

The Role of Michael de Causis in the Prosecution of Jan Hus

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Introduction

Michael de Causis can reasonably be characterised as unscrupulous, unethical, ruthless, malevolent, and dishonest; hardly a compelling resumé. His name is known to all those familiar with the last five years in the life of Jan Hus. Investigating the broad range of sources from the Hus affair reveals that Michael de Causis exerted influence on the former Prague inquisitor Mařík Rvačka, the canon lawyer Jiří Bor, the conciliar ideologue Dietrich Niem, and Pope John XXIII, among others. We find him working hallways and courtrooms at the curia, enmeshed in politics and power-brokering and wielding influence over legal proceedings. It is Michael de Causis who formulates articles of accusation against Hus. We find him among the movers and shakers at the Council of Constance, where he is not only a blunt force against Hus, but also incited action against the Prague preacher's friends. De Causis can be seen posting inflammatory public notices about town attacking Hus. He is discovered badgering witnesses, suggesting the virtues of perjury or careless testimony. We find him lurking near Hus' prison on many occasions. He is found submitting personal testimony against Hus. On one or two occasions, de Causis is behind specific lobbying to the court. Beyond this, we find him engaged in overt harassment of the prisoner by interfering with mail, in restricting people from visiting Hus, and in boasts to prison guards that he intends to see the accused burned at the stake. We also hear his voice during the public hearings encouraging the active breach of proper legal procedure as reflected in the *ordo iudiciarius*. All of this appears to indicate that de Causis was committed to activities which went well beyond the purview of his job as advocate in matters of faith (*procurator de causis fidei*). These factors suggest that the role of this man in the prosecution of Jan Hus should be looked at more closely than has hitherto been done.

There were men involved in the legal process concerning Jan Hus who were committed to his destruction. Doubtlessly they held several motivations, including jealousy, authority and control issues, and the honest belief that Hus was a dangerous heretic. These last men believed steadfastly that

Hus had to die because his crimes and offenses were so serious that a sentence less than execution would be unsatisfactory to God.¹

On Wednesday, 28 November 1414 around dinner time, four men appeared at the Pfister House in St Paul Street in Constance and took Jan Hus into custody. When his enemies Štěpán Pálec and Michael de Causis heard the news, “they danced around the dining hall, gloating and saying: ‘Ha, ha, we have him now. He will not get away from us until he has paid in full.’”² The arrest of Jan Hus elevated Michael de Causis to international prominence. The agitation of Štěpán Pálec and Michael de Causis were contributing factors in the Hus arrest.³ De Causis had advised the cardinals that Hus should be arrested and under no circumstance be released on his own recognisance. It came to pass that when officials came to the house where Hus was living, they served an arrest warrant which had been drawn up specifically to prevent him from “teaching the wicked doctrine of Wyclif” any longer.⁴ It is essential to note that the legal case against Jan Hus did not begin at Constance. That process began years earlier upon heresy accusations drawn up principally by two men: Štěpán Pálec and Michael de Causis.⁵

Jan Hus took the view that Štěpán Pálec was his most formidable opponent.⁶ We have also the contemporary witness of Petr of Uničov, a Dominican monk at St Clement’s in Prague, who boasted openly that he was Hus’ main enemy.⁷ There is merit in both perspectives. However, I believe that the lesser known and considerably more shadowy figure of Michael de Causis represented the graver threat to Hus over the course of his five year legal ordeal, from 1411 through the bitter end in the summer of 1415. It might be too prosaic to identify Michael de Causis as Jan Hus’ *bête noire*. He has frequently been described in the historiography of Hussite history as an “unprincipled

¹ On these considerations, see Thomas A. Fudge, “Jan Hus in the Medieval Ecclesiastical Courts”, in Jens Meierhenrich and Devin O. Pendas (eds.), *Political Trials, Interdisciplinary Perspectives* (Cambridge, 2015), forthcoming.

² Petr of Mladoňovice, *Relatio de Magistro Johanne Hus*, FRB 8: 39: “Et saltantes circa estuarium, gaudebant dicentes: ‘Ha ha, iam habemus eum. Non exibat nobis quousque non reddat minimum quadrantem’” [It should be remembered that Petr of Mladoňovice’s work was compiled as a hagiography. Ed.]

³ *Ibid.*, FRB 8: 37.

⁴ Journal of Giacomo Cerretano, in Heinrich Finke (ed.), *Acta concilii Constanciensis* (Münster, 1896–1928) 2: 188–189.

⁵ Johann Loserth, “Beiträge zur Geschichte der Hussitischen Bewegung,” AÖG 82 (1895), 373. On the numerous accusations against Hus, see Thomas A. Fudge, “‘O Cursed Judas’: Formal Heresy Accusations against Jan Hus,” in Karen Bollermann, Thomas M. Izbicki, and Cary J. Nederman (eds.), *Religion, Power, and Resistance from the Eleventh to the Sixteenth Centuries: Playing the Heresy Card* (New York, 2014) 55–80.

⁶ Letter dated 3 January 1415 in Novotný, 237 and *The Letters of John Hus*, ed. Matthew Spinka (Manchester 1972) 138.

⁷ Letter of 23 June 1415 in Novotný, 300 and Petr of Mladoňovice, *Relatio de Magistro Johanne Hus*, FRB 8: 41.

scoundrel,” a “despicable character” and a “notorious priest;”⁸ all of this negative sentiment has been handed down, though, without much analysis or attention paid to the man bearing such opprobrious reputation. What do we know about this man? What evidence supports the thesis that he may have been the most dangerous prosecutor of Jan Hus?⁹ Fifteenth-century Czech sources reveal that de Causis was jealous of Hus and motivated by anger. These emotions prompted this man to fabricate misleading accusations against Hus which included the claim that Hus cultivated an interest in abolishing the priesthood.¹⁰ Some scholars have characterised de Causis as holding to the conviction that Jan Hus despised ecclesiastical authority.¹¹

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Apropos to the Hus trial, Michael de Causis became a regular participant in legal affairs and later gained some qualification as a lawyer.¹² This preoccupation remained with him over the course of his life. We encounter glimpses of him at the archepiscopal and papal consistories in several capacities, and it can be shown that while there he formed working relationships with men like Kuneš of Zvole and Jiří Bor. These professional connections became crucial in the trial of Jan Hus. Kuneš was a young Moravian who eventually took up an appointment as the representative of Archbishop Zbyněk at the papal curia during the process involving Hus. He was later appointed Bishop of Olomouc following the episcopate of Jan Železný. Jiří Bor, who came to prominence in Prague as a canon lawyer, also played a key role in affairs surrounding Hus. Numerous legal cases involving Michael de Causis between 1394 and 1409 were handled in ways which raise questions of ethics, legality and motivation, and they reveal a *modus operandi* that can be detected in the trial of Jan Hus.¹³

Following an early career at Prague and elsewhere in Bohemia, we find de Causis thereafter at the papal curia. Here he is appointed an advocate in matters of faith (*procurator de causis fidei*) upon the nomination of Pope John XXIII. From this time on, he becomes known as Michael de Causis, or Michael the Pleader. Having found favour with John XXIII, de Causis seems to have been employed as a full time lawyer in the papal courts. By this means,

⁸ See Franz Lützwow, *The Life and Times of Master John Hus* (London, 1909) 234, further Paul De Vooght, *L'Hérésie de Jean Huss* (Louvain, 1975) I: 180 and Matthew Spinka, *John Hus at the Council of Constance* (New York, 1965) 38.

⁹ See Thomas A. Fudge, *The Memory and Motivation of Jan Hus, Medieval Priest and Martyr* (Turnhout, 2013) 109–134 for a biographical overview, analysis of his life after the Hus trial, his death and funeral details.

¹⁰ Vavřinec of Březová, *Husitská kronika* [Hussite Chronicle], FRB 5: 332.

¹¹ E.g. Josef Pekař, *Žižka a jeho doba* (Prague, 1930) 1: 16–17.

¹² For the role of Michael de Causis in relation to Jan Hus see Thomas A. Fudge, *The Trial of Jan Hus, Medieval Heresy and Criminal Procedure* (Oxford, 2013) 134–350.

¹³ Fudge, *The Memory and Motivation of Jan Hus, Medieval Priest and Martyr*, 113–115 with references.

he gained access to the parlours of power at the curia. This provided de Causis with considerable advantage once he involved himself in matters concerning Jan Hus. While de Causis was establishing himself at the curia, Jan Hus became a preacher and reformer of note in Prague, came into conflict with his ordinary, and thereby became a target of heresy hunters. It was Hus who initiated a legal process and therein became a man of significance in the religious affairs in the Bohemian province.¹⁴ Fatefully, as it turned out, his activities and teachings came to the attention of Michael de Causis. When theology and reform took a turn towards more strident initiatives, clashes broke out in Prague in 1410 that included book burning, street riots and violence.¹⁵ Jiří Bor has been nominated as the main cause of these troubles, largely because he had already written against Hus and attacked the latter's teachings as infamous.¹⁶ Perhaps just as importantly, we learn that he was a colleague of none other than Michael de Causis. Suggestions of collusion cannot be dismissed. If Jiří Bor was responsible for upheaval in Prague, de Causis was hard at work in the papal courts. Thus in February 1411, Hus was excommunicated on the authority of Cardinal Odo Colonna. Hus tells us the excommunication was secured through the *ex parte* efforts of Michael de Causis.¹⁷ If Hus is correct, at this stage de Causis had emerged as a prominent figure in Hus' legal affairs.

While riots were gaining momentum in Prague and legal briefs were being compiled in Rome, the curial official Dietrich Niem published a strident tract against Hus and his disciples on 6 March 1411. Niem argued that legal procedure at the curia was irregular for even having received Hus' appeals. According to Niem's argument, Archbishop Zbyněk constituted the final authority in such matters, and the suspicion of heresy alone – alleged but unproven – was sufficient cause for condemnation. Niem urged church authorities to act immediately and decisively to eliminate heresy, with the use of crusade if necessary. All recalcitrant heretics should be imprisoned, degraded, and turned over to the civil powers for execution.¹⁸ There is reason to suspect that Dietrich Niem had been encouraged by Michael de Causis, as his treatise and the initiatives of de Causis were both ideologically compatible and coincided in place and time.¹⁹ The suggestion that de Causis actively incited Dietrich Niem to write in order to persuade the pope against Hus is therefore meritorious and defensible.²⁰

¹⁴ See especially Jiří Kejř, *Die Causa Johannes Hus und das Prozessrecht der Kirche* (Regensburg, 2005) 47–89.

¹⁵ *Tak zvaná kronika university pražské* [Chronicle of the University of Prague], FRB, 5: 571.

¹⁶ Documenta, 501–504 and *Replicacio contra Hus*, in Jan Sedlák, “Několik textů z doby husitské,” *Hlídky* 28 (1911) 95–99.

¹⁷ Johannes Hus, *Tractatus De ecclesia*, ed. S. Harrison Thomson (Boulder, 1956) 231.

¹⁸ *Contra damnatos Wiclifitas Prage*, in Jan Sedlák, *Studie a texty*, I: 45–55.

¹⁹ Hus specialists concur on the division of labour between de Causis and Niem. See Václav Novotný, *M. Jan Hus, Život a učení* [Life and Teaching] (Praha, 1919) I,1: 469–70 and Jan Sedlák, *M. Jan Hus* (Olomouc, 1915) 192.

²⁰ Bartoš, *Čechy v době Husově* [Bohemia in the time of Jan Hus] (Praha, 1948) 351.

Finding an ally in a place of influence, a number of Prague canons hostile to Hus approached Michael de Causis in late 1411. He agreed to act on their behalf at the papal curia. As we have seen, through his intervention and *ex parte* efforts a condemnation of Hus was eventually secured.²¹ There is every possibility that de Causis had been involved in this respect even earlier.²² It is noteworthy that medieval canon law allowed for the public denunciation of an excommunicate (in this case Hus) which might be accomplished by a prosecutor (i.e. de Causis) through legal and judicial procedures.²³ There can be little argument that de Causis was motivated by malice towards Hus. However, canon law did not automatically disqualify such witnesses in cases of *crimen exceptum*.²⁴ That provision allowed Michael de Causis to remain active at the curia in the case against Jan Hus, and he did so successfully for a number of years.

While the legal case against Hus gathered momentum, we can be quite certain that simultaneously de Causis began to act independently against Hus. His next action was to compile and register a series of formal articles of accusation in March 1412.²⁵ The fact that the plaintiff, as it were, had previously been a priest at the Church of St Adalbert in Prague (where he was succeeded by Jakoubek of Stříbro), made de Causis intimately aware of religious affairs in Prague and also within the Bohemian province. Inasmuch as Michael already had a papal appointment to the role of advocate in matters of faith, he was particularly well positioned for relaying the controversies in Prague to the attention of the cardinals and the pope; perhaps more importantly, he also had the unique ability to control the narrative of those conflicts and shape the interpretation. Archbishop Zbyněk of Prague was committed to putting an end to the reform initiative in his province, and he could not have secured a more suitable man at the curia than Michael de Causis for furthering this cause.

Jan Hus is presented in this legal document as a dangerous and cunning preacher of heresy. The content of the articles promulgated by Michael de Causis had the net effect of putting Hus into direct confrontation with ecclesiastical power. Hus was not particularly perturbed by the allegations levelled against him. In replying to the charges, he denounced de Causis as a “liar” and the “manufacturer of lies.” He concluded his responses by dismissing the broad thrust of the charges “as mendaciously submitted against me in the accusations of Michael Smradař; lies for which Michael will be judged by the

²¹ Letter of Hus to the Supreme Court of Bohemia, in Novotný, 157 and *The Letters of John Hus*, 90–91.

²² Hus, *Postil*, MIHO, 2: 166, Václav Novotný, *M. Jan Hus, Život a učení*, I: 468.

²³ X 5.39.46 *In praesentia*, Friedberg, 2: 908. More generally see Elisabeth Vodola, *Excommunication in the Middle Ages* (Berkeley, 1986).

²⁴ X 5.3.31 *Licet heli*, Friedberg, 2: 760–1 and X 5.3.32 *Per tuas*, Friedberg, 2: 761–2.

²⁵ Documenta, 169–174.

most just judge.”²⁶ Importantly, the articles assembled by de Causis included the crucial accusation that Hus was a “heretic” and a “heresiarch.” The indefatigable lawyer and prosecutor ceaselessly assailed Hus as the “prince of heretics” who perverted the faith of good Christians through heresy-filled sermons delivered boldly at Bethlehem Chapel.²⁷

This series of articles contained variations on themes previously levelled against Hus, but careful examination reveals new emphases and concerns emerging which would form important elements in the case against Hus. The de Causis articles claim that Hus defended Wyclif and preached Wyclifite heresy in June 1411. By extension, Hus is accused of eucharistic heresy in the charge that he maintained that even after the consecration the bread remains unchanged, and further, that sinful priests cannot consecrate. Hus is made to say that indulgences are invalid. De Causis alleges that Hus considers the pope Antichrist, maintains that the curia is controlled by Satan, and denounces “the Roman Church as the synagogue of Satan.” The implications of such charges are sweeping, but de Causis further suggests that Hus claims excommunication should not be practiced except in cases of mortal sin. Ostensibly, Hus believed his own anathema did him no harm, and by opposing apostolic orders, Hus reveals himself as recalcitrant and disobedient, while his sermons promote general disobedience among the faithful. Michael de Causis alleged that by means of preaching in Bethlehem Chapel, Hus incited people to rebel against spiritual authority and had recklessly suggested that it was perfectly acceptable for secular authorities to divest the priesthood of property and wealth. De Causis presented Hus as an unbridled radical who favoured violence against priests and prelates. Unsurprisingly, these articles concluded that Hus was a heretic who publicly and privately proclaimed heresies harmful to the church. These articles of accusation are patently absurd, with some being simply false and others lacking necessary nuance.²⁸ Disturbed by such a vitriolic attack, though, Hus responded to the charges rather pointedly by making the rejoinder that Michael de Causis was a liar and repeatedly underscored that conviction.²⁹

Realising that his enemies were determined to have him condemned, Hus took a number of steps in order to defend himself against the articles of accusation. He sent his attorney Jan Jesenice to represent his cause at the curia, but Michael de Causis promptly took legal action to have Jesenice disqualified from the Hus case. He accomplished this by filing a formal motion amounting to a complaint which included accusations of heresy against Jesenice. Medieval canon law considered heresy an exceptional crime and maintained

²⁶ Ibid., 170–74 wherein Hus calls de Causis a liar no fewer than a dozen times and in one instance retorts that his accuser is a “coarse liar.”

²⁷ Shrovetide sermon, in *Postil*, MIHO, II: 133.

²⁸ Documenta, 170–1.

²⁹ De Vooght, *L'Hérésie de Jean Huss*, I: 167, 169.

that one accused of heresy could not function as an advocate for another heresy suspect. Legal machinations at the curia led to a verdict against Jesenice which included an excommunication handed down by Cardinal Colonna. After this ruling, the case was transferred under the purview of the canon lawyer and Cardinal Francesco Zabarella. De Causis must have been dismayed when Zabarella concluded a number of rulings favourable to the defendant.³⁰ Records fail to detail precisely what happened next or why, but what is known is that within a short period of time Pope John XXIII ordered the findings of the Hus inquiry reassigned to the administrative authority of Cardinal Rainaldo Brancacci. This had the immediate effect that the Hus case was removed from Zabarella.³¹ Efforts to determine why this occurred have been unsuccessful but the possibility of lobbying by Michael de Causis cannot be excluded and may even be considered a likely probability. From a legal point of view, the result meant that all decisions made by Zabarella were effectively vacated.

During the early months of 1412, Michael de Causis persisted with his unrelenting attack on Jan Jesenice's continued involvement in the Hus case. The auditor who had been given the brief of handling the complaint, Jean Belli, was ineffective. De Causis lobbied for decisive action, and his efforts were rewarded when at length the matter was summarily transferred to the papal auditor Berthold Wildungen. The continued presence of Jan Jesenice at the curial courts, given his legal acumen in representing Hus, was a threat to the success of the agenda which Michael de Causis had been developing. It was therefore fortuitous that de Causis happened to meet an otherwise obscure Czech at the court during this moment of procedural crisis. This was a priest named Šimon Burda who had previously been involved in legal matters with Jesenice. These evidently had been moderated by Zdeněk of Chrást, Archdeacon of Žatec, who had assisted Archbishop Zbyněk in the great book-burning of 1410 in Prague.³² The collusion which de Causis managed to secure with Burda had a clear result which seriously impaired Hus' chances for a fair trial at the curia. Namely, Jan Jesenice was charged with heresy, taken off the Hus case, and thereafter incarcerated. Michael de Causis had scored a major victory. Flushed with that success, de Causis promptly filed an *ex parte* petition with the pope requesting the auditor Berthold Wildungen be replaced. We are not well informed about why the prosecutor desired a different auditor, but the fact the request was granted provides ample evidence that Michael de Causis was exerting considerable influence at the papal court. George Fleckel replaced Berthold Wildungen.

Meanwhile, Jan Jesenice successfully escaped prison and fled Rome. De Causis was outraged that Jesenice had slipped through his hands, and

³⁰ Jiří Kejř, *Die Causa Johannes Hus und das Prozessrecht der Kirche*, 67–74.

³¹ *Ordo procedendi*, in Novotný, 225–34 at 229.

³² Jiří Kejř, *Die Causa Johannes Hus und das Prozessrecht der Kirche*, 59–60, 71.

immediately insisted that the fugitive be anathematized. This censure was carried out on 29 July 1412. From that time onwards, Jesenice was considered contumacious.³³ On 4 September 1412 Cardinal Peter degli Stefaneschi handed down a formal writ of major excommunication against Hus. In practical terms, this meant that the complete social and religious implications of the sanction, the *aggravatio*, were now put into effect upon the pronouncement's arrival in Prague. De Causis later testified that Hus preached a sermon in which he declared that such anathemas did the righteous no harm but rather worked to bless the innocent.³⁴

These serious censures against Hus had been achieved upon the initiative of Michael de Causis, with the help of the former Prague inquisitor Mařík Rvačka. The latter had followed de Causis to Rome and the two engaged in active collaboration against Hus.³⁵ Buoyed up by his string of legal successes, de Causis attempted to have many of the key advisors to the king of Bohemia cited to the papal court. This came to naught, for it seems the pope was reluctant to irritate the king unnecessarily.³⁶ Still, by the autumn of 1412, Michael de Causis, with the assistance of Jiří Bor, Mařík Rvačka and Dietrich Niem, had succeeded in almost completely nullifying all the efforts at advocacy for Hus which had been advanced by Jan Jesenice.³⁷ The role of Michael de Causis in the prosecution of Jan Hus appeared overwhelmingly successful. At this stage in the legal proceedings no other single person had more success than de Causis, and no other individual had been more disadvantageous to Hus in his efforts to obtain a fair and balanced hearing in the papal court. Even Hus identified the main source of his troubles in clear language: "I suffer mainly through the instigation of my rival and adversary Michael de Causis, formerly incumbent of the Church of St Adalbert in the New Town of Prague."³⁸

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Unsatisfied with the flurry of legal briefs, summons, citations, and censures, before the year was out de Causis had initiated a new series of accusations and charges against Hus, once again instigated by the Prague canons colluding with de Causis. These charges were filed with Pope John XXIII. The new accusations characterised Hus as "a son of iniquity," a "heretic," a "Wyclifite," and one who "despises the keys." The charges did not even shrink from asserting that "all heretics and schismatics deserve a place with the Devil and his angels in the flames of eternal hell."³⁹ The de Causis articles characterise

³³ Jiří Kejř, *Husitský právník M. Jan z Jesenice* [Hussite Lawyer M. Jan Jesenice] (Prague, 1965), 61.

³⁴ Hardt, 4: 426, 428.

³⁵ The text of the writ against Hus appears in *Documenta*, 461–64.

³⁶ Kejř, *Husitský právník*, 98.

³⁷ Šmahel, HR, 2: 881.

³⁸ *Documenta*, 464.

³⁹ *Ibid.*, 457–61.

Hus as the main person behind the rise of heresy and heretical depravity in Prague. It is Hus who bears the bulk of responsibility for innumerable souls which de Causis argues have now been lost in the depths of error. The framer of the articles also insisted that the poison of Jan Hus had filled Bohemia, overflowed into Moravia, and was now turning up in places like Poland and Hungary. More serious was the appalling fact that Hus continued to act with impunity, so much so that the Church of God was made to endure such severe oppression that many of the faithful had died as a result. In this cycle of accusations, de Causis implored the pope to take decisive action against such wolves who rushed frenzied among the faithful. From other sources, we learn that Michael de Causis and the Prague canon Jan Cifra had filed new charges at the Roman Curia to the disgrace of King Wenceslaus and the entire kingdom of Bohemia.⁴⁰

On account of Hus' refusal to appear at the papal court, along with the sentence of excommunication leveled against him, the legal process against Hus at the curia came to a standstill at this point. From a procedural point of view, the case was considered pending, but Michael de Causis entertained no pause in his efforts against Jan Hus. We therefore find him continuing to work behind the scenes. As noted previously, on 4 September, Cardinal Peter degli Stefaneschi had formally issued a writ of major excommunication against Hus. This marked another turning point culmination in the trial process, and in fact this was the fourth condemnation of excommunication which had been issued against him.

Back from his imprisonment in Rome, Jan Jesenice argued that the foundation of the work of the theologians against Jan Hus was questionable.⁴¹ Drawing upon legal precedent, he went on to allege that the prelates were actually blatant falsifiers of both scripture and canon law. Launching onto dangerous ground, Jesenice drew the strident conclusion that the papal court was filled with disreputable simoniacs and heretics, and that these men, not Jan Hus, were the principle causes of dissension and turmoil. There should be little argument that Jesenice has Michael de Causis and his associates in mind. We find that Jan Hus concurred with the assessment of his lawyer. In a sermon prepared for the Second Sunday after Trinity based on Luke 14: 16–24, Hus spoke out against the prohibition on preaching and the various synodal decisions aimed at limiting preaching that had been promulgated as early as 1409. He considered such initiatives to be the unconscionable acts of Antichrist. Hus denounced the priests who supported such measures as the “crew of Antichrist.”⁴² Surely Michael de Causis is implied. Hus then went on

⁴⁰ *Tak zvaná kronika university pražské*, FRB, 5: 571 and Documenta, 731.

⁴¹ *Replicatio contra false consilia doctorum*, in Documenta, 495–99 drawing upon C.11 q. 3, c. 4 *Si episcopis*, Friedberg, 1: 643, X 1.3.5 *Si quando*, Friedberg, 2: 18, and X 3.5.6 *Quum teneamur*, Friedberg, 2: 465–6.

⁴² *Postil*, in MIHO, 2: 298–9.

to note that despite these efforts to stop him, he continued preaching both in Prague and in exile, noting his sermons and preaching activity in southern Bohemia at Kozi Hrádek.

The role of Michael de Causis in the prosecution of Hus continued unabated. Upon his advice and pressure, together with the collaboration of the bishop of Litomyšl, Jan “the Iron” Železný, Pope John XXIII directed particular church officials in the Bohemian province, especially Konrad, Archbishop of Prague, Václav Králík, Bishop of Olomouc, and bishop and inquisitor Nicholas of Nezero (not actually named in the bull), to take steps to enforce the terms and requirements of the interdict against Hus under threat of personal punishment and sanction. This step was prompted by the fact that Hus did not obey the terms of his several excommunications and stubbornly continued to preach, not secretly, but openly in the countryside. He also attempted to do so occasionally in Prague (unsuccessfully as it turns out), even though he was under the strictures of an aggravated excommunication and writ of interdict. Michael de Causis took the view that the named prelates had simply been negligent in the matter of enforcing the terms of the excommunication and interdict. In the document addressed to Jan Železný, Hus, his accomplices, and supporters are referred to as “twisting snakes,” and we also find an allusion to the tails of heretics being tied together. This was a common characterization of medieval heretics from the time of the fourth Lateran council onwards.⁴³

With all this in place, the Hus trial shifted venue to the Council of Constance. We have noted that Hus nominated Michael de Causis as the primary “instigator and adversary” who worked strenuously to create what Hus considered injustice, and that this had been accomplished with the support of the canons of the Prague cathedral chapter. In responding positively to the invitation to appear at the Council, it seems that Jan Hus was unaware that he was walking into a legal and procedural trap which had been set by his enemies, especially Michael de Causis. Though Hus received a *salvus conductus* for his travel into German territory, the real danger he faced was not attack by bandits or vigilantes on the open road, assassination, or even an outbreak of general violence. Rather, the chief danger to Jan Hus was malfeasance at the court itself, and this might be credited most of all to the account of individuals like Michael de Causis.

As the Council convened, both Štěpán Pálež and de Causis arrived in Constance. They lost little time joining forces. Other committed enemies were also on hand and prepared to act against Hus. These included Petr of

⁴³ The text of the letter is in Kamil Krofta, “Z Geschichte der husitischen Bewegung: Drei Bullen Papst Johans XXIII. aus dem Jahre 1414,” *Mitteilungen des Instituts für österreichische Geschichtsforschung* 23 (1902), 598–610, on 605–6. The dating is a matter of conjecture but may be assigned either to 30 April 1413 or 1414. I suspect the latter. This is also the opinion of De Vooght, *L'Hérésie de Jean Huss*, I: 316.

Uničov and Wenceslas Tiem, the indulgence vendor, both of whom aligned themselves with the anti-Hus caucus. There is no doubt that these men regarded the Council as providing another venue for a further chapter in the fight against Jan Hus. Indeed, it is somewhat striking that Hus claimed he would not have had many enemies during the Council were it not for Czech priests, motivated by their desire for personal gain and advancement.⁴⁴ Michael de Causis immediately posted public notices against Hus throughout Constance. These announcements included the presumed indictment and repeatedly advertised that the trial was a process being conducted against a contumacious excommunicate who was suspected of heretical depravity.⁴⁵

An analysis of the early activities of de Causis and his colleagues over against the established rules of legal procedure in such cases makes manifestly clear that the testimony of de Causis and Pálež doubtlessly intended to establish *fama publica* (the belief by reputable persons that the defendant was guilty) in the mind of the Council and in the thinking of the judges and prosecutors who were to preside over the next phase in Jan Hus's legal case. Establishing *fama publica* was an essential part of the preliminary inquest, during which time the reputation of the suspect or defendant was investigated and established.⁴⁶ Well before the convocation of the Council at Constance, the efforts of Michael de Causis and his colleagues aimed at establishing the nature and content of Hus's offense and detailing its notoriety. This work was buttressed by the several excommunications and ecclesiastical censures already filed against the defendant. In medieval heresy trials, the inquisitor or prosecutor had to establish the *mala fama* (bad reputation) of the accused prior to legal proceedings, and while this had been accomplished previously, Michael de Causis saw to it that the evil reputation of Jan Hus was renewed and brought to the attention of the court. It seems reasonable that the agitation created and sustained by de Causis and his colleagues constituted the most acute contributing factor in the arrest of Hus, inasmuch as it appears that the cardinals who acted to apprehend Hus were motivated by these men.⁴⁷

In pursuit of establishing the legally required *mala fama*, Michael de Causis made certain that all influential members of the Council possessed a copy of the latest allegations about Jan Hus. At the beginning of December, Pope John XXIII commissioned three bishops to undertake a renewed

⁴⁴ Novotný, 224.

⁴⁵ Novotný, 218 and 220.

⁴⁶ Sebastián Provvidente, "Hus's Trial in Constance: *Disputatio Aut Inquisitio*," in František Šmahel in cooperation with Ota Pavlíček (eds.), *A Companion to Jan Hus* (Leiden-Boston, 2015) 265–280.

⁴⁷ Petr of Mladoňovice, *Relatio de Magistro Johanne Hus*, FRB, 8: 37. On *fama* generally, see Julien Théry, "Fama: l'opinion publique comme prevue judiciaire. Aperçu sur la révolution médiévale de l'inquisitoire (XII^e-XIV^e siècle)," in Bruno Lemesle (ed.), *La preuve en justice de l'Antique à nos jours* (Rennes, 2003), 119–47.

investigation into the Hus matter. Their brief was to do so with all haste and thereafter to proceed to a definitive sentence. There is considerable question about papal objectivity in this regard, as we find John XXIII referring to Hus as an “instigator of sedition,” who had rashly advanced numerous errors and heretical teachings – characterised as “virulent poison” – through incessant preaching and his many writings. The papal narrative betrays a barely concealed reliance on the allegations and charges already promoted by Michael de Causis. It is apparent that de Causis was never officially part of the Hus commission. There are several reasons why this may have been the case. First, de Causis did not possess either the ecclesiastical or academic rank necessary for such an august appointment. Cardinals, bishops and prominent theologians tended to be among the preferred cadre. Second, he had already been involved in the legal procedures against Hus at the papal curia. This was not necessarily a conflict of interest since Francesco Zabarella also occupied positions of prominence both at the curia and at Constance. Third, his involvement as a member of the Hus commission could be construed as biased due to the fact that he was among the first to bring charges against Hus. Fourth, the Council could not depend upon the objectivity of his work. The fact that he was not named to the commission, however, cannot be used to infer that he exerted no influence upon its deliberations or conclusions.

Indeed, it was at this point that Michael de Causis advanced a new list of accusations against Hus, which were promptly brought to the attention of Pope John XXIII.⁴⁸ We find considerable attention devoted here to Hus’s alleged doctrinal deviance. The charges begin with claims of eucharistic irregularity, wherein de Causis makes the argument that Hus advocated the practice of *utraquism* and had publicly proclaimed that the sacrament was necessarily administered in both kinds to faithful Christians.⁴⁹ De Causis attempted to buttress his claim by arguing that the accusation was true and accurate and could be proven by virtue of the fact that “at this very moment” the disciples of Hus in Prague were observing irregular sacramental practice (art.1). The charge also includes an even more strident accusation: “His disciples practice this in Prague. When holy communion is denied them, they seize the eucharist from the private chapel and communicate themselves” (art.2). From an ecclesiological perspective, de Causis alleged that Hus did not define the church according to its hierarchy (art.3). This suggested that Hus did not regard spiritual authority with sufficient esteem, especially as it related to the papacy and curia. Once more, we encounter allegations of Donatism in the charge that wicked priests were unable to properly consecrate the sacrament. However, de Causis hastened to assert that Hus considered it perfectly acceptable for a layperson to administer the sacrament. In an effort to drive a wedge even further between the now imprisoned defendant

⁴⁸ Documenta, 194–199.

⁴⁹ *Ibid.*, 194.

and the judges of the court trial, de Causis advanced the claim that Jan Hus believed and taught that the church had no right to temporal possessions. In consequence of that violation of the supposed law of God, secular authorities had the right, perhaps even the duty, to divest the church of its material possessions. Connected to this inflammatory thesis, de Causis then pointed out that because of persistent sin, the church likewise had no legitimate claim to the exercise of power and authority. By virtue of this conviction, the charges against Hus called into question the function of the keys, concluding that this was now very much in doubt (art.5).

Such suggestions were politically explosive, and Michael de Causis shrewdly plotted to use his cycle of accusations to inflict as much damage on Hus as possible and simultaneously to prejudice the trial judges against Hus. In terms of the sensitive issue of excommunication, the articles pointed out that Hus continued to ignore the law, and moreover that he persisted in saying mass even though he knew very well that he was expressly forbidden to do so under the provisions of ecclesiastical custom and canon law. De Causis pointed out that Hus said mass at various places between Prague and Constance (art.6). All of this was cleverly designed to exploit a perceived authority issue. De Causis effectively presented Hus as an anti-authority figure who flaunted church structure and paid no heed to his bishop. De Causis went on to allege that Hus took the view that neither papal nor episcopal permission was required for appointments for the cure of souls (art.7). In terms of preaching, any person ordained had the right to preach and there was no legitimate reason why any of them should be prevented from doing so (art.8).

Having outlined this series of theological irregularities, Michael de Causis then ran the gamut from doctrinal irregularity to accusations of wilfully inciting rebellion to maintaining clear and evident heresies. Several accusatory articles presented Hus as a dangerous subversive. The tone of these charges characterized Hus as the spreader of disease in his unrelenting challenges relating to the nature and constitution of the church. De Causis suggested that threat of disease had been spread because Hus actively worked to create conflict between secular authorities and prelates. Beyond this, the defendant had motivated the laity to seize power and authority reserved for the priesthood by encouraging them to revolt and to demand the sacrament in any circumstance wherein they might initially be refused by presiding priests. Beyond this, we again find Hus charged with calling for a general divestment of ecclesiastical wealth and belongings. This idea had been controversial for more than a century, and its inclusion was part of an intentional strategy on the part of de Causis and others to try and connect Hus to the already condemned heretic John Wyclif. On the matter of church wealth, Hus was in opposition to canon law. Papal bulls had previously denounced the teaching of apostolic poverty as "erroneous and heretical."⁵⁰ Without doubt, Michael de Causis was keen to demonstrate that

⁵⁰ Extrav, Jo. 22.14.4 *Quum inter nonnullos*, Friedberg, 2: 1229–30.

Hus was in violation of canon law and papal mandate. If these accusations were still insufficient, Hus was further presented as creating turmoil by agitating the secular authorities against the church by suggesting that tithes and offerings might legitimately be withheld from the latter.

It seems incontrovertible that many of these accusations seek to prove that one of the main issues in the legal process against Hus is that the defendant is consistently disobedient. By implication, he has contravened the orders of his bishop, and Michael de Causis argues this may be demonstrated by records extant in the Apostolic Archives and in the courts. Presumably, de Causis had prior access to such documents. Alarming, these charges argue that anyone who spoke out against Hus or his ideas in Prague was disadvantaged. This suggests at the very least that the spread of dissent and heresy in Prague had become so pervasive and powerful that heretics like Hus were now able to act with impunity. Hence, not only did Hus defend the outlawed and prohibited “forty-five articles” of Wyclifite error; he had also become deeply implicated in political events which led to the promulgation of the Decree of Kutná Hora, which clearly inflamed ethnic tensions and created a massive split within the University of Prague.⁵¹ On account of the pernicious activities of Hus, Michael de Causis mounts an argument that the entire Kingdom of Bohemia is suffering. Furthermore, he asserts that there is a clear and present danger that such disturbances will not be restricted to the Czech lands. De Causis suggests that the errors and insubordination of Hus and his followers will overrun neighbouring German territories. Once more, Hus is presented as the chief instigator of tension between Czechs and Germans. Because of his mischief and criminal activity, the Christian faith is under renewed and sustained threat.

Perhaps hyperbolically, this series of accusations advances the claim that the persecution of faithful Christians on account of Hus has had no parallel or equal for more than a thousand years. In other words, Jan Hus has created more harm to the faith than any other heretic since the time of the fourth century. Michael de Causis also used this opportunity to announce to the Council that while “Jan Hus is dressed in the garments of a sheep, inside he is a ravenous wolf.”⁵² The upshot of the De Causis accusations was to urge the fathers of the Council to move with all speed against this unparalleled and dire threat to the faith. The fact that many of the accusatory charges that de Causis applied to Hus are little more than propaganda is not unusual during heresy proceedings in medieval Europe. Only one accusation in a hundred was needed to be sustained for conviction. We possess contemporary documents which record that “Michael de Causis with considerable racket worked zealously,” hurrying from place to place, politicking with ecclesiastical officials, and strengthening the case against Hus.⁵³

⁵¹ More details in Jiří Kejř, *Die Causa Johannes Hus und das Prozessrecht der Kirche*, 17–46.

⁵² Documenta, 196.

⁵³ Novotný, 222 and Petr of Mladoňovice, *Relatio de Magistro Johanne Hus*, FRB, 8: 33.

A few days after the lodging of the de Causis accusations, a revised list of charges was drawn up by the commissioners of the Council.⁵⁴ This document clearly appears to be based upon the work of Michael de Causis. With these two filings, the Council was prepared at the beginning of the New Year to present the already incarcerated Hus with formal charges.⁵⁵ At about the same time, there was a second examination on the “forty-five articles” of 1403, a list which might accurately be considered a pastiche of Wyclifite tenets. Along with these developments we know also of private examination on still other charges. A formal bull was read out to Hus which followed the arguments and accusations of de Causis, inasmuch as the bull declared that Hus was a heresiarch as well as a seducer of the people. Admittedly there is some lingering uncertainty about the nature and origin of these formal charges. This is apparent because no extant or official document or protocol exists for these interrogatories. Notwithstanding, it can be convincingly argued that the foundation and basis for them stemmed from the work of Michael de Causis, who sought all along to control the narrative of misconduct against Hus and who strove with considerable verve to maintain a position among the chief prosecutors of the accused.⁵⁶ Therefore, sometime in January, Hus was presented with these formal charges.⁵⁷ Hus specifically tells us that he was interrogated on each of the “forty-five articles,” and that his replies to those charges remained unchanged and constituted the sum and substance of his answers previously given. The accusations underlying the interrogatories were likely the second edition of de Causis’s articles, or the revised list drawn up by the commissioners of the Council. In either case the role of Michael de Causis is evident.

* * *

While the non-public aspects of the legal proceedings involving Jan Hus were still unfolding in Constance, Michael de Causis kept up his frenetic pace of activity, proactively badgering potential and reluctant witnesses in December and January. De Causis was persistent in his efforts to secure their agreement to testify against Hus.⁵⁸ In one sense, this was neither illegal nor irregular on the grounds that canon law allowed judges to compel witnesses to testify.⁵⁹ But a consideration of the methods utilised in other cases in which de Causis was involved provides evidence he did engage in practices amounting to the subornation of perjury. This becomes evident in the initiatives wherein he

⁵⁴ Documenta, 199–204.

⁵⁵ Letter of 4 January 1415, Novotný, 239–41 and *The Letters of John Hus*, 140–141.

⁵⁶ De Vooght, *L’Hérésie de Jean Huss*, I: 393 and Sedlák, “Proces Kostnický,” in *Studie a texty*, II: 23–27.

⁵⁷ Novotný, 240 and *The Letters of John Hus*, 140–141.

⁵⁸ Petr of Mladoňovice, *Relatio de Magistro Johanne Hus*, FRB, 8: 41.

⁵⁹ X 2.21.8 *Super his*, Friedberg, 2: 343.

attempted to induce others to perjure themselves in providing sworn testimony against Hus.⁶⁰

Medieval trials are not so different than many modern procedures wherein the question of money occupies a prominent place. During an unspecified hearing, we learn of an unidentified archbishop who asserted that Hus had 70,000 florins at his disposal for use in his trial. This revelation motivated de Causis to open an inquiry into where all of Hus's money had gone and in what manner and for what purpose it had been dispensed.⁶¹ Such investigation appears to fall outside the scope of discovery. However, we have no information or evidence to suggest that any protective order ever limited the nature of discovery in cases of inquisitorial procedure, particularly in matters of heresy. That said, prosecutorial misconduct was rarely a consideration in heresy proceedings in the later Middle Ages. Other documents allege that Michael de Causis pried into Hus' mail while Hus was incarcerated in Constance, even tampering with incoming or outgoing correspondence.⁶² We also learn that the prosecutor assumed a central role in some of the interrogations of the defendant, actively urging the presiding authorities to force Hus by whatever means possible to reply to the interrogatories.

Having filed several rounds of charges and accusations already, the case against Jan Hus was now advanced from another perspective. Pressing the case forward, de Causis joined forces with Štěpán Páleč. The result was an extensive extraction of questionable and offensive items from Hus' book, *On the Church*. The alleged errors were promptly turned over to the Hus commission. Clearly this action was intended to facilitate the prosecution of the legal case.⁶³ Nowhere do we find sustained evidence that the public activity of Michael de Causis slackened. Instead, we find him busy throughout the city confronting various persons deemed as useful witness for the prosecution. For example, Petr, former abbot of the Benedictine monastery of St Ambrose in the New Town of Prague, indicated a desire to depart from Constance, but was detained through the offices of Michael de Causis. The priest Jan Mišpule, also known as Navara, indicated in a statement that he was willing to provide witness on whatever was required. This deponent was reported to have said that even "though I never heard him [Hus] preach, because I know he is a heretic, I will say anything."⁶⁴ One can only speculate on whether or to what extent de Causis encouraged this sort of perjured testimony. Throughout the early days of the Council of Constance, he appears to have been the chief prosecutor in the case of the medieval church versus Jan Hus. His enthusiastic diligence can be seen most vividly in the public boast

⁶⁰ Petr of Mladoňovice, *Relatio de Magistro Johanne Hus*, FRB, 8: 41.

⁶¹ Novotný, 239–41 and *The Letters of John Hus*, 140–141.

⁶² Noted also in Novotný, 240, 300 and *The Letters of John Hus*, 140–141, 185.

⁶³ Bartoš, *Čechy v době Husově*, 409–10.

⁶⁴ Josef Truhlář, "Paběrky 48. Husitský pranýř z r. 1416–17," *Věstník české akademie* 9 (1900), 566–67.

that he would be delighted to testify against his own father if the latter were a heresy suspect.⁶⁵

Michael de Causis did not limit his anti-heresy campaign to Hus. When the latter was visited by his old colleague Křišť'an of Prachatice in March 1415, Křišť'an was promptly arrested, and thirty articles were brought against him. At the instigation of Michael de Causis, Křišť'an was examined by John Rupescissa, Patriarch of Constantinople. He was released, and he immediately fled Constance. We next hear of him in Prague on 19 March, well out of reach of Michael de Causis.⁶⁶ When Jerome of Prague unwisely followed Hus to Constance, de Causis acted immediately in posting notarised citations concerning this heresy suspect on 18 April at various monasteries and churches throughout the city and its environs. On the same day that he posted notices about Jerome, the Council delegates hearing the matter of Hus had ample opportunity to allay residual doubts about the guilt of the defendant. For on that day the "honourable man" Michael de Causis appeared before the Hus commission for the purpose of testifying about "that devil Jan Hus."⁶⁷ It is at important junctures such as this where we encounter the problem of the missing *Acta* of the Council. Doubtless there was considerable evidence about the testimony of Michael de Causis in this text, as well as his additional supporting activity. A comprehensive *Acta* might also have provided insight into others' opinions about him. Regrettably, these reflections and sources are lost, as any records taken down by notaries on that occasion have not survived. We do have an extant opinion from Hus wherein the defendant referred to the massive dossier which had been lodged against him as a "sack of lies," which might be taken as a euphemism for de Causis.⁶⁸ During the several months of Hus' imprisonment, between late November 1414 and early July 1415, we learn that Michael de Causis frequently came to the prison, but evidently never entered Hus's cell. During these visits, the ever-vigilant prosecutor and heresy hunter openly declared his intention of seeing Hus condemned.⁶⁹

During the public proceedings in June, Michael de Causis interrupted the courtroom hearings by shouting that the books of Hus should be burned.⁷⁰ That outburst would appear to be a definite breach of the *ordo iudiciarius*, and, as a trained and experienced attorney, de Causis might well have known he was out of order. The other active role that de Causis played in the public

⁶⁵ Petr of Mladoňovice, *Relatio de Magistro Johanne Hus*, FRB, 8: 41.

⁶⁶ References and details are in Novotný, 249 and *The Letters of John Hus*, 147–148, an anonymous letter in Documenta, 541–543. Friedrich Firnhaber (ed.), "Petrus de Pulkau, Abgesandter der Wiener Universität am Concilium zu Konstanz," *Archiv für Kunde Österreichischer Geschichte-Quellen* 15 (1856) 15.

⁶⁷ Mansi, 27: 628.

⁶⁸ Novotný, 249 and *The Letters of John Hus*, 147–148

⁶⁹ Letters of late January and 23 June 1415 in Novotný, 300 and *The Letters of John Hus*, 185.

⁷⁰ Novotný, 261 and *The Letters of John Hus*, 159.

judicial acts came during the second hearing, which convened on 7 June and was presided over by Cardinal Pierre d'Ailly. In this session, Hus was specifically accused of maintaining eucharistic heresy. The principle prosecutor on this matter was Michael de Causis, who advanced a number of alleged "proofs" of Hus's heresy from several witnesses in Prague, including priests. Notable among these witnesses was Ondřej of Brod.⁷¹ Once more, the missing *Acta* of the Council renders our understanding of the proceedings deficient. Petr of Mladoňovice, who has provided us with a useful account of the case against Hus at Constance, was present, though it must be noted that he arrived late. While his account is comprehensive, it lacks coverage of the initial stages of the hearing, since he missed the acts of Michael de Causis. It is lamentable that such a lacuna exists, for we cannot possibly reconstruct how this matter was presented to Hus, in what order, or how the defendant responded. However, a semblance of the prosecution can be determined from the articles advanced by de Causis against Hus on this subject and by looking at the previous replies Hus made when answering allegations of eucharistic abuse.

The formal and public hearings in the trial of Jan Hus concluded on 8 June. While the Hus commission deliberated and the court delayed in bringing the legal proceedings to conclusion, Michael de Causis continued to take steps to ensure that his work in the prosecution of Hus remained undisturbed by external influences. Therefore, before 23 June, de Causis secured an official order which had the force of forbidding anyone admittance to Hus's prison. Presumably, exceptions extended to prison guards and personnel, Council officials, and those persons connected to the Hus inquiry. So severe was the restriction that even wives of prison guards were denied entry.⁷² Around this same time, in late June, and possibly as a reaction to the unexpected delay of handing down a verdict in the Hus case, Michael de Causis mounted an attempt to persuade the Council of the salutary benefit of passing a formal resolution strictly forbidding anyone from any attempt at persuading Hus to recant.⁷³ It is entirely possible to read the document in question and arrive at the conclusion that de Causis desperately wanted to eliminate any possibility that Hus might somehow avoid the pyre. We have seen already that Michael de Causis continued to work with enormous industry, and that he carefully and zealously tried to anticipate any possibility which might deprive him of the satisfaction he so desired, which was to see a man burn alive. Beyond this personal motivation, we might also read his submission to the Council as a *prima facie* example of a self-serving initiative. In this sense, all of his feverish activities could be understood as an intentional and sustained effort to ingratiate himself into the good favour of the leading men of the Council, especially those who were given the brief of dealing with Jan Hus.

⁷¹ Jiří Kejř, *Die Causa Johannes Hus und das Prozessrecht der Kirche*, 128–130.

⁷² Novotný, 300 and *The Letters of John Hus*, 185.

⁷³ Novotný, *M. Jan Hus*, II: 447.

Though impossible to date with any firm accuracy, there was also a second, anonymous brief submitted to the court. The hand of Michael de Causis may be detected therein as well. The second filing issued a warning about how undesirable a recantation on the part of Hus would be. It appears that the author entertained some fear that the expected sentence of the court might involve commuting a penalty of death to a life sentence. Our anonymous author appears disturbed by the possibility, and thus proposed that the commission should not pass sentence in the case, but might instead consider referring the verdict to the entire Council. This suggests that de Causis knew about the exchanges Hus had with an anonymous patron known only as “pater,” who had suggested a means whereby the death penalty might be avoided.⁷⁴ This proposal also shows that the prosecutor had not forgotten about the temporary reversal of fortunes in early 1412, when Zabarella ruled against the conclusions of Cardinal Colonna and issued an interlocutory judgment which appeared to agree with the appeal of Hus, admitted previously excluded evidence favourable to the defendant, established a new deadline for the submission of evidence, and ultimately suggested the excommunication of Hus was unjustified because there was an appeal pending. It is even possible that de Causis feared legal intervention by Zabarella or another powerful and influential member of the Council on a point previously overlooked, which could render his years of careful manoeuvring null and void. Therefore, the second brief delivered to the Council argued that Hus must be subjected to *animadversio debita*, on the grounds that he was clearly the most “notorious heretic on earth” and the disseminator of “many errors and heresies,” who had attempted to sway all of Christendom to his ideas.

De Causis had previously argued that no greater heretic than Hus had been found anywhere in Christendom for over a thousand years. That being the case, the legal penalty should be applied because Hus had been “rightly convicted,” and he ought to be made to abjure, but he should not be allowed to live. According to canon law, should the sentence of death be commuted, it would result in perpetual imprisonment. De Causis knew this and he was also aware that sentences of life imprisonment sometimes were later suspended. That outcome was unthinkable. The brief therefore argued against imprisonment. The writer made reference to a letter Hus had left behind in Prague before he went to attend the Council. The anonymous document warned that the heresies perpetrated by Jan Hus would multiply. Were Hus to escape or be released, the result would be a dire situation in the Bohemian province. “Taking seven spirits even more wicked,” Hus would certainly attack the Church of God. The beleaguered priesthood would be ever more seriously damaged, with the result that “innumerable errors” and “great scandals” to the “destruction of the spiritual and secular estates” would ensue. The author concluded that the church would be convulsed with sedition engulfing

⁷⁴ Jiří Kejř, *Die Causa Johannes Hus und das Prozessrecht der Kirche*, 160–161.

both clergy and laity. The document could have been authored by any number of men inimical to Hus, especially Jan Náz, another famous adversary, or – even more likely – Michael de Causis.⁷⁵

The fears expressed in these submissions to the Council were never realised, for on 6 July Jan Hus declined a final opportunity to save his life and was burned as a contumacious heretic. Later sources identify the work of Štěpán Pálež and Michael de Causis as among the most effective advocates for the successful prosecution of Jan Hus.⁷⁶ While the Council of Constance remained in session, the prosecution of heresy continued; we learn that on 4 September 1416, Michael de Causis reported he had cited more than 400 Czech nobles on account of alleged Hussite beliefs.⁷⁷ The Council therefore commissioned the indefatigable prosecutor of heretics to take action against renegade Hussites.

Conclusion

The activities of Michael de Causis have been according to some historians characterised as an expression of duty to God undertaken without any regard for personal motive or gain. Michael de Causis himself declared that his prosecution of Hus emerged from nothing other than a genuine concern for the purity of Christian doctrine and an abiding desire to protect the church from the threat of the destructive virus of heresy.⁷⁸ So if we pose the question of what Michael de Causis thought he was doing, then the answer would appear to be that he considered himself just as much a defender of God and the true Church as did Hus. Two men. Two entirely different visions. Both had their defenders.

It is noteworthy that the final thoughts Jan Hus committed to paper about Michael de Causis consist of a simple comment that the heresy hunter had persisted to the bitter end with intentional efforts to disadvantage Hus by interfering with his mail and by deliberate interventions aimed at depriving the prisoner of the comfort of visitors during his solitary confinement. More telling is the fact that at the time he was engineering these tactics, the zealous prosecutor openly boasted to the guards of his ultimate and vicious desire that “by the grace God we will now quickly burn this heretic.”⁷⁹

Late in life, Michael de Causis made preparations to participate in the proceedings of the Council of Basel. He must have been electrified upon hearing the news that the heretical followers of Jan Hus were potentially set

⁷⁵ The text *Avisamentum fiendum processus contra Io. Hus* has been edited in Bartoš, “Z posledního zápasu o M. Jana,” JSH 17 (1948) 58–60.

⁷⁶ Vavřínek of Březová, *Husitská kronika*, in FRB, 5: 338.

⁷⁷ Thomas Martin Buck (ed.), *Chronik des Konstanzer Konzils 1414–1418 von Ulrich Richental* (Ostfildern, 2010) 80.

⁷⁸ Sedlák, “Po stopách Husových odpůrců,” in *Studie a texty*, I: 143.

⁷⁹ Letter of 23 June 1415 in Novotný, 300 and *The Letters of John Hus*, 185.

to come and appear before the council. On his deathbed, around the time the Council convened, de Causis swore that he had never committed any impropriety in his office. His defender, the German Dominican inquisitor Heinrich Kalteisen, publicly declared that de Causis made a specific confession: "In truth, and in the sight of God the strict judge before whose face I will appear, that as long as I have been an agent of the faith, I have not been negligent in my duty."⁸⁰ In other words, Michael de Causis swore on his deathbed that he had not acted improperly while functioning in his office as *procurator de causis fidei*. He also maintained that he had not profited from his work as a prosecutor of heretics.

In assessing the role of Michael de Causis in the prosecution of Jan Hus and evaluating his effectiveness, several attributes which he possessed proved decisive in his gaining the outcome that he desired. Unlike Pálež, de Causis was a lawyer. Quite clearly this implied that he had at his disposal the altogether crucial acquaintance with medieval law and the relevant prevailing legal procedures which governed the judicial process from the local level, through the curial court system, and up to the final trial at Constance. Unlike Pálež, de Causis also remained active at the curia on what might be characterised as essentially a full time basis. This allowed him regular opportunity to influence the thinking and opinions of the cardinals and other key individuals in the Hus case long before they arrived in Constance. It can be shown that he had access to the power brokers in the Hus affair for several years. Indeed, it is possible to find de Causis active in these areas throughout almost all of the Hus process. As we have seen, it was Michael de Causis who personally formulated and filed several lists of formal accusations and charges, which had the net result of shaping the nature of the prosecution. Moreover, as a fully appointed pleader in matters of the faith, Michael de Causis had achieved the admirable position to act against Hus from an institutional position of advantage. Finally, the scattered traces of his activity indicate that he was sufficiently opportunistic to use his full powers of persuasion and influence during the medieval equivalent of pre-trial motions and interlocutory orders, as well as in limiting and shaping the eventual legal proceedings both at the curia and in Constance. Reflecting on the others who participated in the case against Hus between 1410 and 1415, very few others would have been able to exert such influence over a comparably long period of time. One may argue that the only one of Hus' enemies active in the legal cause styled "medieval Church versus Jan Hus" from start to finish was Michael de Causis. That being the case, there is basis for agreeing that on account of his persistent and malicious pursuit of Jan Hus, Michael de Causis became the most hated man in Bohemia.⁸¹

⁸⁰ Henricus Kalteisen, *Collatio in exequiis Magistri Michaëlis de Praga procuratoris de causa fidei*, MS Vienna, ÖNB 4975, f. 49v.

⁸¹ Sedlák, "Po stopách Husových odpůrců," in *Studie a texty*, I: 141.