by human law does not agree with God's Law, it is not permitted, because it differs from the true foundation. All human laws are obliged to observe the Law of God. Thus every law, differing from the Law of God, should be prohibited. Likewise every faithful Christian is duty-bound to adjust the judgments of his conscience (*foro consciencie*) to the Law of God as the appropriate standard.

Another of Hus's texts closely connected with his activity at the Prague Theological Faculty – in which we find passages devoted to an analysis of law – is the commentary on Lombard's *Sentences*. In the commentary, we can also register certain conceptual transformations because, in particular, the presentation expands the hitherto sketched lines, particularly by introducing further aspects of moral theology. That occurs in some passages in the third book of the commentary (these passages can be dated sometime between the later year 1408 and early 1409).³² Jan Sedlák has already convincingly

³⁰ Aristotle, *Eth. Nic.* V,14,1137a31–1138a3 (see also VI,11,1143a19–24 a VI,12,1143a31–32). For this concept in Aristotle's ethics, see especially Günter Virt, *Epikie, verantwortlicher Umgang mit Normen* (Mainz, 1983) 14–90.

³¹ Iohannes Hus, *Quaestio de lege divina*, p. 21–22/73–82.

³² Iohannes Hus, *Super quattuor Sententiarum*, eds. Václav Flajšhans and Marie Komínková (Prague, 1904–1906). On the dating of Hus's *Commentary* on Lombard's *Sentences*, see František M. Bartoš and Pavel Spunar, *Soupis pramenů k literární činnosti M. Jana Husa a M. Jeronýma Pražského* [List of Sources for the Literary Activity of M. Jan Hus and Jerome of Prague] (Prague, 1965) 68–69. The fundamental studies of Hus's *Commentary* are František M. Bartoš, "Hus's Commentary on the *Sentences* of Peter Lombard", CV 3 (1960) 145–157 and Stephen E. Lahey, "The *Sentences* Commentary of Jan Hus," in František Šmahel in cooperation with Ota Pavlíček (eds.) *A Companion to Jan Hus*, (Leiden-Boston,

demonstrated that several passages of Hus's *Commentary* are influenced by some works of John Wyclif (for instance, certain Christological distinctions, the concepts of virtues, ideas and time).³³ Likewise, he called attention to the fact that entire series of distinctions in the third and the fourth book bear traces of the influence of frequently used manuals for the university lectures on the *Sentences* of Peter Lombard from the second half of the fourteenth century. Above all, it is the case of the influential – and in the Prague milieu frequently used – commentary on the *Sentences* by Thomas of Strasbourg (d. 1357) and the theological compendium, known at present as *Compendium theologiae veritatis* of Hugo Ripelin of Strasbourg (d. 1270).³⁴ In one of the distinctions of his *Commentary*, Hus examines the problem of whether it was necessary to issue a written law of the Ten Commandments, which were already imprinted in the hearts of humans.³⁵ Hus does not deny the appropriateness of this procedure; God proclaimed the written law in the form of the two tablets of Moses, because of the nature of man being dimmed by a multiplicity of sins. Thus, an external reminder was required. Even though sinful people had knowledge of the good and of the obligations, according to which they should live, nevertheless they did not possess the true love of life. Therefore, things had to go so far that people had to be forced through the written law to become more strongly inclined toward the good. Mere human nature was insufficient for even the recognition of the good; it was necessary to resort to divine authority so that divine ordinances could become more firmly embedded in memory of people, and human thoughts could turn to them more frequently. Hus further develops

2015) 130–169. Concerning a partial influence of the Venerable Bede on Hus's *Commentary*, see Zdeněk V. David, "Jan Hus a anglická homiletika: Beda Ctihodný a Wyclif v Husových českých spisech" [Jan Hus and English Homiletics: The Venerable Bede and Wyclif in Hus's Czech Writings], in Petr Hlaváček et alii (eds.), *O felix Bohemia! Studie k dějinám české reformace* [Studies on the History of the Bohemian Reformation], (Prague, 2013) 68–69.

³³ Jan Sedlák, "Pramen Husovy Lektury na III. knihu Sentencí [The Source of Hus's Commentary on the Third Book of *Sentences*]" in *Studie a texty k náboženským dějinám českým I.* (Olomouc, 1915) pp. 436–449, dále Jan Sedlák, "K pramenům Husovy Lektury na Sentence," in *Studie a texty k náboženským dějinám českým II.* (Olomouc, 1915) 125–131 and also Jan Sedlák, "Husova lektura na Sentence [Hus' *lectura* on the *Sentences*]," in *Studie a texty k náboženským dějinám českým II.* (Olomouc, 1915) 531–536.

³⁴ For a survey of the commentary tradition on Lombard's *Sentences* in the second half of the fourteenth century, see Paul J. J. M. Bakker and Chris Schabel, "*Sentences* Commentaries of the later Fourteenth Century," in Gillian Rosemary Evans (ed.), *Mediaeval Commentaries on the Sentences of Peter Lombard, Vol. I., Current Research* (Leiden-Boston-Köln, 2002) 425–464. More on *Compendium theologiae veritatis* by Hugo Ripelin of Strasbourg, see Georg Steer, *Hugo Ripelin von Straßburg, Zur Rezeptions- und Wirkungsgeschichte der "Compendium theologiae veritatis" im deutschen Spätmittelalter* (Tübingen, 1981) 41–239.

³⁵ Iohannes Hus, *Super quattuor Sententiarum*, lib. III, dist. 37, <3.>-<4.>, 488–489 and analogical exposition in Hugo Ripelinus de Argetina, *Epitome, alias Compendium theologiae veritatis non minus publicis concionatoribus quam scholasticis proficuum*, lib. 5, c. 59 (Colonie, 1506) ff. M(iv)r–M(iv)v.

his argumentation in a surprising direction. Referring to the authority of Richard of St. Victor (d. 1173) he maintains that God even permits departures from the Ten Commandments. However, it happens only in cases of commandments interpreted by the faithful Christians according to their intention, when they carry out a relation to a neighbour that even God cannot breach. In such situations, the act cannot be connected with – nor subsumed under – the Ten Commandments. As an example, Hus introduces a situation when the commandment to honour one's parents need not to be kept. It is, however, possible only and exclusively in the case when the parents' behaviour is opposed to God. In another place, Hus discusses the difference between the commandments of the Old and New Testaments.³⁶ According to this exposition, the commandments of the Old Testament restrain more the hand rather than the soul (*anima*). They pursued the faithful Christians through earthly punishments and external signs, but in no case were their souls constrained. Even when the commandments prohibited sins, the retaliation increased sensuality, added transgressions, and did not liberate through grace. On the contrary, the commandments in the Law of the Gospel affect both the hand and the soul, they have a wider reach; from the moral standpoint they are more sweeping prohibitions and they impose eternal punishments. For the punishment is not imposed by man, but by God himself, the scrutiniser of the heart.

In a university *quaestio* known at present in an abbreviated form as *Quaestio de supremo rectore*, which can be dated somewhere between the years 1408 and 1412, we can detect further development in Hus's views on the Law. In this text he analyses the relationship between the supreme ruler and the best laws.³⁷ Hus notes not only the ontological aspects of legislation, especially with regard to the creation and natural laws in the universe. But he also examines the relationship among the various types of laws, especially their range and validity, together with their influence on society and moral theology. The question is fully entitled: *Utrum supremus rector universi secundum optimas leges possibiles regulat universum*. The text clearly outlines the parameters of Hus's analysis. The entire investigation stems from two assumptions – the existence of the supreme ruler (God) and the existence of the best (divine) laws. The aim of his analysis was to determine whether the supreme ruler actually governs the world through the best possible laws, and to discover the specific form of these laws. At first, on the basis of deduction from the most general terms, Hus admits the impossibility of the existence of somebody higher than the supreme ruler, or of a better law than the best

³⁶ Iohannes Hus, *Super quattuor Sententiarum*, lib. III, dist. 40, 496–499, see also Iohannes Wyclif, *De mandatis divinis*, 71–73, 75–81.

³⁷ Iohannes Hus, *Quaestio de supremo rectore*, in *Questiones* [CCCM 205] 171–175; for dating, see the introduction to the edition of Iohannes Hus, *Questiones*, xiv and also Jiří Kejř, "Husovy kvestie," 211, n. 66.

law.³⁸ He, of course, identifies the Christian God as the supreme ruler of the universe.

What, however, is the form of the best law? The law in its most general form is, according to Hus, the directing truth of all created beings and the foundation of their activities; they have certain duties toward this directing truth, which he mentions later. In several specific corollaries, Hus then distinguishes the existence of various laws – the created law, the natural law, the divine law, and the human law. He sets aside the first two types of law, and pays attention only to the latter two types. Further he states that the divine law rules humans through their morality. Finally he maintains that human law determines human goods according to desire and accident.³⁹ It was the supreme ruler (God), who gave the law to rational creatures, or more exactly, the laws of the four mentioned types.

Rational creatures are duty-bound to observe these laws – of all the various types – according to their full capacity and obedience. The laws of the supreme ruler in their partial form, for instance, call back the erring ones – thanks to them sinners are uncovered; ignorant people are made to behave; proud people are humbled; transgressors punished; and good people profitably rewarded. Hus excludes the possibility that one can be a created being and at the same time not observe in his heart any law, bestowed on the creation by the supreme ruler, that is, by God.⁴⁰ The laws of the supreme ruler, according to him, are imprinted on the hearts of every creature that is furnished with reason, because they enable the final attainment of eternal felicity. The Bohemian reformer specifically identifies the two best laws of the supreme ruler that are obligatory for all rational creatures – the supreme duty to love the creator, and a duty to avoid sinful agencies.⁴¹ The task of humans, during their earthly pilgrimage in this world, should be an effort to submit to the most important law of the supreme ruler of the universe. And as Hus states in the final conclusion, is to obey and fulfil the easiest, shortest, fullest, most complete and most useful divine Law. Further according to him, it (i.e. the most important law of the supreme ruler of the universe) is the easiest law because it can be fulfilled by anybody, anywhere, and at any time. It is also the shortest law, because it is fulfilled through one single word. It is also the complete law because it does not require any supplement, and it is most useful because no other promotes the utility of a human being. The duty of every man in this world is to apply assiduously the Law of God, to observe it and to prefer it to any other law (especially human ones), furthermore to be devoted to it and to learn it for the performance of deeds, especially if the faithful Christian desires to obtain eternal happiness.⁴²

³⁸ Iohannes Hus, *Quaestio de supremo rectore*, 171/9–13.

³⁹ *Ibid.*, 172/40–46.

⁴⁰ *Ibid.*, 172/47–57.

⁴¹ *Ibid.*, 173/80–94.

⁴² *Ibid.*, 174/119–121, 175/125–133.

Hus also discussed the problems of law and legality during his *quodlibet*, which took place at the beginning of January 1411. According to the extant quodlibetal manual, he entrusted the question concerning this subject to Master Jan of Beroun (matriculated in the Prague Law Faculty), whom he compared, in the introduction, to Gratian, as a man most experienced in law.⁴³ Jan of Beroun's written response to the question posed by the director of the *quodlibet* – *Utrum lex pure canonica legi ewangelice in aliquo quoad direccionem hominis sit aduersa* – is unfortunately not preserved.⁴⁴ By the time of the ceremony, the theme of the university disputation had become the burning issue of the day.

As early as 18 July 1410, Hus was subject of the Archbishop's excommunication for disobeying a prohibition on preaching and also for the appeal against the burning of Wyclif's writings in July 1410. Whereupon the wheels of the judicial machinery at the Curia began to spin against him.⁴⁵ From his arguments in the subsequent discussion, we can at least guess the direction of the argumentation and some of the problems which were brought up for solution, namely, the relationship between the human and the divine law, above all, the problems and asymmetry (in some ordinance to man) between the revocability of the purely human canonical law and the irrevocability of the evangelical law. Finally, according to the concluding question for discussion, we can perhaps assume that there was also a consideration of the problem of whether it is more difficult for the savants to deal with a purely human canonical law than with a divine law, which by itself suffices for salvation.⁴⁶

One of the most important treatises of the Bohemian reformer can be dated to September or perhaps to early October 1414. This brief text was intended as his principal ideological weapon and he possibly planned to present it before the conciliar fathers as his key defence during the planned disputations. In the famous question *De sufficiencia legis Christi*, the analysis of Christ's Law

⁴³ Iohannes Hus, *Quodlibet, Disputationis de Quolibet Pragae in Facultate Artium Mense Ianuario anni 1411 habitae Enchiridion* [CCCM 211] 227–228, for the characterisation of Jan of Beroun, *ibid.*, 227/99.

⁴⁴ See also Jiří Kejř, "Právnícké otázky Husova quodlibetu [The Legal Issues of Hus's *quodlibet*]," *Právněhistorické studie* 5 (1959) 38–39.

⁴⁵ On Hus's trial, see especially Jiří Kejř, *Die Causa Johannes Hus und das Prozessrecht der Kirche* (Regensburg, 2005) 17–90; Sebastian Provdente, "Inquisitional Process and *plenitudo potestatis* at the Council of Constance (1414–1418)," *BRRP* 8 (2011) 98–114 and Thomas A. Fudge, *The Trial of Jan Hus, Medieval Heresy and Criminal Procedure* (Oxford and New York 2013) 116–340.

⁴⁶ Iohannes Hus, *Quodlibet*, 228/8–24. For a more detailed analysis of adherence and non-adherence to divine commandments by priests and secular nobles see Hus's Czech explication of the Decalogue, M. Jan Hus, *Výklad delší na desatero přikázanie*, in MIHO I, 203. The passage is a Czech adaptation of several segments of the twenty second chapter of Wyclif's treatise *De mandatis divines*, see Iohannes Wyclif, *De mandatis divinis*, in *idem., Tractatus de mandatis divinis accedit Tractatus de statu innocencie, De differentia inter peccatum mortale et veniale*, eds. Johannes Loserth and F. D. Matthew (London, 1922) 303–311.

becomes the key theme of the entire brief treatise and conceptually concludes Hus's development within the entire complex of these problems.⁴⁷ In the introductory grammatical notes, Hus examines the intensity and extensiveness of the concept of law. The term "law", according to his interpretation, is used in two senses. Sometimes according to name (*nuncupative*), and at other times in the true sense (*vere*) of the word. Law, in the correct sense of the word, is the truth directing man towards beatitude. The law can be understood either in the abstract as the first truth, or concretely in a *sui generis* sense, differing from other truths.⁴⁸ The divine law is grasped in an abstract manner, human law is grasped in a concrete manner, and there can be no contradiction between the two. Hus identifies the divine law with the law of Jesus Christ, which is called Law of God *par excellence*, and is expressed in Scripture. In a broader sense, every true law is in some manner included in Scripture. Therefore, according to his further exposition, it clearly follows that every true law is a Law of God.⁴⁹ The precise delimitation of the meaning and contents, with the acceptance of certain methodological economy of principles, enables Hus to formulate the famous third conclusion of his brief treatise: "The law of Jesus Christ is by itself sufficient for the management of the church militant."⁵⁰

III.

We have followed the conceptual register and the structural content of Hus's interpretation of Law. In our examination we discerned – in treatises from 1404 to 1414 – the use of two concepts: the Law of Christ and the Law of God. In early biblical expositions, Hus utilised mainly the concept of Christ's Law – which he adopted into his conceptual vocabulary thanks

⁴⁷ Iohannes Hus, *De sufficientia legis Christi*, in *Historia et monumenta Joannis Hus atque Hieronymi Pragensis, confessorum Christi I.*, ed. Matthias Flacius Illyricus (Norimbergae, 1715), ff. 55A-60B (a Czech translation taking also manuscripts into account Jan Hus, "O postačitelnosti Kristova zákona" [About the Sufficiency of Christ's Law], in idem, *Husova výzbroj do Kostnice, Řeč o míru, O postačitelnosti Kristova zákona. Řeč o víře, Prohlášení o článcích Pálčových* [Hus's rhetorical armoury for Constance. The speech about peace. Of the sufficiency of Christ's Law. The speech about faith. The declaration about the Articles of Pálec], eds. F. M. Dobiáš and Amedeo Molnár (Prague, 1965) 85–108). The entire brief treatise consists of a textual montage of a series of citations taken from Wyclif (above all, from the treatise *De civili dominio*, to a lesser extent from *De officio Regis*, and from *Sermones*, see the index in Jan Hus, *O postačitelnosti Kristova zákona*, 168–172, as well as Stephen E. Lahey, "Wyclif, the 'Hussite Philosophy,' and The Law of Christ," 70–71).

⁴⁸ Iohannes Hus, *De sufficientia legis Christi*, f. 56B: "Et sic primo capitur <sc. lex> pro prima veritate abstractiva. Secundo concretiva pro veritate in propria genere, ut ab aliis veritatibus est distincta."

⁴⁹ *Ibid.*, ff. 56B-57A.

⁵⁰ *Ibid.*, f.58B: "Lex Iesu Christi per se sufficit ad regimen ecclesia militantis." For a virtually identical standpoint in an expanded version see Iohannes Wyclif, *Tractatus de civili dominio*, I: 119–124.

to an exegesis of a series of biblical texts – but he likewise utilised the term, Law of God. It seems that the prevalence of the former concept was completed around the end of 1407. Around 1408 we detected in Hus's literary work and conceptual vocabulary a more frequent occurrence of the concept of God's Law, which brings along certain shifts, and clear theoretical starting points formulated under the influence of certain treatises of the Doctor Evangelicus. Nevertheless, between 1408 and 1414, Hus utilised, in his terminological register, both concepts without a clearer or more precise definition of their mutual relationship. It was only in one text for the Council of Constance where Hus – in the *quaestio De sufficiencia legis Christi* from the autumn of 1414 – interconnected and, finally, made the meaning of both terms identical. An examination of Hus's canonical writings clearly shows the invalidity of Kybal's thesis about a conceptual shift from Christ's Law to God's Law, as well as the invalidity of the view of the exclusive use of the concept of God's Law, promoted by some Marxist theoreticians. In fact, Hus in his terminological vocabulary utilised both concepts simultaneously, placing in his early works a greater emphasis on the concept of Christ's Law, then making a parallel use of both terms after 1408, and finally in the second half of 1414, postulating more precisely their mutual relationship – the semantic equivalence of the terms Christ's Law and God's Law.

We have introduced various forms and aspects of the conceptual figure of Christ's Law and God's Law, the central axis of Hus's reform project. From the standpoint of argumentation, we have noted three basic ways of definition of both figures: (1.) after a definition of the content a turn to the ontological foundations and then to the social ramifications or the meaning of Christ's or God's Law in moral theology; (2.) or making more precise only the ontological foundations, without defining the extent of the concept, and placing main emphasis on the definition in moral theology, and then establishing the social ramifications (for instance, the subordination of various laws to the divine law); (3.) or an investigation carried out exclusively from the perspective of moral theology, supplemented by the social aspects of both figures.

Already in the early expositions of the epistles, Hus indicates various aspects and the influence of both basic motifs into various disciplines. In these texts, he first of all defines what Christ's Law is (the law of perfect freedom) and what its form is (the most free, shortest and lightest way to the heavenly homeland). Hus further defines the ontological aspect of Christ's law (the structure of truth persisting unto eternity) and he postulates its superordination to both canon and civil law, in other words, his analysis also touches the social level. Finally, he explains certain aspects of moral theology in the Law of Christ, which rest on the duty of loving God above all other, and reveals the virtues in moral agency, all of which lead to gaining eternal glory in the heavenly homeland.

Hus proceeds in a different way in his expositions of the Psalms. The Law of Christ, according to him, is an irrefutable truth, having the form of the law of

grace, love, and truth, which is written down in the hearts of pilgrims in this world and which is to be fulfilled through their acts; it is the duty of faithful Christians to uphold this law during their earthly pilgrimage. In the concrete, according to Hus, this law is a kind of instrument for testing emotions and for probing the intellect; it is also super-ordinated entity to all the goods of this world, and at the same time conferring peace. Hus also conjures up an historical vision of the world and the development from the natural law to the law of grace, which renews spiritually and which should be safeguarded forever. In the exegesis of the Psalms we have encountered, for the first time, the concept of God's Law. In this text, Bohemian reformed theologian discusses only the utility of its spiritual exercise, which affirms the heart, calms the mind, and makes the body more pliant to withstand the adversities of the mutable world.

In the university *quaestio*, *On God's Law*, Hus, for the first time, clarifies the concept of God's Law, in more detail, as to its ontological aspects and the aspects of moral theology. Hus's principle of reform exists as an eternal structure and predetermination of God's mind and of God's essence. It exists simultaneously as the directing truth of man (including the duty to serve God), which permits only behaviour without sin and in harmony with conscience. In this text, Hus, at the same time, precisely posits the parameters and certain necessary considerations (specifically, the conditions of time, place, and dignity) when it is possible to act against the strict ordinance of some divine commandment. Finally, he postulates the subordination of human law to the Law of God, which the faithful Christians should always uphold, and to which he should submit as the sole and true foundation.

In the commentary on Lombard's *Sentences*, Hus returns once more to the problems of moral theology, specifically to the problem under what conditions it is possible to deviate from the Decalogue, which are written down in the hearts of the faithful Christians. Like in the preceding university *quaestio*, here, he also maintains that such a deviation is possible but, of course, only under certain circumstances.

In his other university question, *On the Supreme Ruler*, Hus reveals another form of the principle of reform from the viewpoint of moral theology. The Law of God rules the morals of human beings, and the task of faithful Christians, who wander in this world, should be an effort to submit to this easiest, shortest, fullest, and most useful law of the Supreme Ruler of the universe. The pilgrims should further apply it, be obedient to it, and prefer it to all the other laws (especially human ones). Furthermore, they are supposed to be absolutely devoted to it, and seek its fulfilment in their deeds so as to gain everlasting beatitude.

In the university *quaestio*, *De sufficiencia legis Christi*, intended for the Council of Constance, Hus inter-connects both concepts. Both the Law of Christ and the Law of God are expressed in Scripture; they constitute the truth directing human beings toward the attainment of beatitude. In both variants, it is but a single true law, which does not conflict with any other, and which should direct not only human society, but especially the church. Hus maintains the standpoint

that only the law of Jesus Christ – without canon or civil law – is completely sufficient for administration of the church militant, dwelling in this world.

The concepts of Christ's and God's Law, applied by Hus in their extension and in diverse variants, play a key role across several theoretical disciplines such as theology, metaphysics, social theory, and moral theology. Both terms interconnect and join into a single homogeneous whole. At the same time the two concepts are normatively super-ordinated to all theoretical disciplines. They also have a specific eschatological dimension. Already Hus's early cursory expositions clearly revealed the privileged status and importance of the concept of the Law within his thought. In the analysis of Hus's theoretical treatises we have shown the significance and super-ordination of Christ's and God's Law to canon and civil law (the social aspects), and the meaning of these concepts for his political theory (or ecclesiology, as the case may be). Further, we have called attention to the obligatory character of both concepts for human activity and obedience, resting on the upholding of divine ordinances and commandments (the aspects of moral theology). We have also briefly recalled that the concept of Christ's (or God's) law is the guarantor of eternal truth and have outlined some of its metaphysical and ontological aspects. Further, we have examined cursory expositions compiled between 1404 and 1407 in which we have noted biblical passages. Finally, we have found texts in other theoretical treatises written after 1408, which have also been influenced by several of Wyclif's works as well as by those of other authors. With these the former textual material was regrouped and made more precise.

The concept of Christ's and God's Law, however, for Hus did not remain a mere isolated or vaguely outlined theoretical principle. During the controversies between 1413 and 1414, Christ's Law became a fundamental category of the political programme of the Bohemian reform party. In was during the discussions with eight theologians (such as Štěpán of Pálec, Stanislav and Petr of Znojmo, Jan Elijášův, Ondřej of Brod, Jan of Hildessen, Matthew the Monk, and Herman the Hermit) representing the Catholic party and the Prague Theological faculty. Hus, in response to their three demands, formulated the four famous fundamental theses of the reform programme, the goal of which was to be a government according to Christ's Law:

“See what a false lie this is, by which they indicate that we are become seducers of the people, when it is (1) not the purpose of our side to seduce the people from real obedience, but that the people may be one, governed harmoniously by the law of Christ. (2) The purpose of our side is that the rules of antichrist shall not seduce or separate the people from Christ, but that the law of Christ shall honestly rule in connection with the customs of the people so far as they are approved by God's law. (3) The purpose of our side is that the clergy live honestly according to the doctrine of Jesus Christ, laying aside pomp, avarice and luxury. (4) Our side wishes and preaches that the church militant, in its different parts which God has

ordained, be honestly commingled, namely, of Christ's priests those who administer his law in purity, and from the world the nobles who press for the observance of the ordinances of Christ and the common people, both these parts serving in accordance with Christ's law."⁵¹

Christ's Law, during the years 1413 and 1414 also became a principle of Hus's moral theology, especially theories of obedience and moral agency, with which he attempted to declare and theoretically justify his own disobedience of canonical ordinances and prescriptions of the Roman Church. In his famous treatise *De ecclesia*, Hus ends the exposition of both theories with several pieces of advice – a kind of ethical compass – for brave devotees of Christ's law (*cordati amatores legis Christi*). These advices should help them to screen the deeds of their superiors and to decide whether or not to maintain their obligation of obedience. According to Hus, his adherents should examine the deeds of their superiors, and whether they submit to the temptations of the world. These servants should disobey those commands of their superiors that exude avarice or worldly gain. Finally, they should ultimately test whether their superiors' commands are in harmony with Christ's counsel and Scripture.⁵²

Existence and life according to Christ's or God's Law depended – according to Hus – on adherence to a certain practical programme of pastoral care. Also, in addition, on an existential practice and a personal obligation, for

⁵¹ John Hus, *The Church*, trans. David S. Schaff (New York, 1915) 184 and Iohannes Hus, *Tractatus de ecclesia*, ed. Samuel Harrison Thomson (Prague, 1958) 148–149 [A]-[B]: “Ecce falsum mendacium quo innuunt nos fore populi seductores, cum nostre partis non est intentio seducere populumu a vera obediencia, sed quod populus sit unus a lege Christi concenditer regulatus. Secundo, intentio nostre partis est, quod constitutiones antichristiane non infatuent aut dividant populum a Christo, sed quod regnet sincere lex Christi cum consuetudine populi ex lege domini approbata. Et tercio, intentio nostre partis est, quod clerus vivat sincere secundum ewangelium Ihesu Christi, pompa, avaricia et luxuria postergatis. Et quarto, optat et predicat nostra pars, quod militans ecclesia sincere secundum partes, quas ordinavit dominus, sit commixta, scilicet ex sacerdotibus Christi pure legem suam servantibus, ex mundo nobilibus ab observanciam ordinacionis Christi compellentibus, ex wlgatibus utrique istarum parcium secundum legem Christi ministrantibus.” Hus adopted altogether three demands from Wyclif, specifically the first one that people be administered under Christ's Law, see Iohannes Wyclif, *Responsiones ad 44 conclusiones*, in idem, *Opera minora*, ed. Johann Loserth (London, 1913) 248/35–36. From the same text Hus also adopted the second demand (that Antichrist's rules should not stupidify the people, Christ's Law should rule honestly, as well as the custom of the people approved by the Lord's law) and also the fourth demand (that the church militant should be composed of honest members, that the Lord has appointed, that is of Christ's priests, who maintain Christ's Law in purity, of secular lords enforcing observance of Christ's ordinances, and of common people, serving both according to Christ's Law). Of the four demands, Hus formulated only the third one himself, when he supplements Wyclif's material with another moral criterion aimed against the clergy.

⁵² Iohannes Hus, *Tractatus de ecclesia*, 181 [I] and John Hus, *The Church*, 227, see also Iohannes Wyclif, *De pauperitate Christi*, in idem, *Opera minora*, ed. Johann Loserth (London, 1913) 32/5–16.

which he was willing to submit even to a martyr's death. The readiness to undergo this death and the *topos* of a knight of Christ (*miles Christi*) is already apparent in Hus's early texts. For instance, in the expositions on the Psalms, where he discusses the issue of standing and struggling against all demons, sins, and the accumulated human and other evils of the world.⁵³ In his later correspondence, the Bohemian master returns to these themes. For example, in a letter from prison in Constance, dated 16 June 1415, Hus writes to his favourite pupil, Martin of Volyně, about the proper forms of pastoral care and life according to the rules of Christ's Law. Face to face with death, the Bohemian master as an experienced spiritual guide of human souls, exhorts his disciple to diligence in the preaching of God's word, and to the joyful reading of the Bible, especially the New Testament, together with the exegetical tradition. He, further, adds encouragements to dress simply and to reject luxurious clothing, to caution in conversations with women, and especially to reserve in hearing confessions, during which Martin should be watchful and not fall into the traps of carnal desire and, above all, he should maintain a moral innocence, safeguarded for God's sake.⁵⁴

Already sometime in the spring of 1411, Hus wrote a letter to a (for us) unknown preacher, in which he mentions his trial before the Curia, and the steps undertaken by Cardinal Colonna, as well as the standpoint of the doctors' gathering at the University of Bologna, concerning the illegal burning of Wyclif's codices by the Archbishop of Prague. In the letter's introduction, however, Hus clearly explains his determination to struggle for the Law of Christ even at the cost of martyrdom:

"I greatly rejoiced at the letter of your paternity, and in comparing have gained more fortitude to fight for the law of Jesus Christ at least a little in the footsteps of the fathers, my predecessors. For alas! it cannot be found that I would be worthy of the sufferings of the martyrs, which the holy fathers endured for the Lord; nevertheless, like a puppy I must search for the footsteps of the ancients, by which they escaped from hunting of the devil. You, father, precede like a lion, and I shall follow like a puppy, if in any way, as a son, I can imitate the father; so that we both would escape the wickedness of the world, if the Lord Jesus Christ will take his stand before us as a leader."⁵⁵

⁵³ Iohannes Hus, *Enarratio Psalmorum* (Ps. 109–118), 287/260–262. On the motif of martyrdom, see Iohannes Hus, *Enarratio Psalmorum* (Ps. 109–118), xxxvii and especially Dušan Coufal, "Neznámý postoj Jana Husa k mučednictví v jeho *Enarratio Psalmorum* (cca 1405–1407): Na cestě do kruhu zemských svatých [Jan Hus' Unknown View of Martyrdom in His *Enarratio Psalmorum* (ca 1405–1407): On the Way to the Community of the Czech Saints]," *Časopis Matice moravské* 129 (2010) 241–257.

⁵⁴ Novotný, 277.

⁵⁵ Jan Hus, *Letter 14*, "To an unknown priest", in *The Letters of John Hus*, Trans. Matthew Spinka (Manchester, 1972) 44 and Novotný, 88: "Valde gavisus sum de vestre paternitatis

It seems that Hus's willingness to undergo martyrdom was not dissipated even by several months of imprisonment or by disappointment in the course of the trial at Constance, which was in full progress during the spring of 1415. On the contrary, everything indicates that all these events and circumstances rather fortified his determination not to give up, but to persist, and attain to the desired crown of martyrdom. In a letter from around 20 June 1415, addressed to (for us) an unknown conciliar prelate, Hus self-confidently writes that as a priest of the New Covenant he does not want to commit a grave sin and transgress the Law of God by departing from the truth, by committing perjury, and by scandalising one's neighbours, because of fear of punishment. He preferred to die, escaping through a temporal punishment, rather than descend into eternal infamy.⁵⁶ In another letter to the same addressee he repeats and amplifies the reasons for not intending to sin against the Law of God. Hus does not wish to retreat from many truths, to perjure himself by rejecting the alleged errors ascribed to him by the Council and by false witnesses, thereby scandalising the multitude of God's people, to whom he had preached. And all that only to escape a brief shame and punishment. For all these reasons, he cannot recant or accept the formula of recantation offered to him by the Council. He keeps in mind the multitude of saints of the New Testament, who suffered martyrdom for their deeds. For many years before his imprisonment, Hus had preached about persistence and constancy, and therefore, could not descend into multiple lies and perjure himself before the fathers of the Council.⁵⁷

IV.

The intent of this study has been to reconstruct the concept of the law of Christ and of the law of God within Jan Hus's canonical works. In his early texts both terms were merely employed as isolated theoretical concepts. However, in several treatises compiled after 1409 – thanks to the controversies and struggle over Wyclif, especially during the debate about the reform programme – both concepts changed into programme of actual political praxis and an engine of change and reform. For Hus, they were also transformed into a realisable existential goal and what he perceived as a personal obligation.

Christ's and God's Law, thanks to their super-ordination, postulated by Hus, pervades all the spheres of human being and are not involved merely

litera magisque in comparacionibus accepis fortitudinem, ut pro lege Ihesu Christi saltem secundum aliquod vestigium precendencium patrum militarem. Nec enim proch dolor dignus passionum reperior, quas sancti patres pro domino sustulerunt, ac tamen catulus debeo scrutari antiquorum vestigia, quibus venacionem dyaboli evaserunt."

⁵⁶ *Ibid.*, 282.

⁵⁷ *Ibid.*, 285–286.

as particular theoretical principles, but their influence is also concrete in practical and socio-political mechanisms. Both concepts play key roles, for instance, in Hus's ecclesiology (the vision of a new structure of society and mutual human relations), their impact is also significant within the practical sphere, thanks to moral theology as theories of obedience and moral agency. In later texts written after 1409 both concepts also effect the social conditions, stimulate the emergence of new social connections, and specify the borders of ruling authority, as well as relationship between superiors and subordinates. However, the new vision of truth and power of Jan Hus, developed during the critical years between 1409 and 1414, was never realised. It was tragically cut short by the flames of Constance.

Translated from the Czech by Zdeněk V. David