

by the proper path, that is *via* his extremely radical anti-Romanism, and its counterpart, his cult of the Primitive Church. The lay chalice epitomized both lines of thought and carried them a step further, by raising a question of absolute and universal urgency, with the utmost clarity and in the form of an overt act. The Primitive Church had been poor, the Roman Church was rich, but it was not perfectly clear that riches by themselves would send a cleric to Hell, nor was it obviously true that the riches corrupting the Roman Church deprived her of the power to administer valid sacraments. In the matter of utraquism, however, everything was evident: Jesus himself had instituted the sacrament of the Eucharist in both kinds and had commanded all to eat the Body and drink the Blood if they would have life in them; the church that he himself had founded did in fact obey his command; it was only the modern Roman Church that had deprived the laity of God's Blood and hence of an indispensable prerequisite for salvation. Taken together and in all of their implications, these ideas could contain the whole burden of radical Hussite reformism, and in fact we find that Nicholas's utraquist works teem with authorities developed in his earlier treatises and pointing to a general condemnation of the Roman Church's *conversacio*; the denial of the chalice to the laity was merely one modern abuse among many. In the *Tabule* Nicholas had established the fundamental opposition between the Primitive and modern churches; he had developed the point in more detail in the *Consuetudo et Ritus*, and in the *De quadruplici missione* had bolstered his argument in favor of free preaching by branding the Roman hierarchy and its doctors as minions of Antichrist, servants of Babylon—simoniacs, fornicators, usurers.<sup>58</sup> Now he pursued the same line in defense of the lay chalice, which was condemned by the doctors of the Council of Constance on the grounds that although Jesus had in fact given communion in both kinds, and so had the Primitive Church—the doctors conceded this—the custom of the Roman Church was against it.<sup>59</sup> Nicholas had only to unleash his gift for plastic imagery to find the most striking formulation of the issue:<sup>60</sup>

Suppose as a possibility that Christ and his Primitive Church, with their apostolic life and evangelical practice, were to come into the midst of the Council of Constance, and were to say to the multitudes there, as he said and taught at Capernaum: "Except ye eat the flesh of the Son of Man and drink his blood, etc." And suppose that he wished to perform the sacrament as he had instituted it. Do you think that he would be listened to and would have an opportunity for this, things being as they now are? It would go hard with him. Indeed those at the Council would probably not withdraw from him scandalized, as did those at Capernaum, but would hereticate and condemn him, according to their condemnation [of the lay chalice], saying that this was not their custom.

<sup>58</sup> See the text, published by Sedlák, *Studie a texty* 1: pp. 103-111.

<sup>59</sup> The text in Von der Hardt, III, col. 586 f.

<sup>60</sup> *Ibid.*, col. 624 f.

Nor did Nicholas fail to include in the same treatise—the "Apologia"—a substantial section showing that the church whose custom was cited against Christ was in fact Antichristian—here the dossier developed in the *Tabule* was pressed into service along with a long passage from the *Speculum aureum* detailing the venality of the Roman Curia.<sup>61</sup> We are on familiar ground.

The actual point at issue, if we disregard the technical battle of "authorities" that filled up most of the polemical literature for and against the chalice, was whether or not Jesus, by giving communion in both kinds and saying "do this in my memory," had instituted such communion as a binding practice for the future.<sup>62</sup> Much depended on the meaning of "this." As always in theological debates, each side could find plenty of arguments to support its own view; but even more depended on the concept of the Church that the several writers had in mind. For Nicholas, of course, the perfect form of the true Church Militant was the Primitive Church, which was nowhere more perfectly represented than at the Last Supper, where Christ figured the priest, the disciples the laity (the Romanist argument was that Christ represented the future bishops, the disciples the future priests). On this basis, Nicholas could plausibly develop his argument that Christ's "do this in my memory" meant that priests should give both bread and wine to the laity; the point is made in his first utraquist work, a sermon on the text, "Nisi manducaveritis," and appears in the others, as well as in the works of Jakoubek.<sup>63</sup> But more revealing than the arguments proper are the extra-logical criticisms of the opposing side, criticisms designed to show *why* the doctors have set themselves against Christ's command. Something has already been said of Nicholas's accusations of simony, fornication, and the like, but there is more to his polemic than mere abuse. On the one hand, there is the question of what is the true church, what constitutes valid authority, valid

<sup>61</sup> *Ibid.*, coll. 608-617.

<sup>62</sup> Although the doctors of the Council of Constance actually conceded that Jesus had instituted communion in both kinds (*ibid.*, col. 586), they did not attach the same force to the idea of institution as the Hussites did, to whom the Council's admission seemed almost to end the matter. Thus Nicholas of Dresden's *Apologia* (Von der Hardt, 3: col. 509): "Ecce, nunc audivimus ab ore ipsorum, Christi esse institutionem, sicut est in primitiva ecclesia tentum. Hoc est fundamentum, super quo aedificamus." Of all the polemical tracts on the subject that I have read, only Jean Gerson's defines the issue with precision (Von der Hardt, 3: coll. 765-780, esp. col. 773 f.). Cf. Amann, *op. cit.*, p. 386, n. 3 & n. 4, for examples of doctrinal confusion on the Roman side.

<sup>63</sup> "Nisi manducaveritis," MS. Univ. Prag. IV G 15, f. 198', f. 203, f. 209'; cf. *Apologia*, Hardt, 3: col. 638. See also Jakoubek's reply to Andrew of Brod, Hardt, 3: col. 443 ("Apostoli tunc suscipientes sacramentum sub utraque specie habuerunt se per modum gregis spiritualis, et non per modum pastoris sive sacerdotis"); also his "Posicio pro informacione monachi M. Petri," written in 1417, MS Vienna Nationalbibliothek 4488, f. 97-98. For the Romanist position see, e.g., the anonymous anti-utraquist tractate in Hardt, 3: coll. 705-708.

custom, valid priesthood. The community based on office, the church of the Pope and the cardinals, is not only marked by evident corruption, and hence entitled to little respect, but is *per se* inadequate to stand for the real church, which is a community of faith, the *congregatio fidelium*, which of course can have no custom contrary to reason or natural law—"and natural law is understood as the divine law," the Bible.<sup>64</sup> The prelates and doctors of the Roman institution are not interested in imitating Christ's way of life but in preserving their own; it is for this reason that they always interpret Scripture falsely: "they follow modern realities rather than the Law of Christ, which for the most part they adapt to current realities and the customs of men, with their glosses and additions."<sup>65</sup> The prime case is what they have done to the many texts forbidding simony, the worst of all heresies,<sup>66</sup> which the doctors count as nothing and cover up by glossing all texts against it in line with their "cupidinous custom."<sup>67</sup> And yet it may be doubted whether those who have paid money for their holy orders are really capable of valid consecrations.<sup>68</sup> But all of this points to another

<sup>64</sup> *Apologia*, Hardt, 3: pp. 610 ff. "Et sumitur jus naturale pro jure divino, quod continetur in lege et evangelio" (col. 612). Cf. *Decretum*, I. dist. § *Humanum* and c. 1.

<sup>65</sup> *Ibid.*, col. 602; the full text reads: "Doctores moderni temporis magis sequuntur facta, seu consuetudines, vel potius corruptelas modernas, quas plus appreciantur et ponderant cum constitutionibus humanis, quam legem Christi. Cum ut plurimum legem Christi cum glossis eorum et additionibus trahunt secundum facta currentia, et ad hominum consuetudines, simul aliquando corruptelas excusando."

<sup>66</sup> *Ibid.*, col. 604; cf. on this subject P. de Vooght, "La 'Simoniaca haeresis' de Saint Thomas d' Aquin à Jean Huss," *Hussiana*, pp. 379-399, where it is shown that the old concept of simony as a heresy, modified by the major scholastics (in favor of simony as a sin), was revived by Wyclif and other reformers; thus the late-medieval struggle for reform included a controversy over the meaning of simony (see the next two notes).

<sup>67</sup> *Apologia*, Von der Hardt, 3: p. 604: "simoniaca haeresis . . . ab haereticis simoniaco nihil reputatur, imo omnem scripturam id peccatum et vitium scilicet simoniae improbantem glossant, et ad suam cupidinosam trahunt consuetudinem. Sic potest dici de usura, fornicatione, etc." The same passage appears in the sermon on "Nisi manducaveritis," MS IV G 15, f. 210'.

<sup>68</sup> "Nisi manducaveritis," MS. IV G 15, f. 202': "Et quid sit de symoniaco, qui lepram recipiunt in ordinatione et maledictionem, secundum Ambrosium [*Decretum*, I.q.i, c. 14], an conficiant vel non, relinquo iudicio superiorum meorum, sed utique nihil dat quod non habet. De hiis alibi dixi." The last phrase no doubt refers to the *Tabule* and to the *Puncta*, MS. Univ. Prag. IV G 15, f. 17 sqq., a collection of texts from the *Decretum* showing, in general, that virtue, not office, makes a priest. Technically, to be sure, the point would have to be put differently: a priest in mortal sin should not perform his priestly functions and if he does he should be shunned (LXXXI. Di., c. 15 (Gregory VII)); an evil cleric is not really a cleric at all (II. q. vii, c. 29 (Jerome); XL Di. c. 12 (Chrysostome): "malus sacerdos de sacerdotio suo crimen acquirit, non dignitatem"). As for the simoniaco, the text from Ambrose makes it clear that if he has bought his ordination he has not received a true ordination at all, and hence is no priest. All of this is

consideration: the members of the Roman institution simply do not care about the inner essence of the Christian faith; they are perfunctory, lacking love and enthusiasm. Naturally they have no interest in promoting fervid communion, and the same motives that prompted the clergy a generation earlier to oppose frequent communion and persecute Matthew of Janov, its great proponent, now move them to neglect giving the chalice to their congregations.<sup>69</sup> Utraquism thus emerges in its true shape—it is not primarily a matter of technical theological debate, but a sign and component of the true Christian religiosity that seeks in all things to come as close to Christ as it can. This virtue is indeed claimed by Nicholas for his side. Its doctors, who support the lay chalice, are the learned, faithful, and humble masters of the University of Prague. Here the texts first used in the *Tabule* to mark out the arrogant, pompous, fat, and swollen prelates of the Church of Antichrist are cited again, with the observation that the members of the University are not of this sort. Rather they resemble the early teachers of the Church, and study God's Law in the Church of God; some of them have indeed sacrificed their lives for the Blood of the Lamb.<sup>70</sup> And it was with the counsel of these men that the chalice was reinstated for the laity.<sup>71</sup>

Like Nicholas's other contrasts between the good and bad churches, this one is worked out in an apocalyptic spirit that distinguishes his program of return to the Primitive Church from any merely moral "philosophy of Christ." The mystical body of Antichrist existed, it was a complete union of total evil, striving to destroy Christ's Law and in the present case threatening to invoke the secular arm against Christ's followers.<sup>72</sup> The revivification of the Primitive Church in Hussite Bohemia meant above all that the Church Christ had led in person would exist again, the band of the elect that would suffer in his cause in the last days of cosmic cataclysm. And in the most immediate sense the conflict over the lay chalice was polarized by the antithesis between Heaven and Hell, eternal bliss and

practically equivalent to Donatism, if not formally identical with it, but the authorities are those of the tradition.

<sup>69</sup> "Nisi manducaveritis," MS. IV G 15, f. 203: "Et sunt hii qui magis diligunt ocium hic quam laborare pro ewangelii implecione et gracie proximi augmentacione, qui forsant vel raro minimam scintillam divine gracie que in hoc sacramento tribuitur habuerunt; sed quadam indulta consuetudine et quasi perfunctorie res agatur, ad illud accedunt et sic inanes et sine gracia recedunt, non ut accedant sed ut recedant festinantes, non ex affectu devocionis sed ex defectu divini fervoris, et ideo fideles laicos, qui ex fervore divine caritatis cupientes [*sic*] accedere, repellunt, et ipsis totum ac perfectum sacramentum denegant." The passage on frequent communion is on f. 212: "Et rogo, nonne in magnam diswetudinem fuit deducta communio frequens seu cottidiana, et adhuc apud multos propter pigriciam ipsorum est odibilis et scandalosa! . . ."

<sup>70</sup> *Apologia*, Von der Hardt, III, coll. 621 f.

<sup>71</sup> *Ibid.*, col. 617.

<sup>72</sup> *Ibid.*, coll. 626 f.; cf. 624: "Ecce, ab initio Christi secta est persecuta et haereticata. . ."

eternal damnation; thus the *Apologia*, composed for the most part of intricate patterns of scriptural, patristic, and canonistic authorities, ends on a note of emotional prophecy, with a fine bit of hysteria cited at length from Heinrich Suso's *Horologia sapiencie*, spelling out the torments awaiting the doctors of the Council; but blessedness is in store for the Hussites.<sup>73</sup>

In the light of what has been said thus far, it is not surprising that Nicholas of Dresden eventually turned out to be too radical for even the radicals of the Prague University reform party. In July or August of 1415 Nicholas had taken on the task of defending utraquism against the Council of Constance, and, in his *Apologia*, had shown himself to be one of the inner circle of reform leaders;<sup>74</sup> a scant month or two later we find him developing a highly sectarian program, embracing ideas of a Waldensian character, and in consequence setting himself in opposition to Jakoubek of Střibro. So sharp was the break between Nicholas and his erstwhile allies that he left Prague, evidently in early 1416, and set out to preach reform in neighboring parts of Germany; it was probably in that same year that he met his death at the hands of the Inquisition, in Meissen.<sup>75</sup> It is not easy to arrive at a satisfactory explanation of exactly what happened during this period; retrospectively the break seems inevitable, given Nicholas's extreme and turbulent radicalism, which always had a sectarian character, but the retrospect always suggests that what did happen had to happen, and this view begs the question of whether an accommodation might not have been possible. The period is in any case remarkably obscure, for there is little direct testimony about the detailed course of events, and we must depend on inferences from the tractate literature, most of which remains unpublished. The difficulty of working with source material in this condition is well known; in the present case it is proven by the very divergent interpretations of the two main connoisseurs, Jan Sedlák and F. M. Bartoš. The former regards Nicholas of Dresden as, simply, a Waldensian, from the first, and he points to the Waldensian character of Nicholas's most important doctrines: that everyone has the right to preach, that all priests are equal, that singing and praying should not be carried on in churches, but in the soul, that confession should be made directly to God, that no oaths may be sworn, that there is no justification for any killing by Christians, that there is no Purgatory, and that the foundation of Christian life is the observance of

<sup>73</sup> *Ibid.*, coll. 653-657.

<sup>74</sup> Above, n. 57.

<sup>75</sup> Bartoš, p. 141 f. None of Nicholas's works seem to date from after the end of 1415; a refutation of his *De purgatorio* referred, in 1417, to his having been martyred; in 1419 John Želivský mentioned a "Nicholas, priest of Christ" who had been martyred in Meissen. Bartoš also observes that one of Nicholas's works, a defense of utraquism addressed to a schoolmaster in Wildungen, formerly in Corbach, points towards an interest in carrying on Hussite propaganda in Germany.

the "six minimal commandments"—not to anger, not to lust, not to divorce one's wife, not to swear oaths, not to resist evil-doers, to pray for and help one's enemies.<sup>76</sup> It was on the basis of Sedlák's opinion that Josef Pekař developed what has become the most influential explanation of the relationship between Nicholas and Jakoubek: the former played a key role as the more radical in temperament and doctrine, working always to draw his Czech colleague to the left, further to the left, indeed, than Jakoubek would otherwise have gone; eventually Jakoubek sobered down and Nicholas stood alone, although his Waldensian ideas, fostered in the favorable environment created by his own work and by Jakoubek's temporary extremism, were soon taken up by the most radical Hussites, who would in a few years emerge as the Taborite party.<sup>77</sup>

Bartoš's reconstruction is more complex.<sup>78</sup> At first, in 1412-1413, Nicholas was merely one of the radical Hussite theoreticians, intellectually an apprentice of the Czech reformers, and heavily influenced by Hus and Jakoubek, as well as by the works of Wyclif. He was not a Waldensian at this time, and his special contribution to Hussite ideology lay in his mastery of the canonistic material. But in 1414 Peter Payne, the prominent Wycliffite, came to Prague, bringing with him reports of the condition of the German Waldensians whom he had visited; at the same time, by refusing to swear the oath required for admission to the University of Prague, he raised the question of oath-taking to the forefront of Hussite concern. Nicholas took Payne's side in rejecting all oaths, and, himself a German, began to entertain the idea of uniting the Hussite movement with the Waldensians of Germany. Thus in 1414-1415 he developed a theoretical foundation for positions of a Waldensian cast; his guide, however, was not any actual schooling among the heretics, but the Pseudo-Chrysostom's *Opus imperfectum in Matthaem*, to which the works of Wyclif had introduced him. Jakoubek, however, would not follow Nicholas on this path, but defined his own contrary position on point after point; hence the break between the two and Nicholas's decision to leave Prague. Bartoš's hypothesis that Nicholas was a Prague German, first recruited to the cause of reform by the Hussite movement, rather than a fully formed reformer of the original Dresden School, fits in with his other ideas about Nicholas's doctrine and career.

Some of the points at issue in these two conflicting interpretations can be settled more or less conclusively. Thus Bartoš has shown that Nicholas's *De quadruplici missione* was not a source for Hus's defense of Wyclif's article on free preaching, as Sedlák had argued, but

<sup>76</sup> Sedlák, p. 51 f.

<sup>77</sup> Pekař, *Žižka 1*: ch. i.

<sup>78</sup> Bartoš, pp. 142-146 & *passim*. Cf. Pekař's critical note, *Žižka 4*: p. 191. It must be said that although Bartoš's study is extremely valuable, its argument is not perfectly unified, nor are its major points adequately demonstrated by detailed analysis of texts.