

Prokop in the Bath:

Some Observations on the *Liber diurnus*
de gestis Bohemorum in Concilio Basileensi

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On Wednesday, 21 January 1433 Prokop Holý took a bath. There was nothing unusual about this. Medieval men did occasionally bathe and Prokop had been in the field for some years directing the Hussite armies. Still, the author of a medieval chronicle went to the bother of recording this otherwise mundane exercise of personal hygiene. The bath is certainly unremarkable but the occasion for the bath compels our attention. Prokop had recently undertaken a long journey from Prague to Basel, a distance of some 571 kilometres (355 miles). But he had arrived in Basel on Sunday 4 January – two-and-a-half weeks or a full eighteen days earlier – and certainly had time to bathe before the 21st. One might argue that only now did Prokop have the opportunity to enjoy a bath. Indeed, Prokop and his contingent of delegates to the Council of Basel faced a rather gruelling schedule but a glance at the “day book of the deeds of the Czechs at the Council of Basel” reveal no formal activities on either Tuesday the 6th or Sunday the 11th of the month. Moreover, the *Liber diurnus* (diary) reveals that on Monday the 5th, Prokop had the day free until about four in the afternoon. On the 7th there were no scheduled conferences with the conciliar fathers. On Friday the 16th, business sessions appear to have recessed by lunch time for the remainder of the day.¹ Even on days when the delegates were in session with the council they were not in continuous meetings from sunrise to sundown. In other words, Prokop surely had plenty of opportunity to bath before Wednesday, 21 January. It seems unavoidable that Prokop’s bath was an excuse, albeit a feeble one, for not attending the council session on that day. This raises the question of why Prokop might wish to absent himself on that occasion.

The diary indicates the Utraquists had the floor on Wednesday, 21 January with the Taborite bishop Mikuláš of Pelhřimov known as Biskupec holding forth as the main speaker. Prokop’s absence was noted by the president of the council, Cardinal Giuliano Cesarini, who inquired after him. A message was delivered to Prokop’s rented house by the Cistercian monk Johannes of Maulbronn, a prominent personality in the diary who is mentioned a dozen times. Cesarini wondered if Prokop was ill and expressed his concern saying the very possibility caused him pain. The author of the diary provides no indi-

1 MC 1: 289, 291, 292.

cation of how Prokop reacted to the cardinal's message adding only the laconic comment that Prokop had not attended "because he was having a bath."² Why make a point out of such an incidental issue? I believe Prokop's curiously timed bath provides a clue for understanding the failure of Utraquist and Roman Christians to utilize fully the historic opportunity afforded by the Council of Basel to repair a serious ecclesiastical schism.³

The Text

One hundred and fifty years ago František Palacký identified the author of the *Liber diurnus de gestis Bohemorum in Concilio Basileensi* as Petr of Žatec a priest in the Orphan Church in Bohemia. That opinion prevailed until fifty years ago when František M. Bartoš argued the author of the chronicle was not Petr of Žatec as Palacký assumed but a German named Laurence of Reichenbach (or Rösen) who attended the Council as a secretary to Prokop Holý, one of the principal delegates to this important and unprecedented ecclesiastical convocation.⁴ Having failed to deal successfully with the Czechs militarily, the Church invited them to present their views before the Council.⁵ The chronicle, which serves as a journal account of the Utraquist delegation's visit to Basel, is quite valuable for its detail and its behind-the-scenes reporting from a definite Utraquist perspective. The Czech representation at the Council of Basel was a significant event in the history of western Christianity by any reckoning. That summit lasted fourteen-and-a-half weeks in early 1433. There are several accounts of the event.⁶ The fullest reflecting a pro-Utraquist perspective, is the one under consideration here – the so-called *Liber diurnus de gestis Bohemorum in Concilio Basileensi*. The chronicle is a journal – a diary – covering a period of 101 days between 4 January and 14 April with entries for 83 of those days.

- 2 MC 294. There is no apparent indication that Prokop's activities implied a medical bath.
- 3 On the Utraquists at Basel there are three important studies in English: Gerald Christianson, *Cesarini: The conciliar cardinal: The Basel Years, 1431–1438* (St. Ottilien, 1979), *Ibid.*, "Wyclif's Ghost: The politics of reunion at the Council of Basel," *Annuario historiae conciliorum* 17 (1985) 193–208 and E.F. Jacob, "The Bohemians at the Council of Basel, 1433," in *Prague Essays*, ed., R.W. Seton-Watson (Oxford, 1949) 81–123.
- 4 F. M. Bartoš, "Z husitského a bratrského dějepisectví" [From the Hussite and Brethren's Historiography], *SH* 2 (1954) 83–112 but see 97–103 for a discussion about the authorship. Laurence was a Taborite priest and is sometimes referred to as Quirin. See, for example, the conservative Hussite treatise of 1429 against the Taborites. Modern edition *Jan z Příbramě: Život kněží Táborských* [Jan of Příbram: "The Lives of the Priests of Tábor"] ed., Jaroslav Boubín [Podbrdsko, Fontes 1] (Příbram, 2000) 86 and in other contemporary sources. František Šimek and František Bartoš, eds. *Staré letopisy české z vřatislavského rukopisu novočeským pravopisem* [The Old Czech Annals from the Wrocław manuscript in modern Czech orthography] (Prague, 1937) 27–31.
- 5 The invitation appears in MC 1:135–8.
- 6 In addition to that under consideration in this essay see also the *Concilium Basiliense*, ed., Johannes Haller, 8 vv. (Basel, 1896–1936, reprinted Nendeln, 1971), Mansi v. 29 and the study by A.P.J. Meijknecht, "Le Concile de Bâle, aperçu général sur les sources" *Revue d'histoire ecclésiastique* 65 (1970) 465–73.

Apart from an eight day gap (20–27 March) the entries are fairly regular. It is about 55,000 words in length. The source is a crucial document for our understanding of the Council of Basel in Utraquist history and an important witness of the lost opportunity to secure lasting unification in the late medieval west.

Pope Martin V summoned the Council in two bulls *Dum onus universalis gregis* and *Nuper siquidem cupientes* both dated 1 February 1431. The papal legate Cardinal Giuliano Cesarini was appointed president of the council by Martin V who, himself, died shortly thereafter on 20 February.⁷ Cesarini arrived at Basel on 9 September 1431 following the disastrous collapse of the fifth crusade against the Hussites at Domažlice on 14 August. During the summer of 1431 while Cesarini was preaching the crusade against the Czechs his representatives Juan of Palomar, papal auditor, and the Dominican Jan Stojković of Dubrovnik, (Johannes Ragusa) had been put in charge of organizing the Council. They arrived in Basel on 19 July. Four days later an assembly was held in the cathedral and documents authorizing the council were publicly read. Despite a very thin representation of delegates – barely a dozen – the Council commenced.⁸ Cesarini arrived seven weeks later. The Utraquist delegation to Basel included Vilém Kostka, Matěj Louda of Chlumčany, the Taborite commander of the town of Písek, Jan Rokycana the elected, but unconsecrated, archbishop of Prague and the vicar-general of Archbishop Konrad of Vechta who died in 1431, Peter Payne, an English Lollard turned Taborite, the Orphan preacher from Čáslav, Oldřich of Znojmo, Mikuláš of Pelhřimov called “Biskupec”, the Taborite bishop, and Prokop Holý, the pre-eminent military captain of the Hussite armed forces and the heir of Jan Žižka. Their three month (14 ½ week) sojourn in Basel had significant implications for the future of Utraquism, the struggle against heresy in Central Europe as well as for later medieval Christianity. The document is an account of those days when Bohemian reformers and Council fathers faced each other before all Christendom.⁹

As expected, during these fourteen-and-a-half-weeks there was plenty of theological discussion, doctrinal debate and formal academic speeches. There were other themes revealing important clues about the deeds of the Utraquists at Basel. Several aspects bear careful scrutiny. These include the use and abuse of the Cheb Judge agreed upon in 1432 which was the rule of reference determined to guide the proceedings. The agreements at Cheb are referred to at least twenty-seven times. Also troubling is the apparent organizational failure on the part of the Utraquist delegates. Once the council sessions got underway a definite climate of mutual hostility and disrespect can be detected, sometimes

7 The best modern source on the cardinal is Christianson, *Cesarini: The Conciliar Cardinal*.

8 Among a number of editions of the acts of the Council see Mansi v. 29 cols.1–227.

9 The Latin text is preserved in Prague Castle Archive MS. O XXIX ff. 3a–60a and has been edited and printed by Palacký in MC 1: 287–357.

rather overtly, in the diary. The curious role of Jan Rokycana requires some explication. It is of little surprise that the ghosts of Jan Hus and John Wyclif seem to haunt the proceedings. Hus is mentioned fifteen times and Wyclif is cited twenty-four times. Once again, this bode ill for any hopes of success since the references are almost always antagonistic. The important contributions of conciliar delegates such as Giuliano Cesarini and Jan Stojković of Dubrovnik are noteworthy. The former struggled valiantly for unity and fairness while the latter seems almost to go out of his way to agitate the Utraquists. The diary records plenty of humour and there are no fewer than thirty-seven references to laughter in the proceedings. Indicative of disunity among the Czech delegates is the issue of segregated housing wherein the Utraquists are lodged according to their particular identity: Táborites, Orphans, Praguers, while Prokop gets his own house. The absence of key people at crucial moments in the Council's deliberations, the loaning of books under the cover of night, a complaint about the Czechs throwing snowballs and of course Prokop's curiously timed bath recorded in this text are among the incongruities which militated against the positive outcome of the discussions with the Bohemian delegation at the Council of Basel.

Disunity among the Czech Delegates

It may be said that "Bohemian defeated Bohemian in the interests of Rome." This generally relates to the final internecine battle at Lipany in the spring of 1434. It can likewise be asserted as a causal factor in the unsuccessful deliberations at Basel. The Utraquists came to the Swiss territories to argue from a position of strength but they could not properly apply the strength demonstrated on the battlefield to the council chambers in Basel. This was neither on account of superior minds among the council fathers nor because Utraquist theological argument was inferior. It can be put down in part to an abysmal failure to unify. Given the opportunity before them, it is highly regrettable that the Czechs could not set aside their differences for the sake of an important strategic objective. Prokop in the bath is an example of that. The Bohemian author of the diary makes repeated reference to segregated housing in Basel. Bohemian factionalism was obvious.

Arguments erupted over who ought to speak on behalf of the delegation. Implied in this dispute is what ought to be said. This problem reflects a larger issue which quite simply is this: there never was a time in the early Bohemian Reformation when a unified theological position among the Czechs can be identified. On Tuesday morning, 13 January, the Hussite party decided that Oldřich of Znojmo would present the Hussite position on preaching – the third of the "four articles of Prague."¹⁰ Who was this man? Oldřich of Znojmo first appears in the historical records in 1416 as a bachelor in the Philosophy faculty at the

¹⁰ MC 291.

university in Prague. He disappears until 1433 when he resurfaces – this time as a priest in Čáslav which by then was an Orphan stronghold. His performance at Basel reveals a sound academic mind but also someone who was a more moderate exponent of Utraquism than were his colleagues from Tábor. His conciliar addresses gave less offence than those of Peter Payne or Mikuláš Biskupec.¹¹ By lunch time on the same day, Jan Rokycana has decided that he, not Oldřich, should make the presentation on preaching. This argument was not resolved for a full ten days. Finally, on 22 January our author records in his diary that: “we agreed that Oldřich would present it, not Rokycana, who wanted to present it.”¹² A few lines further it is noted: Rokycana protested vehemently claiming that he was more qualified, had a mandate from the Czech nobles, could speak faster and just as loudly as anyone else.¹³ What seems needed at this stage at Basel is a theological Žižka to impose order. But as Howard Kaminsky has argued Žižka’s “coarse mind” precluded the old warrior from appreciating the theological subtleties of religious reform and it is doubtful that, had he been still alive, he would have been invited to the council.

Kaminsky aside, there are two issues here, both of which are problematic. First, the Utraquists have come to Basel without a scheduling order. This is astonishing. One might have thought assignments of who would present formal arguments on which topics would have been clarified well before the Czechs left Bohemia. Had this logical procedure been followed, the second problem could more easily have been avoided. People like Rokycana would have had less leverage in their attempts to control the proceedings.

As it stands, it is Prokop on 22 January, fresh (and presumably clean!) from his bath the day before, who is left to worry aloud in the diary about the divisiveness and its effect should it become more widely known.¹⁴ Having at last been given the “green light”, Oldřich strode to the podium the very next day and presented an argument for the free preaching of the gospel. Prokop’s fears are realized eventually when Cardinal Cesarini asks Prokop directly on 14 February about relations between the Utraquist parties and Prokop admits there are difficulties.¹⁵ On 5 March the various groups met at Prokop’s house and attempted a negotiation on a reply to their detractors but “they were unable to reach any agreement.”¹⁶

11 His speeches, along with those of the Táborite bishop, have been edited and published in František M. Bartoš, ed., *Orationes, Quibus Nicolaus de Pelhřimov, Taboritarum Episcopus, et Ulricus de Znojmo, Orphanorum sacerdos, Articulus de peccatis publicis et libertate verbi dei in Concilio Basiliensi anno 1433 ineunte defenderunt* (Tábor, 1935).

12 MC 294.

13 MC 295.

14 MC 295.

15 MC 311.

16 MC 321.

The Curious Role of Jan Rokycana

Rokycana is a very important personality in the early Bohemian Reformation and deserves a major study. His importance from the 1420s to the 1470s is undeniable. Yet his role at Basel, while important, is not free of controversy or concern. It appears he wished to dominate the Utraquist side but was often prevented from doing so. He does present the argument for the chalice, the Utraquist insistence on utraquism, which he commenced on 16 January and continued until the 19th.¹⁷ Two days later he attempted to take up the third article as mentioned previously. The diary notes that Rokycana “wanted with all his might to have the argument for the third article entrusted to him.”¹⁸ In this effort he was defeated. Elsewhere, on 10 March, it is noted that Rokycana was not prepared to reply to Jan Stojković and desired an adjournment.¹⁹ Later, on 8 April, Rokycana was quick to come to his feet to explain what he thought his colleague Oldřich of Znojmo was trying to say.²⁰

The author of the diary commented on 9 February that Rokycana’s handling of some argument was “quite clumsy”.²¹ Elsewhere, Rokycana is presented as being less than forthcoming and deliberately speaking vaguely to the council. A defense of this position is put up by referring to the alleged but famous deathbed admonition of Jakoubek of Stříbro in 1429: “Master Jakoubek said on his deathbed – and there were almost twelve priests present – ‘You should have two kinds of books, one kind for your own contemplation, and do not take these before the people; others then for enlightenment of the people.’”²²

On the other hand, Rokycana was very active even when others had the floor. On 25 February he engaged an irate bishop who denounced the Czech cleric as “disgusting”.²³ Rokycana took on Jan Stojković repeatedly but sometimes these exchanges degenerated into inflamed “speaking about childishness”, or at least this is how Johannes of Maulbronn complained to Prokop about the behaviour of both men.²⁴ On 3 April, the two had another round of public argument. Later that same day, Rokycana agitated an unidentified Benedictine monk who exploded and had to be silenced by Cesarini. The monk refused to obey and was ordered out of the council chamber altogether.²⁵ Up until the day before the Czechs departed from Basel animosity between Rokycana and Jan Stojković persisted.

17 MC 292–293.

18 MC 294.

19 MC 323.

20 MC 349.

21 MC 305.

22 MC 298. Jakoubek died on 9 August 1429 and apparently made the statement to Rokycana and Peter Payne.

23 MC 316–317.

24 MC 319.

25 MC 340.

Mutual Hostility

The *Liber diurnus de gestis Bohemorum in Concilio Basileensi* reveals emphatically that both sides came to Basel with the objective of converting the other. Neither side was prepared for instruction by the other or for concession. On 10 January Cardinal Cesarini told the Utraquists, "I have waited for you with great desire as the father waited for the prodigal son."²⁶ The Utraquists did not regard themselves as "prodigals" and saw the official church as errant. When each side revealed that they were not amenable to conversion, the suppressed seething hostility became evident. Three cardinals refused to extend to the Czech delegates the courtesy of welcoming the visitors (on 15 January), inviting them to sit down, and two of the three even declined to rise upon the entrance of the Bohemians.²⁷ Two days later the Utraquists engaged in a tit-for-tat. When the cardinals passed by, the diary noted, "we did not stand up."²⁸ Prokop elected to take a bath to avoid the fellowship of the council members. On 21 February Peter Payne was forced to retreat from an invitation by Cesarini to reply to anti-Utraquist arguments because many of the Utraquists were not in attendance.²⁹ On 4 March an interesting lunch party convened. On one side of the table sat Rokycana, Peter Payne, Mikuláš Biskupec and Oldřich of Znojmo. On the other, Jan Stojković, Heinrich Kalteisen, Gilles Charlier and Juan Palomar.³⁰ Efforts at progress were stymied and became hopelessly bogged down when the conciliar delegates blamed the impasse on the Bohemian Wars of Religion (implying the Czechs had started and perpetuated the conflict!) while the Bohemians faulted their opponents for resisting the gospel. Such mutual recriminations prevented any agreement. On 10 March, Rokycana charged Jan Stojković with being "immature" and then "at the top of his voice" lambasted the council until he was interrupted. This resulted in more bellicosity with "many slanderous quarrels."³¹ On 13 March, Peter Payne seems to have adopted Prokop's approach and while the author of the diary does not say that Payne was in the bath it does note his absence.³² By 1 April, however, Payne was back in the chambers sparring with Juan Palomar. Things got so tense that Palomar suggested that he and Payne be locked up in a room without food until they had settled their differences. Payne averred this was not a good idea as they would simply resort to tearing each other with their teeth. As the session went on, Palomar "threw many degrading and deriding words in

26 MC 291.

27 MC 292.

28 MC 292.

29 MC 315–316.

30 MC 320.

31 MC 323.

32 MC 327–8.

Engliſ's face." Payne threatened to adopt the same approach.³³ A week later, the two were still at it with Palomar suggesting Payne's arguments were like a soft tree while he was a woodpecker who intended to peck away at the trunk until it collapsed.³⁴ Tensions in the council precincts must have been palpable.

On 4 February, a Carmelite brother, a doctor of theology, declared that John Wyclif was a heretic and that his memory had been damned three times.³⁵ He claimed he could locate within two hours from Wyclif's writing a specific heresy. Two days later he was seen pacing about thumbing through Wyclif's books searching for the passage. Nine weeks later, on 7 April, the same English religious overcome with frustration actually hurled a copy of one of Wyclif's books across the council chamber with such force "that it hit a bench" while the monk groaned aloud that his soul was so grieved he could not bring himself to actually read the words of the heretic Wyclif.³⁶ His claim of success within two hours had failed after nine weeks of frustration. The Hussite contingency must have been smug, to say the least. Even some of his colleagues derided him for failing to fulfil his previous boast. At times, the diary notes that even Cardinal Cesarini with a number of other cardinals and almost all of the bishops were absent from the proceedings.³⁷ Perhaps they too perceived the benefit of Prokop's bath.

Efforts to Police or Restrain the Bohemians

Not long after the Utraquists arrived in Basel they were asked to abstain from preaching in the vernacular but they made no promise to abide by that request.³⁸ Evidently the Taborites celebrated Mass on the Epiphany and the sermon had been preached in German. A number of citizens of Basel attended which caused consternation among the Council.³⁹ On 13 January the Czechs asked if notices might be posted throughout the town advertising the events of the council. This was denied. Ten days later the Czechs were told they might go out for fresh air but were asked not to talk to any of the common people of the city fearing some "nuisance" as a result.⁴⁰ This magnanimous gesture surely

33 MC 335–6.

34 MC 346–7.

35 This Carmelite doubtless was John Keninghale, the English Prior Provincial of the Carmelite Order from 1430–1444 who had been in Basel since October 1432. He would later join in the English delegation's chorus of condemnation directed at Peter Payne. He could still be found in Basel in 1435. He retired to the Norwich Carmelite Priory and died there in 1451. Johannes Haller, ed., *Consilium Basiliense: Studien und Quellen zur Geschichte des Konzils von Basel*, 8 vv. (Basel, 1896–1936) 3: 398.

36 MC 347.

37 MC 347.

38 MC 289.

39 MC 1:259.

40 MC 295.

roiled the Czechs. Moreover, it was alleged that members of the Utraquist party had thrown snowballs at a holy picture. On behalf of the Utraquists, Rokycana denied this.⁴¹ Earlier, this alleged incident had been mentioned by Johannes of Maulbronn who claimed to have witnessed Czechs throwing snowballs at a picture of Christ on one of the bridges.⁴²

These strictures seem to have been imposed on account of fear entertained by the Council with respect to the possible influence or contagion represented by the Utraquist.⁴³ The Czech delegates arrived at Basel by boat from Schaffhausen where they had left their wagons and banners upon the request of the Council. There was some concern expressed among the council fathers when they heard the Utraquists had with them banners on which the slogan “truth will triumph” appeared. Prior to entering Nürnberg on 21 December 1432, Matěj Louda had made somewhat of a scene displaying his banner. The Council was afraid of the impact these banners might have on the general population.⁴⁴ The unfurling of the banners at Nürnberg seems to have struck a rather sensitive nerve and between forty and fifty men were appointed to oversee measures aimed at preventing any unnecessary interaction between the people of Basel and the Bohemians. Heavy penalties were legislated for imposition upon anyone having contact with the Czechs.⁴⁵ Even members of the Council had to obtain authorisation before they were permitted to call upon the Utraquists. As noted previously, on 13 January, it was mandated by an edict that there was to be no participation by the people of Basel in the religious services of the Czechs.⁴⁶ The Council took further steps in appointing two secret agents whose responsibility was to observe the movements and activities of the Utraquists and to make regular reports to the Council.⁴⁷ All of this goes

41 MC 295.

42 MC 294.

43 Medieval religious authorities regarded heresy as a contagious disease. The references from the Carolingian period to the fifteenth century are voluminous. Three contemporary examples will suffice. The Council of Constance concluded John Wyclif was a “root of poison” and unless the “knife of ecclesiastical authority” was used, the “cancer” would wreak havoc. FRB 8: 501-3. In 1431 Joan of Arc was condemned and rejected from the communion of the Church as “infected”. Definitive sentence of 30 May. Pierre Tisset, ed., *Procès de Condamnation de Jeanne d’Arc* (Paris, 1960) 411–12. At the Council of Constance, Jean Gerson used the same terminology in a sermon before the council. Jean Gerson, *Opera omnia*, ed., Elies du Pin, 5 vv. (Antwerp, 1706) 2: 207.

44 Similar banners can be seen in fifteenth-century iconography of the Utraquists. The safe conduct offered to the Bohemian delegates is dated 20 June 1432. Text in Norman P. Tanner, ed., *Decrees of the Ecumenical Councils*, (London and Washington, 1990) 1: 460–1.

45 MC 291–2.

46 MC 291.

47 These strictures seem to have been imposed due to the fear entertained by the Council with respect to the possible influence or contagion represented by the Utraquists. The unfurling of the banners at Nürnberg seems to have struck a rather sensitive nerve and between forty and fifty men were appointed to oversee measures aimed at preventing any unnecessary interaction between the people of Basel and the Bohemians. Heavy penalties were legislated for imposition

to demonstrate that despite the Cheb Judge and the willingness of the Council to hear the Utraquists formally there was still a significant climate of suspicion which lay over the Utraquist visit to Basel. Evidence remains to indicate this annoyed the Czechs and perhaps there is little wonder that after eighteen days of this Prokop decided to bathe, preferring the comfort of the warm waters to the coolness of the Council.

Other Important References

(a) Cheb Judge

The Cheb Judge is mentioned no fewer than twenty-seven times in the diary.⁴⁸ The major references, of course, come from the Utraquist side. Following the defeat of five crusading armies, the papal legate Giuliano Cesarini decided diplomacy would have to be taken seriously. Two months before the defeat of the fifth crusade representatives from the Council had met with Utraquist delegates at Cheb but those negotiations were wrecked by the vitriolic Jan Stojković. In May 1432 renewed discussions got underway again at Cheb. In the place of the irascible Croat the Council placed matters in the hands of Johannes Nider, prior of the Dominican monastery in Basel, and Johannes of Gelnhausen, a Cistercian monk from Maulbronn. Heinrich Toke, former professor at the University of Rostock and later teacher in the cathedral school at Magdeburg, along with three other ecclesiastics – Albrecht Fleischmann and Heinrich of St. Giles, both from Nürnberg, and Heinrich Parsperger from Regensburg – were the main Council representatives. From the Utraquist side the most important included Rokycana, Peter Payne, Martin Lupáč, Mikuláš of Pelhřimov, Markolt of Zbraslavice, Matěj Louda and Prokop Holý. On 18 May an agreement was reached: the determining factor at Basel would be the authority of Scripture to which ecclesiastical tradition, papal pronouncements, canon law, and the church fathers would be subordinate. The agreement became known as the “Cheb Judge”.⁴⁹ A major discussion on this point broke out at Basel on 6 February when Jan Stojković argued for the binding validity of the “teachings of

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⁴⁸ MC 289, 291, 292, 296, 300, 302, 304, 309, 326, 327, 328, 329, 330, and 347–8.

⁴⁹ ‘*Concordia in Egra de iudice*’, Prague Castle Archive MS. C 114 fols. 75a–76a. Latin text published in UB 2: 281–2 and translation in Thomas A. Fudge, *The Crusade Against Heretics in Bohemia, 1418–1437: Sources and Documents for the Hussite Crusades* (Aldershot, 2002) 344–6.

the doctors” and proceeded to refer to no fewer than twenty authorities.⁵⁰ After lunch the Utraquists protested to the legate Cesarini over this clear and wilful violation of the prior agreements. That plea had little effect for the next day Jan Stojković pronounced “that one must absolutely believe [the church] in all necessary matters” for the church is faultless with regard to the faith. Later, he insisted on the veracity of the assumption that “the pope and the cardinals are the Roman Church, and they must be obeyed under penalty of eternal damnation.”⁵¹ Of course the Utraquists demurred so Stojković carried on his assault from behind the shield that “the church is not bound to defend what she professes” (2 April).⁵² Much to the aggravation of the Utraquists, Cesarini failed to see this as a violation of the Cheb Judge.

On 7 February the diary asserted that Jan Stojković referred to Czechs as heretics at least sixteen times.⁵³ Rokycana berated the Croat for his intemperate outbursts. When he concluded, Prokop rose to insist he was not a heretic and asserted the remarks were in violation of the spirit of the agreements reached at Cheb.⁵⁴ In his own account, Jan of Stojković reported Prokop had become very upset at this point and had shouted that he was not going to listen any longer to speeches which tended to hereticate the Utraquists.⁵⁵ This escalating name-calling soon doomed the synod.

(b) Utraquism

On 11 March, after lengthy consultation, Cardinal Cesarini announced to the Czechs that the conciliar scholars could find no evidence that any ancient teacher of the Church taught that communion *sub utraque specie* was a divine command and therefore necessary. Likewise, Cesarini asserted they could find no evidence of any ancient doctor of the church expressing opinion against *communio sub una specie*.⁵⁶ This appeared to be the clincher for the council. They pressed upon the Utraquists to submit to the judgment of the council. After an adjournment, Rokycana spoke for the Bohemian contingent and offered the Czech view that councils could not be relied upon. He offered a single but searing example: the Council of Constance and drew attention to the injustice perpetrated there against the Czechs. Rokycana affirmed the Utraquist conviction that the acts of Constance would be subjected to divine judgment.

⁵¹ MC 303–4.

⁵² MC 336.

⁵³ MC 304.

⁵⁴ MC 304.

⁵⁵ See his “Tractatus, quomodo Bohemi reducti sunt ad unitatem ecclesiae”, in MC 1: 281.

⁵⁶ MC 326.50 MC 301–2.

On 11 February Jan Stojković delivered a very important address which proved crucial for the arsenal of radical Utraquist thought.⁵⁷ The Croatian Dominican argued that the authority of the church allowed her to alter religious practice from its Biblical roots as deemed appropriate. He provided several examples including the use of unleavened bread, Sunday as a holy day, the baptismal formula, infant baptism, matrimonial factors and auricular confession. The Utraquist principle consisted of the assertion that none could alter the commands of Christ or the witness of Holy Scripture. It came down to an argument over authority and the two positions could not be reconciled.⁵⁸

(c) Ostentatiousness of the higher churchmen

The diary makes frequent comment upon the ostentatiousness of various conciliar figures. These are chiefly references to the servants of cardinals and bishops following in the wake of these churchmen and holding up their trains. There are no fewer than twenty-four references to these practices.⁵⁹ On 16 February, the diary records the cardinal of Eustachius arriving “sitting on a mule and riding around thus with one servant on each side carrying his train so that the cardinal would not drag his clothing on the ground while sitting on the mule.”⁶⁰ On 10 March while the author of the diary, Prokop, Markolt and Cesarini were having lunch a bishop entered the room. His train was so long that his movements created a draft and everyone laughed.⁶¹ In the midst of the entry for 3 April, the writer interrupts his description of Stojković’s discourse to note that “for the first time the cardinal of Piacenza entered with a train according to their custom.”⁶² On two occasions – 3 April and 8 April – it is noted

57 MC 307–9.

58 Stojković in particular seemed to irritate the Czechs. Who was he? Jan Stojković was born around 1395 in Dubrovnik, studied theology at Padua and Paris and was briefly at the Council of Constance. He functioned in quasi-inquisitorial roles at various stages in his career and by the late 1420s seems to have developed a special animosity towards Utraquism. Martin V assigned him to play a leading role at the Council of Basel. In the meanwhile he went to Cheb in May 1431 to negotiate with the Utraquists. Those discussions were unsuccessful. As Secretary-General, he opened the Council of Basel, in Cesarini’s absence, on 23 July 1431. From the time of Basel, he assumed the role of a conciliarist arguing the pope must be subordinate to a general council in every respect. There are numerous sources but see especially the “Vita Joannis de Ragusio” in MC 1: viii–xviii; K. Binder, “Der ‘Tractatus de ecclesia’ Johannis von Ragusa und die Verhandlungen des Konzils von Basel mit den Husiten,” *Angelicum* 28 (1951) 30–54, J. Kubalík, “Johannes von Ragusa und die hussitische Ekklesiologie,” *Theologisch-praktischen Quartalschrift* 129 (1977) 190–295 and Franjo Šanjek, ed., *Magistri Iohannis [Stojković] de Ragusio Tractatus de ecclesia* (Zagreb, 1983). For his work with respect to the Council of Basel see his “Initium et prosecutio Basiliensis concilii”, in MC 1:1–131 and his “Tractatus, quomodo Bohemi reducti sunt ad unitatem ecclesiae”, in *Ibid.*, 135–286.

59 MC 292, 294, 296, 299, 309, 312, 317, 321, 323–4, 334, 337, 339, 340, 342, 345, 346, 348 and 349.

60 MC 312.

61 MC 323–4.

62 MC 337.

that Cesarini not only had his train carried behind him but a servant walked before him carrying a silver cross.⁶³ The Táborites especially reviled these displays of pomp. On 10 March one of the clerics joked with Prokop that all of them should agree to wear short vestments.⁶⁴

(d) References to Jan Hus

Jan Hus is referred to a total of fifteen times in the diary.⁶⁵ It is noteworthy that all four of the principle Czech speakers referred at one time or another to Hus. Mikuláš Biskupec mentioned the efforts of Alexander V to put an end to Hus' preaching. Peter Payne referred to the condemnation of his books. Rokycana recommended Hus, while Oldřich of Znojmo argued Hus should never have been condemned. Jan Stojković attempted to assert that Hus did not regard Holy Communion as essential. He also tried to use Hus as an authority against the Utraquist practice of infant communion. Rokycana rebutted Stojković saying Hus did regard communion of all the baptized as necessary. In general, though, Hus was mocked by the council fathers and the decisions of Constance remained unquestioned at Basel. The final and definitive sentence of the Council of Constance against Jan Hus declared that his books and ideas contained articles which were "erroneous", "scandalous", "offensive", "rash", "seditious" and "notoriously heretical".⁶⁶ None of the Czechs acquiesced in those conclusions.

(e) References to John Wyclif

By contrast, John Wyclif appears twenty-four times in the diary.⁶⁷ When Mikuláš Biskupec mentioned Wyclif on 21 January, "which was very hateful for the council, some laughed, others gnashed their teeth, the rest muttered. But the legate clasped his hands and looked up to the skies."⁶⁸ Chiefly, Wyclif was denounced as a heretic by the council delegates and described as a "man of damned memory."⁶⁹ Juan Palomar insisted Wyclif was being punished severely in hell for his errors and wickedness. On 4 February a Carmelite doctor of theology denounced Wyclif but the Czechs did not bother to rebut the assertion. The chronicler simply notes "we left and went to our quarters."⁷⁰ Such indiscriminate denunciations were best answered by Prokop in the bath.

63 MC 339, 349.

64 MC 323-4.

65 MC 294, 297, 311, 313, 320, 334, 342, 344 and 345.

66 FRB 8: 501-3.

67 MC 294, 297, 298, 300, 303, 307, 313, 317, 320, 341, 342, 343, 344, 347, and 349.

68 MC 294.

69 MC 300-1, 347.

70 MC 301.

(f) Laughter

Humour and laughter are dominant features in the *Liber diurnus de gestis Bohemorum in Concilio Basileensi*. There are no fewer than thirty-seven references to laughter. Clearly the solemn convocation was not all that solemn. The laughter noted by the author occurred at various times in the proceedings. Sometimes it was in connection with derision, when Wyclif was mentioned as being righteous, on other occasions it appears to have been used as a tool to create distraction from particular arguments, and at still other times it occurred because something truly humorous had been said. On this third point there are several examples. At one point in the discussions (6 April) Rokycana said to Jan Stojković, “come with me to Prague without any fear, I can promise you safety under the penalty of death, no one will harm a hair on your head; but you must leave your train at home.’ At that point much laughter burst out.”⁷¹ Two days later Prokop rose to speak. “I said to the lord legate: If bishops are assuming the duties of the apostles and parish priests of the seventy two disciples, from where came the others if not from the Devil?’ And considerable laughter sounded. Rokycana added: ‘Lord doctor, make Lord Prokop provincial of your order!’ And again, there was laughter.”⁷² On 3 April, Cardinal Branda suddenly announced, “enough for today, otherwise I’ll be late to the table.’ Everyone arose and in great haste hurried out” to lunch.⁷³

On 28 March, Oldřich of Znojmo addressed the council. “Twice during this council it has been mentioned that Constantine wanted to cover with his cloak a priest sinning with a woman. I am afraid this happens for no other reason than to protect fornicating priests in their sins. I know the people in Bohemia, who know the commandment of God [‘You shall not fornicate’, Exodus 20:14 and 1 Corinthians 5:11: ‘If someone called brother were a fornicator’ etc.] would not cover such a fornicator with a cloak, but instead would chop off his penis.’ At these words laughter erupted in the council.”⁷⁴ Interestingly, Oldřich spoke earlier, on 18 February, about Constantine’s thought on this matter. “Constantine would like to cover with his shirt a priest with a prostitute if he saw him having intercourse next to him.” There was no laughter on that occasion recorded in the diary.⁷⁵

These references to laughter are not all alike. The author of the diary clearly discriminates. Sometimes the laughter is hearty, considerable or loud. At times laughter erupts on account of humour while in other instances “laughter and hissing” came in response to unsettling arguments. On one day “a little bit of

71 MC 345.

72 MC 348.

73 MC 340.

74 MC 344.

75 MC 314.

laughter sounded” but on other occasions “extremely great laughter broke out” or “loud guffaws”. There is considerable attention paid to the human element in this drama. That said, at length the infusion of laughter became problematic. Rokycana objected at one stage (4 March) saying it was quite improper and not conducive to efforts at securing unity.⁷⁶ The diary commented at one stage: “The holy council wanted to calm down the hearing with loud laughter, therefore sometimes hissing sounded. The holy council also desired that all mouths be shut up or, if it were possible, that they be sewn up.”⁷⁷

(g) Incorporation

Between 11 and 15 March there was considerable effort to persuade the Czechs to agree to incorporation.⁷⁸ On 15 March a letter was read to them which eliminated all ambiguity and clarified the significance of incorporation. Ultimately, this step guaranteed unity but it meant subjection to conciliar authority. The council committed itself to satisfying the Czech requirements of the “Four Articles of Prague” as long as “it proved possible to do so conveniently”.⁷⁹ The Utraquists discussed the matter and Prokop gave the first answer. He submitted that the proposal was untenable inasmuch as the gains of Cheb would be surrendered and nullified by incorporation. Rokycana provided a second reply which effectively echoed Prokop. “If we incorporated, we would abandon the judge.” However, it fell to Rokycana to express the real Utraquist pause at the proposal: “We also do not want the council to be our judge.”⁸⁰ This was the critical matter. Ultimately, it was this Utraquist disdain for the authority of the official church, both papal and conciliar, which thwarted the chances for a lasting accord. Rather than accept the will of the council, Prokop Holý preferred the bathtub.

(h) Hurry to depart

The Czechs departed from Basel on 14 April. The legate and others had unsuccessfully tried to persuade the Utraquists to stay longer. None of those efforts yielded fruit. Emperor Sigismund wrote to say he would arrive shortly at the council. Cardinal Cesarini begged the Czechs to remain until Sigismund arrived. The Utraquists scoffed at that idea, rightly noting the emperor was notorious for failing to adhere to schedule. It should be said that true to the Utraquist assumption, based on many years of dealing with Sigismund, the Holy Roman Emperor did not appear in Basel for another twenty-six weeks, finally arriving

76 MC 320.

77 MC 327.

78 MC 324–331.

79 MC 330.

80 MC 330–1.

on 11 October. After fourteen-and-a-half weeks, the Utraquist were convinced that whatever progress could be expected had already been achieved. In that assumption they were doubtlessly correct.

(i) An anonymous letter

Appended to the *Liber diurnus de gestis Bohemorum in Concilio Basileensi* is a lengthy letter over 3,000 words in length.⁸¹ The author possibly was the French Franciscan friar Guillaume Josseaume, a significant preacher who had once been imprisoned at the Council of Constance. Both Josseaume and Hus had been opposed by the inquisitor Michael de Causis. The letter begs the Utraquists to remain at the council. If it is impossible for all the delegates to stay, the author suggests the clergy stay behind. If this likewise proves impossible then the anonymous writer requests that Rokycana and Peter Payne remain in Basel. The writer openly agrees with the Czechs that ecclesiastical jurisdiction over secular property is improper. Moreover, the author claims to have recently travelled in such places as Italy, France, Germany, England and Ireland and laments that nowhere could he find priests who were not degenerate. The thrust of the correspondence is a plea for the Utraquists not to quit the council. The writer attempts flattery. Of Rokycana he writes, “oh you spiritual shepherd of the Praguers.”⁸² Addressing Payne he says, “Oh Engliš . . . you are a reinforcement of the good.”⁸³ He includes the military commander Prokop Holý: “Oh captain Prokop . . . you are guided by the Holy Spirit.”⁸⁴ None of this prevails upon the Czechs any more than the entreaties of Cesarini and other members of the council. The letter launches into a mystical interpretation of astrological portents and spiritualises a great deal of contemporary occurrences. Near the end of the letter the text reads, “lo and behold, the Council of Basel is a continuation of the Council of Constance!”⁸⁵ The author of the diary provides no commentary on how the Utraquists responded to this correspondence. The text of the letter ends and is followed by a single brief entry. “The following day then, that is on the Tuesday after Easter Sunday, after breakfast we departed from Basel.”⁸⁶ Thus ended the daily record of the deeds of the Czechs at the Council of Basel according to the *Liber diurnus de gestis Bohemorum in Concilio Basileensi*.

81 MC 353–7.

82 MC 355.

83 MC 355.

84 MC 355.

85 MC 357.

86 MC 357.

Conclusions

The Utraquist appearance at the Council of Basel remains an anomaly. It cannot be gainsaid that the Utraquists changed the perspective of how religious and political authorities dealt with heresy in medieval culture. The normal disciplinary consequences such as interdict and canon law were temporarily suspended at Basel. The Utraquists were surprisingly indecisive at various junctures and ill-prepared at other times. Requests for postponements before providing answers to queries may be regarded as shrewd but the diary suggests there were other issues. A certain naïveté can be detected on both sides, Czech and conciliar. Each regarded their position as unassailable and compelling. Both expected the other to capitulate. The Utraquist posture echoes the naïve trust in which Jan Hus went off to Constance in 1414 with prepared sermons to preach to the sage men of Christendom. At Basel both sides were incapable of receiving instruction from the other; both were essentially unwilling to concede. This became a virtually insurmountable hurdle for men who have made truth claims for their views. The Utraquist presentation to the council was severely handicapped by internal dissension and, for all his acumen, Jan Rokycana came close to being a liability in his insistence at occupying centre stage. Presumably the exegetical key for understanding Rokycana's behaviour is that bishops were accustomed to speaking and having always having the last word. His counterpart Jan Stojković of Dubrovnik seemed less interested in hearing what the Czechs had to say and more inclined to make his own case. This factor ultimately nullified the Cheb Judge in terms of practical value. The absence of key people at crucial times reflects very badly on the commitment to finding a solution to the Utraquist "problem". This is nowhere better exposed – no pun intended – than finding Prokop in the bath on a January morning in 1433.