

# The *Compactata* of Basel in Enea Silvio Piccolomini's Letters, Speeches and Official Documents\*

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ADAM PÁLKA

One of the most remarkable results from the nearly twenty years of the Council of Basel (1431–1449) were doubtlessly the *Compactata* of Basel that were ceremonially proclaimed on July 5, 1436, in Jihlava on the border of Bohemia and Moravia. The treaties between the council's legates and representatives of the Hussite movement from the Kingdom of Bohemia and the Margraviate of Moravia included provisions about a diverse set of matters, the most significant being the establishment of communion in both kinds, also known as Utraquism. The *Compactata* legalised this practice under certain circumstances and declared it beneficial and redemptive, which removed the shadow of alleged heresy from the Hussites (at least theoretically).

It can be expected that the council's legates understood the Jihlava proclamation in 1436 as the culmination of their long-term efforts to peacefully solve the Hussite question and bring Bohemians and Moravians back into the church. However, the subsequent events showed the situation was much more complicated. Despite several decades of peace following the armed conflicts between the cross and the chalice that were so typical of the 1420s, the much-desired unity of the church was never even remotely achieved. Many domestic Catholic scholars as well as those abroad were of the opinion that a large portion of Bohemian and Moravian Utraquists did not comport themselves in the spirit of the *Compactata* after 1436, foremostly in unifying with the Latin Church with the exception of the chalice.

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The alleged violations of the *Compactata* of Basel by the Utraquists and other matters associated with these treaties were noted by a number of representatives of the Roman Catholic Church in their treatises, notes, and speeches, including John of Palomar,<sup>1</sup> Nicholas of Cusa,<sup>2</sup> and John of Capistrano.<sup>3</sup>

However, the most significant Catholic scholar to deal with topics associated with the *Compactata* of Basel is not among those listed above. During the 1450s and 1460s, the *Compactata* received significant attention from Enea Silvio Piccolomini, who became Pope Pius II in 1458.<sup>4</sup> His views of the treaties between the Husites and the Council of Basel are the topic of this study that aims to better clarify not only Pius II's arguments during the official voiding of the *Compactata* in March 1462, but also his opinions on the *Compactata* in the periods before and after. This analysis will discuss to what extent Piccolomini, the author of the famous chronicle *Historia Bohemica*, changed his opinion of the 1436 treaty throughout the period of thirteen years. Besides Enea's four fundamental speeches and writings from 1451, 1455, 1462, and 1464, two polemical reactions from the Czech side will also be taken into account. The significance of this study lies in the fact that it presents a large amount of findings both about Piccolomini's thinking and the Catholic interpretation of the renowned *Compactata*. Nevertheless, it does not examine the reflection of the *Compactata* in Piccolomini's voluminous literary works, that is the *Historia Bohemica*, the *Commentarii* and the *De rebus Basiliae gestis commentarius*, for such an analysis would disproportionately extend the text; hopefully, these works will soon be properly analysed in a separate study.<sup>5</sup>

1) Speech from 1438 attributed to Palomar published in Jaroslav PROKEŠ, *M. Prokop z Plzně. Příspěvek k vývoji konservativní strany husitské*, Praha 1927 (= Husitský archiv 3), pp. 263–268, no. IV.

2) *Nicolai de Cusa opera omnia* XV/1. *Opuscula III, fasciculus 1. Opuscula Bohemica*, edd. Stephan NOTTELMANN – Hans Gerhard SENGER, Hamburgi 2014, pp. 53–98.

3) František VALOUCH, *Životopis svatého Jana Kapistrána*, Brno 1858 (= Biblioteka životů Svätých 3), pp. 744–755, 823–827.

4) As the goal of this study is not to present an extensive list of literature about Piccolomini's works and life, I only list selected (mostly recent) works that are not named in the following notes: Franz Josef WORTSBROCK, *Piccolomini, Aeneas Silvius (Papst Pius II.)*, in: *Die deutsche Literatur des Mittelalters. Verfasserlexikon* VII, Berlin – New York 1989, cols. 634–669; Barbara BALDI, *Il "cardinale tedesco". Enea Silvio Piccolomini fra impero, papato, Europa (1442–1455)*, Milano 2012; František ŠMAHEL, *Badatelské a ediční dozvuky jubilea Eneáše Silvia Piccolominiho*, in: *Humanismus v rozmanitosti pohledů. Farrago festiva Iosepho Hejnic nonagenario oblata*, edd. Anežka Baďurová – Kamil Boldan – Andrea Jelínková – Marta Vaculínová, Praha 2014, pp. 183–194; Vojtěch BAŽANT, *Husité, Turci a pravá víra u Aenea Silvia Piccolominiho*, in: Kacíři, barbaři, nepřátelé. Odlišnost a stereotypy v pozdním středověku, edd. Vojtěch Bažant – Věra Vejrychová, Praha 2016, pp. 219–237; Stanislav PETR, *Nejstarší český překlad 'Historie české' Eneáše Silvia Piccolominiho v rukopise Vatikánské knihovny sign. Reg. lat. 601*, *Studie o rukopisech* 48, 2018, pp. 117–141.

5) Concerning the *Historia Bohemica*, I would like to point out that Enea takes the *Compactata* into account mostly by rephrasing their crucial passages. However, M. Perett incorrectly claims that the treaties with the Council are not addressed by the author. Cf. Aeneas Silvius PICCOLOMINI, *Historia Bohemica I. Historisch-kritische Ausgabe des lateinischen Textes*, edd. Joseph HEJNIC – Hans ROTHE, Köln – Weimar – Wien 2005 (= Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge, Reihe B: Editionen 20/1), pp. 404–408, and Marcela K. PERETT, *Preachers, Partisans, and Rebellious Religion. Vernacular Writing and the Hussite Movement*, Philadelphia 2018, pp. 202, 205. Regarding the *Commentarii*, Enea writes about the *Compactata* rather extensively, focusing on the conflict with the Bohemian King in 1462. See *Pii II Commentarii rerum memorabilium que temporibus suis contingerunt II*,

### On the Content of the *Compactata* of Basel

Before analysing Piccolomini's thoughts, it is necessary to explain the most important points included in the treaty between the Hussites and the Council of Basel.<sup>6</sup> First of all, we will pay significant attention to the agreement concerning communion in both kinds that is included in the third point of "Cedula A". First it quotes a formulation that the Hussites presented to the council legates in the matter of communion *sub utraque specie*, and then it specifies what both sides agreed to (*est hoc modo concordatum*). According to this agreement, those Bohemians and Moravians who accept ecclesiastic unity and peace, unite with the general church in its faith and rites and are accustomed to the lay chalice will be allowed to take communion in both kinds. This communion will occur through the power of Jesus Christ and the church as his true bride.

The following text suggests that the previous agreement was not supposed to close the question of the chalice: The *Compactata* state that the council will examine in detail whether communion *sub utraque specie* is demanded of all Christians (as many Hussites believed), and the Council of Basel will determine what should be considered Christian truth in the matter of taking communion from the chalice. The *Compactata* further explain that if the Bohemians and Moravians continue to desire to take communion in both kinds after the council renders its verdict and their messengers make this clear, the council will issue a new document to Bohemian and Moravian clergy about the use of the chalice. This expected *facultas* was supposed to allow clergy in the Kingdom of Bohemia and the Margraviate of Moravia to administer bread and wine to laypeople, but not all of them. These would only include believers "of an age of reason" (which exempted small children) that requested communion in both kinds respectfully and piously. The *facultas* was also expected to include a requirement that the clergy should inform the laity during communion that they ought to believe in the full presence of Christ in one kind.<sup>7</sup>

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ed. Adriano VAN HECK, Città del Vaticano 1984 (= Studi e testi 313), pp. 561-567. These passages in the *Commentarii* have already been discussed, mostly with connection to the pope's attitude towards the Pragmatic Sanction of Bourges, by Emily O'BRIEN, *The 'Commentaries' of Pope Pius II (1458-1464) and the Crisis of the Fifteenth-Century Papacy*, Toronto - Buffalo - London 2015, pp. 128-129, 152-155. For a brief reflection of the Hussite-Conciliar treaties in the *De rebus Basiliae gestis commentarius*, see *Reject Aeneas, Accept Pius. Selected Letters of Aeneas Sylvius Piccolomini (Pope Pius II)*, edd. Thomas M. IZBICKI - Gerald CHRISTIANSON - Philip KREY, Washington, D. C., 2006, pp. 321-387, no. 76, here p. 339.

6) The content of the *Compactata* has been discussed in Rudolf URBÁNEK, *Věk poděbradský I*, Praha 1915 (= České dějiny III/1), pp. 101-108; Frederick G. HEYMANN, *George of Bohemia. King of Heretics*, Princeton, N. J., 1965, pp. 6-12; Rudolf ŘÍČAN, *Georg von Poděbrad und die Kompaktaten*, *Communio viatorum* 8, 1965, pp. 43-52, 161-172, here pp. 43-45; František ŠMAHEL, *Die Basler Kompaktaten mit den Hussiten (1436). Untersuchung und Edition*, Wiesbaden 2019 (= Monumenta Germaniae Historica, Studien und Texte 65), pp. 43-49.

7) In order to better illustrate the Hussite-Conciliar agreement about communion in both kinds, let us cite the original text: *dictis Bohemis et Moravis suscipientibus ecclesiasticam unitatem et pacem realiter et cum effectu, et in omnibus aliis, quam in usu communionis utriusque speciei, fidei et ritui universalis ecclesie conformibus, illi et ille, qui talem usum habent, communicabunt sub duplici specie cum auctoritate Domini nostri Iesu Christi et ecclesie, vere sponse sue. Et articulus ille in sacro concilio discuetur ad plenum quoad materiam de precepto, et videbitur, quid circa illum articulum pro veritate catholica sit*

While the decision about the (non)commandment of the chalice was later published by the council in the form of the *Ut lucidius videatur* decree in December of 1437, the promised *facultas* for Bohemian and Moravian clergy was never issued, despite the demonstrable existence of a concept.<sup>8</sup>

Apart from the quoted passage, the Hussites certainly placed significant importance on the last provision about the chalice in “Cedula A”. It says that the legates should issue letters that would order all other Christians to refrain from defaming and insulting Bohemians and Moravians that choose to take communion in both kinds. The Council of Basel itself was to take the same step after it had granted the aforementioned “bestowing of the freedom”.<sup>9</sup>

“Cedula A” can generally be characterised as a treaty about the so-called Four Articles of Prague. Besides the chalice it includes a compromise provision about punishing public sins, the free preaching of the Word of God, and the temporal authority of the clergy. While the second and third articles were accepted in a wording wholly acceptable for representatives of the Council, in the case of the last article the Hussites were able to push through a wording that church property should not be held from others unjustly (*injuste*). The last word listed could be understood as a guarantee that if former church property was deemed to be justly held in secular hands (i.e. by the sovereign), the church would not be entitled to its return.<sup>10</sup>

The first part of the *Compactata* is also significant for its introductory sections as both parties bind themselves to declare peace. The Hussites also declared they

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*tenendum et agendum pro utilitate et salute populi christiani. Et omnibus mature et digeste pertractatis, nichilominus, si in desiderio habendi dictam communionem sub duplici specie perseveraverint, hoc eorum ambasiatoribus indicantibus, sacrum concilium sacerdotibus dictorum regni et marchionatus communicandi sub utraque specie populum – eas videlicet personas, que in annis discrecionis constitute reverenter et devote postulerint – facultatem pro eorum utilitate et salute in Domino largietur; hoc semper observato, quod sacerdotes sic communicantibus semper dicant, quod ipsi debent firmiter credere, quod non sub specie panis caro tantum, nec sub specie vini sanguis tantum, sed sub qualibet specie est integer totus Christus.* F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 170–180, no. I, here p. 172; AČ III, ed. František PALACKÝ, Praha 1844, pp. 398–412, no. 4, here pp. 399–400; *Aegidii Carlerii, decani Cameracensis, liber de legationibus concilii Basiliensis pro reductione Bohemorum*, ed. Ernst BIRK, in: *Monumenta conciliorum generalium seculi decimi quinti. Concilium Basileense* (hereinafter referred to as MC) I, Vindobonae 1857, pp. 359–700, here p. 496.

8) We do not know the precise wording of the document, but it is paraphrased in the *Historia gestorum generalis synodi Basiliensis* written by the Castilian prelate and conciliarist theologian John of Segovia: MC II, ed. Ernst BIRK, Vindobonae 1873, p. 1111. See also J. PROKEŠ, *M. Prokop z Plzně*, pp. 100–101.

9) *Legati sacri concilii per suas literas auctoritate sacri concilii mandabunt universis et singulis, cuiuscumque status aut condicionis existant, ut dictis Bohemis et Moravis, utentibus dicta communionem sub duplici specie, nemo audeat impropere, aut eorum fame aut honori detrudere; et hoc idem faciet sacrum concilium, quando concessionem libertacionis faciet memoratam.* F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 172–173; AČ III, p. 400; MC I, p. 496. The “bestowing of freedom” (*concessio libertacionis*) certainly refers to the publication of the *facultas* for Bohemian and Moravian clergy.

10) Agreements about the other three articles in F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 173–174; AČ III, pp. 400–403; MC I, pp. 496–497. The controversial nature of the word *injuste* and its meaning was pointed out by Petr ČORNEJ, *Velké dějiny země Koruny české V. 1402–1437*, Praha – Litomyšl 2000, p. 628.

would unify with the church while the legates promised to void all ecclesiastic punishments levelled on the Hussites. The representatives of the Council also ordered all Christians not to insult Bohemians and Moravians for things in the past and instead view them as their brothers and obedient sons of the Holy Church.<sup>11</sup> In the conclusion of "Cedula A", the Hussites and Council agreed, among other things, that negotiations either at the council or elsewhere should resolve conflicts with neighbouring nations after the cessation of all religious wars.<sup>12</sup> The last point outlined the obligations for the Hussites and the council in terms of the publication of subsequent documents. According to this section, the Council of Basel would ratify the *Compactata* by issuing a bull, which did happen at the beginning of 1437.<sup>13</sup>

We will briefly examine the contents of "Cedulae B" and "C". Both these parts were created to clarify a series of discrepancies between the two sides. "Cedula B" dictates how the terms "faith" and "rites of the general church" should be understood. It states that if some Bohemians and Moravians refuse to accept church rites, it should not be understood as a reason to end unity and peace. "Cedula B" also emphasises the binding character of the so-called Judge of Cheb, the superior oversight authority the Hussites were able to include in the first treaty agreed with the council in 1432.<sup>14</sup> The text of the much more extensive "Cedula C" discusses certain points of conflict associated with the Articles of Prague. Only the first point refers to the chalice – it guarantees salvation and the benefit of communion in both kinds through the power of Christ and the Church, his true bride.<sup>15</sup> Much more space was given to clarifying points of conflict about punishing sins and the temporal authority of the clergy, in some cases taking into account opinions of church authorities. The final point of "Cedula C" does not deal with the Article of

11) *Et mandabunt universis et singulis Christi fidelibus, quod nemo deinceps dictum regnum et marchionatum propter preterita infamare presumat, nec ipsa aut eorum incolas invadere vel offendere, sed eis christianam pacem observent...* F. ŠMAHEL, *Die Basler Kompaktaten*, p. 172; AČ III, p. 399; MC I, p. 495. There are similarities with point 4 cited above in note 9.

12) F. ŠMAHEL, *Die Basler Kompaktaten*, p. 175; AČ III, p. 404; MC I, p. 498.

13) The *Compactata* state: *Pro firmitate et observancia pacis per dictos legatos sacri concilii dabitur omnis firma, et procurabitur bulla concilii...* F. ŠMAHEL, *Die Basler Kompaktaten*, p. 175; AČ III, p. 404; MC I, p. 498. The Council's ratification bull was published by F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 213–218, no. X.

14) The text of "Cedula B" was published *Ibidem*, pp. 175–176; AČ III, pp. 404–406; MC I, pp. 498–499. For the Cheb Judge, cf. Gerald CHRISTIANSON, *Cesarini: The Conciliar Cardinal. The Basel Years, 1431–1438*, St. Ottilien 1979 (= Kirchengeschichtliche Quellen und Studien 10), pp. 55–56; Bohdan KAŇÁK, *Soudce chebský – mikrohistorie vzniku, diplomatický rozbor a edice předběžné dohody husitů s basilejským koncilium z roku 1432*, Ročenka Státního okresního archivu v Olomouci 11 (30), 2002 (= Olomoucký archivní sborník 1, 2003 – příloha [appendix]), pp. 109–157; Michiel DECALUWE, *A Successful Defeat. Eugene IV's Struggle with the Council of Basel for Ultimate Authority in the Church, 1431–1449*, Brussels – Rome 2009 (= Bibliothèque de l'Institut historique belge de Rome 59), pp. 126–127; Adam PÁLKA, *Husitské poselstvo, projev „Pax vobis“, šestice stručních vzpomínek: (staro)nové poznatky k chebskému jednání z května 1432*, Český časopis historický 118, 2020, pp. 7–45.

15) *Primo dixerunt, quod non est intencionis sacri concilii permittre communionem sub duplici specie permissione tollerancie, vel sicut Iudeis permissus fuit libellus repudiū [...], sed taliter elargiri, quod auctoritate Domini nostri Iesu Christi et ecclesie, vere sponse sue, sit licita, et digne sumentibus utilis et salutaris.* F. ŠMAHEL, *Die Basler Kompaktaten*, p. 177; AČ III, p. 407; MC I, p. 499.

Prague and instead it sees the Czechs express their will to subordinate themselves to the aforementioned Judge of Cheb in matters of faith.<sup>16</sup>

Besides the three “Cedulae” whose first version was drafted in the fall of 1433 during negotiations in Prague, the collected *Compactata* of Basel traditionally include two documents negotiated in Brno in 1435: the *Litera expurgacionis et abolitionis* and the *Litera unitatis et obediencie*. In the first document, the council legates fulfilled some of their obligations from “Cedula A”: All ecclesiastic punishments were removed from Bohemians and Moravians and other Christians were ordered to maintain peace with both those nations and to consider them brothers in the faith.<sup>17</sup> Another passage includes an order to current and future bishops, archbishops, and clergy in Bohemia and Moravia to administer or ensure the administration of communion in both kinds to the laity in accordance with the agreement about the chalice in “Cedula A”.<sup>18</sup> In the second document, the Hussites embrace the unity of the church in faith and rites, except for communion *sub utraque specie*, and promise to maintain it (with a reference to the previous text in the *Compactata*, i.e. “Cedula A”). This promise is made to Holy Mother Church and the Council of Basel as her representative.<sup>19</sup> They also obligated themselves to canonical obedience to the clergy including the pope and to maintain eternal peace with other believers.

### Piccolomini Versus George of Poděbrady: A Royal Diplomat’s Polemic with a Utraquist Leader

Enea Silvio Piccolomini’s first significant contribution to the interpretation of the *Compactata* of Basel is his letter dated August 21, 1451, meant for Cardinal John Carvajal (infamous in Bohemia for his attempt to take the treaty documents from the kingdom in 1448).<sup>20</sup> In the document written in Wiener Neustadt, Enea extensively relates his recent legateship to the Kingdom of Bohemia. As the Roman king’s envoy, he met not only the representatives of the radical Taborite Church, which had never accepted the *Compactata* of Basel, but also the leading Utraquist politician George of Poděbrady. The meeting took place at the diet in Benešov in

16) The text of “Cedula C” was published in F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 176–180; AČ III, pp. 406–412; MC I, pp. 499–501.

17) The text was published in F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 196–199, no. V; AČ III, pp. 421–426, no. 11; MC I, pp. 654–657.

18) *Idcirco reverendis in Christo patribus archiepiscopo Pragensi et Olomucensi ac Luthomislensi episcopis, qui sunt vel pro tempore erunt, universisque singulis ecclesiarum prelati, curam habentibus animarum, in virtute sancte obediencie districte precipiendo mandamus, quatenus illis personis, que usum habent communicandi sub duplici specie, iuxta formam in dicto capitulo contentam, sacrum eucharistie sacramentum sub duplici specie, requisiti, prout ad unumquemque pertinet aut pertinebit in futurum, ministrent, et pro necessitate plebis, ut non negligatur, faciant ministrari...* F. ŠMAHEL, *Die Basler Kompaktaten*, p. 198; AČ III, pp. 424–425; MC I, p. 656.

19) Published in MC I, pp. 653–654.

20) The letter was published in *Der Briefwechsel des Eneas Silvius Piccolomini III. Briefe als Bischof von Siena 1. Briefe von seiner Erhebung zum Bischof von Siena bis zum Ausgang des Regensburger Reichstages (23. September 1450 – 1. Juni 1454)*, ed. Rudolf WOLKAN, Wien 1918 (= *Fontes rerum Austriacarum* II/68), pp. 22–57, no. 12; Czech translation: *List Eneáše Silvia o cestě na sněm do Benešova a o dvojí zastávce v Táboře*, ed. Augustin KADLEC, Jihočeský sborník historický 22, 1953, pp. 107–112, 133–148.

July 1451.<sup>21</sup> Piccolomini gave the *Compactata* significant space in his discussion with George. Although the letter to Carvajal was written a month after the event, we can expect that Enea still remembered a number of details at the time<sup>22</sup> (or he may have had notes he had taken in Benešov). Thus, the meaning of Enea's and George's words recorded in the August letter should generally correspond to what was actually said in July 1451.

The *Compactata* had not been acknowledged by the Holy See up to that point. However, the treaties with the Council of Basel were considered law in the Kingdom of Bohemia and their preservation and compliance were priorities for the Utraquists. Contrarily, the Roman Catholic Church's view of the *Compactata* was usually quite different, which became plainly clear from the observed discussion. The letter to Carvajal says George of Poděbrady was the first to mention the *Compactata* when he was forced to defend Enea's rebukes of Czech disobedience of the church. George noted that Czech messengers had been sent to the Council of Basel years before and agreements had been reached (*pacta percussimus*) that were now being violated by Catholics (*violantur federa nobis*) because the Utraquists were being called heretics and schismatics. After taking into consideration other injustices that were allegedly committed upon Utraquists, George recalled Carvajal's legateship to Prague three years prior. At that time, Carvajal allegedly spoke about the *Compactata* as though he did not accept them. The Czechs, on the other hand, considered the Basel treaties to be valid (*illa valida scimus et autentica*) in the form they were negotiated with the council before its dissolution by the pope. According to George, there was only one path to peace and unity for Catholics and Utraquists: the current pontiff Nicholas V should order the observance of the *Compactata* (*jubeat servari conventa*).<sup>23</sup> As we can see, George confidently presented the view

21) For the meeting of both men in Benešov, cf. Rudolf URBÁNEK, *Věk poděbradský II*, Praha 1918 (= *České dějiny III/2*), pp. 512–527 (the debate about the *Compactata* is noted on pp. 515–516); Howard KAMINSKY, *Pius Aeneas among the Taborites*, *Church History* 28, 1959, pp. 281–309, here pp. 287–288 (also outlines the debate about the *Compactata*); F. G. HEYMANN, *George of Bohemia*, pp. 51–53 (reflects only George's stance on the *Compactata*); František ŠMAHEL, *Enea Silvio Piccolomini a jeho „Historie česká“ / Enea Silvio Piccolomini and His 'Historica Bohemica'*, in: Aeneas Silvii Historia Bohemica / Enea Silvio: Historie česká, edd. Dana Martínková – Alena Hadravová – Jiří Matl, Praha 1998 (= *Clavis monumentorum litterarum [Regnum Bohemiae] 4; Fontes rerum Regni Bohemiae I*), pp. xiii–lii (in Czech), liii–xcvii (in English), here pp. xxxiv–xxxv, lxxvi–lxxvii; Rolando MONTECALVO, *The New 'Landesgeschichte': Aeneas Silvius on Austria and Bohemia*, in: *Pius II – 'El Più Espeditivo Pontifice'. Selected Studies on Aeneas Silvius Piccolomini (1405–1464)*, edd. Zweder von Martels – Arjo Vanderjagt, Leiden – Boston 2003 (= Brill's Studies in Intellectual History 117), pp. 55–86, here p. 57; Janusz SMOŁUCHA, *Polityka Kurii Rzymskiej za pontyfikatu Piusa II (1458–1464) wobec Czech i krajów sąsiednich. Z dziejów dyplomacji papieskiej w XV wieku*, Kraków 2008, pp. 92–93 (primarily listing George's arguments); Barbara BALDI, *La Boemia ussita in una lettera di Enea Silvio Piccolomini a Giovanni Carvajal (21. 8. 1451): fra esperienza diplomatica e riflessione storico-politica*, in: Lontano da dove. Sensazioni, aspirazioni, direzioni, spazi fra Quattrocento e Seicento, edd. Barbara Baldi – Maria Matilde Benzoni, Milano 2009, s. 13–40; E. O'BRIEN, *The 'Commentaries' of Pope Pius II*, p. 72.

22) This logical presumption was expressed by R. URBÁNEK, *Věk poděbradský II*, p. 513, where note 3 also points out Enea's statement that the meaning of the words from the Benešov debate (not the wording itself) is in accordance with what he and George of Poděbrady said.

23) The listed statements by George come from *Der Briefwechsel des Eneas Silvius Piccolomini III/1*, p. 30.

that the *Compactata* of Basel had been violated by the Catholics because of their behaviour towards the Utraquists.

George's complaints probably did not unsettle Enea. According to the August letter, George received the answer: "Why do you complain about the violation of an agreement you formerly destroyed?"<sup>24</sup> This was immediately followed by Piccolomini giving a clear example of how the Utraquists contributed to invalidating the *Compactata*: communion in both kinds itself is not good enough for them because they repudiate Christians taking communion in one kind (*sub una solum communicantes damnatis*). Enea's claim of spurning those with other beliefs was met with astonishment on the part of George. The royal legate reacted swiftly, saying that the Utraquists alleged that only those who took communion in both kinds could achieve salvation, and thus all Catholics were heretics.<sup>25</sup> This is an interesting contrast to George of Poděbrady who saw violation of the *Compactata* in the Catholic accusations of heresy against the Czechs; while Enea saw the violation or even the destruction of the Hussite-Conciliar agreements in the hereticating of the Catholics by the Czechs.

Enea then attempted to put teachings about the need for the chalice into doubt, using the *Compactata* in his argumentation. He first told George: "You refer to the agreements forged with the council and call them valid, approved by the power of the council."<sup>26</sup> He then points out that according to the stance of the council, communion *sub utraque specie* is not necessary for salvation, nor commanded by Christ, thus referring to the Basel decree from 1437. In this way, Piccolomini clearly articulates the idea that if the Utraquists respect the *Compactata* agreed to with the Council of Basel, they must do the same with the *Ut lucidius videatur* decreed by the same council.

Enea further cited the *Compactata* when he explained why legate Carvajal had refused to confirm them (*noluit legatus innovare pactiones vestras*) in 1448.<sup>27</sup> For him, the reasons for Carvajal's unwillingness were various violations of the *Compactata* that the Czechs had allegedly committed. According to Enea, the *Compactata* directed Utraquist clergy to inform worshippers during the altar sacrament that Christ was fully present in communion of a single kind, which they had never done.<sup>28</sup> He also declared that priests "were prohibited to offer the altar sacrament to infants and the feeble-minded, but they continue to do so".<sup>29</sup> This is a clear reference to the text in "Cedula A", where both these demands on Czech

24) *Cur violari fedus querimini, quod priores rupistis?* Ibidem.

25) *Cum dicitis, neminem salvari, nisi communicet sub duplici specie; nos omnes damnatis, hereticos perditosque dicitis.* Ibidem, p. 31.

26) *Tu conventiones cum concilio factas refers et auctenticas dicis auctoritate concilii probatas.* Ibidem.

27) Most recently on Carvajal's legateship to Prague see F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 103–104.

28) *Vobis indulta est sub duplici specie communicatio; jussi tamen sacerdotes vestri sunt, quotienscunque ministrant populo sacramentum, commonere atque instruere omnes, ne sub duplici tantum specie, sed sub qualibet totum et integrum esse Christum intelligant; nihil faciunt.* *Der Briefwechsel des Eneas Silvius Piccolomini III/1*, p. 31.

29) *Prohibiti sunt infantibus atque dementibus eucharistiam porrigere, porrigunt tamen.* Ibidem.

clergy were listed. It is interesting to note, however, that the words about the full presence of Christ and the administering of the chalice to "reasonable" people are listed in the *Compactata* as something that should be recorded in the forthcoming chalice license to Bohemian and Moravian clergy. It can thus be argued that the *Compactata* of Basel themselves neither ordered nor demanded either of the above-mentioned acts. That was expected to happen with the publication of another document.<sup>30</sup> Piccolomini seems to have thought that even though these demands primarily related to another, in 1436 non-existent document, they were clearly articulated in the text of the *Compactata*, so it was wholly legitimate to demand that the Utraquists adhere to them right after July 5, 1436.<sup>31</sup>

Enea also lists another alleged violation of the treaties with the Council of Basel – Utraquists must not force anyone to take communion in both kinds, but they do so by refusing to provide funerals to those who do not wish to drink from the chalice. Instead of the Utraquists dissuading Catholics from the chalice, they pressure them into accepting this practice.<sup>32</sup> Piccolomini does not specify what part of the *Compactata* the Czechs violated with this activity, but he could have been referring to "Cedula A" about communion with the chalice only for those who observe the practice. Enea further complains that Utraquists have ignored the preservation of general church rites even though they should do so. As an example of this negligence, he mentions the use of Czech hymns during Mass.<sup>33</sup> Again, this is a clear reference to the agreement about the chalice in "Cedula A".<sup>34</sup> After this enumeration of the violations *contra compactata*, Piccolomini showed his sense of irony: "Beautiful obedience, exceptional honouring of the agreement; what they are prohibited from doing, they do; what they are ordered to do, they completely ignore."<sup>35</sup> Eventually, he again defends Carvajal: The Czechs accused him of unwillingness to confirm the *Compactata* even though their own wrongful acts caused the invalidation of the treaties of 1436 (*privilegium amisistis male utentes*).

George of Poděbrady then showed himself to be knowledgeable about the *Compactata* as he pointed out the provisions of "Cedula B" to his opponent, saying that it would not be considered an obstacle to peace and unity if some Utraquists did not generally uphold some church rites. Piccolomini was prepared for this, however, acknowledging that the *Compactata* should be maintained supposing that only some people did not uphold ecclesiastic rites, but then he added that the treaties

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30) As we will see later, Utraquist Martin Lupáč argued in the same spirit.

31) The inadmissibility of communion by children could theoretically be supported by the demand from "Cedula A" about unifying with the general church in faith and rites. From the Catholic point of view, *communio parvulorum* was clearly in opposition to church rites.

32) *Neminem communicare sub duplici specie compellere debent. Compellunt, sepulturam negantes, ni communicent. Qui prius non habuit hujus communionis usum, repellit ab his debet; ipsi autem invitant, provocant, urgent.* *Der Briefwechsel des Eneas Silvius Piccolomini* III/1, p. 31.

33) *Debent universalis ecclesie ritum tenere; postponunt, divinis officiis vulgaria carmina commiscetes.* *Ibidem*.

34) Specifically, the words *fidei et ritui universalis ecclesie conformibus*. Cf. note 7.

35) *Pulchra obedientia, pulchra federis observatio; que prohibentur facere, faciunt; que jubentur, omnino postponunt.* *Der Briefwechsel des Eneas Silvius Piccolomini* III/1, p. 31.

had actually been violated by all Utraquists, which meant they were invalid.<sup>36</sup> He then emphasised that the problem was not just in the matter of rites, but also faith: “and if you violate faith, what validity can an agreement between you and us have? [...] you reject our faith when you claim that communion in both kinds by people is necessary.”<sup>37</sup> With these arguments, Enea clearly showed how the Czechs had infringed the *Compactata* both in terms of matters of faith and ecclesiastic rites.

In reaction, George of Poděbrady said that the alleged violations of the *Compactata* were unknown to him (*ignota sunt ista mihi*) and he tried to elevate the significance of the *Compactata* by pointing out how important they were for maintaining peace. He suggested how the possible cancellation of these treaties could lead to armed conflict and he did not hesitate to express the opinion that if he could give the pope advice, he would recommend confirming the *Compactata* (*si pape consilium dederim, compactata servaverim*). In his reply, Piccolomini first concentrated on the topic of war, then again discussed the agreements with the council. He rebuked George for only placing peace into association with the observation of the *Compactata* as peace relied on three things: the *Compactata*, holding of church property, and appointing an archbishop of Prague.<sup>38</sup> Here he repeated his conviction that the *Compactata* of Basel had been violated by the Utraquists, which he supplemented with the claim that it was difficult to renew their validity.<sup>39</sup> This was probably an indirect announcement to George that he should not expect papal confirmation of the 1436 treaty. It is also noteworthy that when speaking about the holding of church property, Enea presumably did not mention that this issue was closely related to the question of the *Compactata*.<sup>40</sup>

Later, Piccolomini innovatively connected the *Compactata* to the aforementioned 1435 election of a Prague archbishop, which was an act of violating canon law.<sup>41</sup> Enea first objected that although George often complained about violations of the *Compactata* by Catholics, at that point it was him destroying the agreement with the council.<sup>42</sup> Then Frederick’s envoy explained the *Compactata* had been violated in connection to the Prague archbishop controversy: In the agreement with the Council, the Hussites bound themselves to maintain all general church rites with the exception of the chalice. These rites say that archbishops are elected by a chapter or the pope. This was clearly breached by the temporal election of John

36) *Vera dicis, non si omnes, sed si aliqui dicunt federa ritum ecclesie non reciperent, compactata manere; quod si omnes abicerent ritus, ut omnes abicitis, vigor conventionibus aufertur.* Ibidem, pp. 31–32.

37) [...] *nam si fidem violatis, que possunt inter vos nosque federa robur habere? [...] fidem nostram abicitis, dum necessariam populis sub duplici specie communionem astruitis.* Ibidem, p. 32.

38) *Tu pacem sola federum observantia stare putas; mihi tribus ex rebus concordia pendere videtur: ex compactatis, ut ais, ex bonis ecclesiasticis, que occupantur, ex archiepiscopi constitutione...* Ibidem.

39) *Nam compactata postquam violata sunt, rursus innovare magnum est.* Ibidem.

40) Ibidem. As was stated above, the *Compactata* including the word *injuste* had the potential to legalise many claims to church property by lay people.

41) The record of the election of John Rokycana and his suffragans Martin Lupáč and Vaněk of Mýto in AČ III, pp. 436–437, no. 15. The confirmation of this act by the Emperor and Czech King Sigismund Ibidem, pp. 445–446, no. 20.

42) *Sepius ante questus es compactata convelli. Nunc tu solus es, qui federa rumpis. Der Briefwechsel des Eneas Silvius Piccolomini III/1, p. 33.*

Rokycana who the Hussites demand remain in office.<sup>43</sup> Then Enea added a simple question specifically about the *Compactata*: "Does this mean upholding or violating the treaty?"<sup>44</sup> A discussion followed where George tried to convince Enea (of course unsuccessfully) that there was nothing wrong with the election as the Kingdom of Bohemia had the ancient right to elect its own archbishop.

Enea Silvio Piccolomini did not include any more information about the *Compactata* of Basel in his letter to Carvajal, but even so he revealed enough for us to summarise his view of the treaties in 1451. As a diplomat in the services of Frederick III, Piccolomini uncompromisingly advocated for the view that the *Compactata* between the Bohemians/Moravians and the legates of the Council of Basel had been voided by the Utraquists because of a series of violations of the agreements. According to Enea, violations *contra compactata* were based on not respecting unity with the church in faith and rites (convictions about the insufficiency of communion in one kind, using Czech during Mass, the non-canonical election of the archbishop), or not following other provisions of the *Compactata* – the communion of children or the absence of telling worshippers about the fullness of Christ were interpreted as violation of the final part of the third point in "Cedula A". Only in the case of the alleged forcing of Catholics to take the chalice and the refusal to bury people of other faiths was it not specifically stated which part of the *Compactata* was violated. In his letter to Carvajal, Piccolomini neither promotes, nor rejects the possibility of the renewal of the *Compactata* by the pope; in fact, he makes no explicit mention of such an act. It is therefore somewhat problematic to claim that he supported a papal ratification of the *Compactata* in 1451.<sup>45</sup> He would, however, take a clear stance on this issue four years later.

### **Under Pressure of Circumstance: Piccolomini as a Champion of the Papal Confirmation of the *Compactata* During the Pontificate of Callixtus III**

Another of Piccolomini's significant contributions to discussions about the *Compactata* of Basel is dated to 1455 when Enea, the bishop of Sienna, authored the speech *De compactatis Bohemorum*.<sup>46</sup> This speech was meant for Pope Callixtus III;

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43) *In compactatis promissis omnes servare ritus universalis ecclesie, preter quam in communione calicis. Ritus autem latine ecclesie, cujus vos membrum estis, hoc habet: archiepiscopos aut eligunt capitula ecclesiarum auctoritate apostolica confirmandos, aut vacantibus ecclesiis Romanus pontifex solus preficit. Vos alium ritum novumque modum inducitis: postquam devoluta est provisio, electionem populariter facitis, cumque ritus ecclesie sit examinari electionem electique meritum Romani pontificis iudicio comprobari, vos, nisi Rohecanam habueritis, nullum vultis.* Ibidem.

44) *Servare hoc est an violare pactiones?* Ibidem.

45) With respect to Enea's later speech from 1455, this was thought by R. URBÁNEK *Věk poděbradský II*, pp. 516, 523. According to Urbánek, Piccolomini supported a renewal of the *Compactata* in the document from 1451 by giving space to the opinions of George of Poděbrady. A similar line of reasoning can be found in E. O'BRIEN, *The 'Commentaries' of Pope Pius II*, p. 72: "And yet by emphasizing both Podiebrad's intransigence on this issue and the crucial role he would inevitably play in any peace agreement, Aeneas was implying that compromise on the Bohemian Compacts was the papacy's only choice." However, I do not consider these arguments to be convincing.

46) The speech has been analysed by Rudolf URBÁNEK, *Dvě studie o době poděbradské*, Brno 1929 (= Opera Facultatis philosophicae Universitatis Masarykianae Brunensis 27), pp. 118–124 (arguments about the *Compactata* considered on pp. 118–120, 122–123); H. KAMINSKY, *Pius Aeneas among the*

later, the Czech gubernator George of Poděbrady may have become familiar with its content, but there is no solid evidence for such a claim.<sup>47</sup> Here Enea, again in the position of a diplomat serving Frederick III, presented a vision of how the Holy See should approach the Czechs so firmly set on communion in both kinds. It may seem logical that if Piccolomini did not appear to have much understanding for the Utraquists and the *Compactata* in 1451, there would be no change four years later. However, the opposite is true as in 1455 the Italian humanist showed his other, much more benevolent side.<sup>48</sup> The main reason for his benevolence was actually rather simple – the aim of Enea’s speech was to get the Czechs on the Catholic side and thus to strengthen Christian Europe in the fight against the Turks, who had recently shocked the Christian Europe by conquering the Byzantine Empire. Piccolomini had probably adopted this stance a few months before in Wiener Neustadt where he had once again negotiated with George of Poděbrady, touching upon the Turkish issue within their discussion.<sup>49</sup>

In the speech for Callixtus, attention is first paid to the *Compactata* within a historical treatise where Enea describes the fate of the Czech lands in the last more than 100 years. When he describes the conclusion of the *Compactata* between the Council of Basel and the Czechs, he emphasises that they were the reason the Hussites abandoned three of the Prague articles and were left only with the chalice (in the case of which the two sides could still not agree whether it had been commanded by Christ). In association with this topic, Piccolomini freely paraphrases the part of “Cedula A” about conceding the chalice to those adhering to it and the future adjudication of points of conflict by the council.<sup>50</sup> He briefly states that the Council of Basel issued the results of its adjudication (meaning the *Ut lucidius videatur* decree) and mentions the activities of legate Philibert, who allegedly was

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*Taborities*, pp. 297–301; F. G. HEYMANN, *George of Bohemia*, p. 165 (Piccolomini’s speech praised as “a masterpiece of intelligent persuasion”); E. O’BRIEN, *The ‘Commentaries’ of Pope Pius II*, pp. 71–74; *Oration “Res Bohemicas” of Enea Silvio Piccolomini (1455, Rome)*, ed. Michael von COTTA-SCHÖNBERG, 4<sup>th</sup> version, 2019 (= *Orations of Enea Silvio Piccolomini / Pope Pius II* 28), available online at <https://hal.archives-ouvertes.fr/hal-01180832> [cit. 2020-04-20], pp. 8–23 (*Compactata* considered on pp. 12, 18). Text published in *Oration “Res Bohemicas”*, pp. 30–119 (together with an English translation); *Pii II. P. M. olim Aeneae Sylvii Piccolominei Senensis Orationes politicae, et ecclesiasticae* I, ed. Giovanni Domenico MANSI, Lucae 1755, pp. 352–385, no. XVII. Further notes will only refer to Schönberg’s edition.

47) The idea of George being aware of Enea’s speech is promoted by F. G. HEYMANN, *George of Bohemia*, pp. 165–166.

48) By doing this, Enea clearly took a risk, as the curia had never shown any real fondness for the *Compactata*. This has been pointed out by E. O’BRIEN, *The ‘Commentaries’ of Pope Pius II*, pp. 73–74. Piccolomini was arguably not inclined towards papal confirmation of the *Compactata* in 1454 as can be inferred from a document to George of Poděbrady where Enea calls on the Czechs to obey the pope. See Anton WEISS, *Aeneas Sylvius Piccolomini als Papst Pius II. Sein Leben und Einfluss auf die literarische Cultur Deutschlands*, Graz 1897, pp. 259–261, no. 132, here p. 260. The document was pointed out by R. URBÁNEK, *Dvě studie o době poděbradské*, pp. 109–110, 118.

49) F. G. HEYMANN, *George of Bohemia*, p. 165.

50) *Neque enim super hoc legati et Bohemi convenire potuerunt, cum illi ex praecepto salvatoris communionem calicis deberi populo dicerent, nostri negarent. Conventum tamen inter eos est hanc disceptationem ad concilii decisionem remitti, Bohemos autem in omnibus universalis ecclesiae ritum resumere debere, excepta sacramenti communionem, quam sub duplici specie his, qui usum habent, ex auctoritate universalis ecclesiae concedi voluerunt. Oration “Res Bohemicas”, p. 42.*

able to install the *Compactata* into practice in the Czech lands (*in usum compactata redegit*).<sup>51</sup> In the sensitive question of papal confirmation of the *Compactata*, Piccolomini declares: "Eugene and Nicholas, your predecessors, were asked to grant confirmation of the *Compactata* several times, but as Rokycana was demanded as the archbishop at the same time [...], the Holy See resisted the one be accepted with the other."<sup>52</sup> The inability to reach an agreement with the Czechs because of John Rokycana's ambition is also mentioned in association with the legateships of John Carvajal and Nicholas of Cusa.<sup>53</sup>

Considerations as whether to give the Czechs what they want and for the pontiff to confirm the *Compactata* take up a significant portion of Enea's speech.<sup>54</sup> Their analysis would probably deserve an independent study on their own, which is why we will primarily focus on the sections that reflect the *Compactata* of Basel as a whole. The claim that only by allowing the chalice did a significant number of rulers and church officials bring the Hussites back to a unified church deserves attention<sup>55</sup> as it is a clear reference to the signing of the *Compactata* in 1436. The author of the speech also tells Callixtus III that if communion in both kinds were heretical, the all-Christian assembly in Basel would have never allowed the Hussites to perform it and adds: "it is clear that communion in both kinds was granted by the authority of the council."<sup>56</sup> It is obvious that with these statements, Piccolomini tried to win the pope for the idea of the Holy See confirming the *Compactata*.

During the meeting with George of Poděbrady in 1451, Enea did not hesitate to accuse Utraquists of various violations of the *Compactata*. The alleged disrespect of the Basel treaties is not ignored in the speech to Callixtus III, but this problem is viewed in a very different way this time. Piccolomini presents his argument as an opinion generally held by supporters of conceding the chalice: The reality that the Czechs did not uphold their promises to the council was allegedly related to the papal schism (Eugene IV versus Felix V), the sudden death of Emperor and Czech

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51) Ibidem. For Philibert of Coutances's time in Prague in 1436–1439, cf. Christian KLEINERT, *Philibert de Montjeu (ca. 1374–1439). Ein Bischof im Zeitalter der Reformkonzilien und des Hundertjährigen Krieges*, Ostfildern 2004 (= Beihefte der Francia 59); Blanka ZILYNSKÁ, *Z Burgundska až do husitských Čech: životní poutí Filiberta de Montjeu. Opožděná reflexe biografické knihy*, Historie – Otázky – Problémy 3/2, 2011, pp. 127–142.

52) *Petita est tamen aliquotiens et ab Eugenio et a Nicolao, tuis antecessoribus, compactatorum confirmatio, sed cum Rokezana simul in archiepiscopum efflagitaretur [...], abhorruit apostolica sedes alterum cum altero simul admittere. Oration "Res Bohemicas"*, p. 44. The Czechs' request for papal confirmation of the *Compactata* took place in 1447 and was associated with Carvajal's embassy to Prague a year later.

53) [...] *numquam tamen de concordia verbum audire Bohemi voluerunt, nisi pontifex Rokezana promitteretur*. Ibidem.

54) Piccolomini lends significant attention to other ways of getting the Czechs on his side. He lists eight in total and comes to the conclusion that none of them would work. Ibidem, pp. 53–85.

55) *Duo concilia generalia, Constantiense et Basiliense, cum hoc summo studio quaerent, in vanum laboraverunt. Nicolaus Sancti Petri et Johannes Sancti Angeli cardinales, quorum ante meminimus, complures ecclesiastici et saeculares principes saepe Bohemos ad unionem reducere conati, nullam umquam concordiam invenire potuerunt, nisi communione calicis indulta*. Ibidem, p. 82.

56) *Constat autem ex auctoritate illius concilii sub duplici specie concessam communionem fuisse*. Ibidem, p. 86. He also adds that neither Christ nor his lay students forbid the chalice.

King Sigismund († 1437), legate Philibert of Coutances († 1439, earlier mentioned as the “establisher” of the *Compactata*), Albert II of Germany († 1439), and a role was also played by the neglect of Bohemia during the reign of Ladislaus the Posthumous (still reigning at the time of Enea’s speech). Under these circumstances, the Czechs easily returned to heresy that had been suppressed by the Council of Basel.<sup>57</sup> Although Enea does not say what heretical violations of the *Compactata* were committed by the Czechs, he is surely referring to some of the transgressions listed four years ago in Benešov (communion by children, using Czech during Mass, etc.). However, we should not omit one thing: In 1455, Enea considered violations *contra compactata* to be, to a certain extent, a thing of the past because he then praises the current situation in the Czech lands and acknowledges his former ideological opponent, George of Poděbrady, now administering the kingdom.<sup>58</sup>

Let us return to the discussion about papal confirmation of the *Compactata* of Basel. Piccolomini’s speech includes the idea that if the Czechs wish to obtain it, they need to free themselves of all heresy.<sup>59</sup> In the opposite case, the *Compactata* would be lost.<sup>60</sup> Enea’s significant interest in approving the Hussite-Conciliar agreement is then clearly confirmed by his statement that the Czech Chancellor Prokop of Rabštejn and many other important men (*alii plerique nostrarum partium barones*) are convinced the *Compactata* represent the only way of bringing the Kingdom of Bohemia back into a state typical of other European nations.<sup>61</sup> This is referred to by Enea in association with his complaint about sending secret letters to the pope that encourage him not to confirm the *Compactata* (he names the significant nobles Meinhard of Neuhaus and Ulrich of Rožmberk as their authors).<sup>62</sup> Within these deliberations, Enea made it clear that despite his accommodating view of the Utraquists, he was still a true Catholic: “The *Compactata* only allow

57) *Quod neglexere Bohemi, quae Basiliensi concilio promiserunt, inde fuit, quia post compactata mox subortum est in ecclesia Dei grave discidium, cum Eugenius, antecessor tuus, patres in Basilea congregatos damnaret, illi autem Eugenium multifarie persequerentur. Sigismundus imperator, qui turbida regni negotia compositurus erat, rebus excessit humanis. Filibertus synodalis legatus non diu post eum animam exalavit. Albertus Caesar [...] prius tamen obiit, quam regnum reformare potuerit. Sub Ladislao diu neglecta pupillaris aetas provinciam inquietam habuit. Principes igitur haeresis, qui Basiliensis concilii leges inviti susceperant, nequitiae suae tempus idoneum nacti, ad priores blasphemias redeunt...* Ibidem, p. 98.

58) Ibidem. Enea admits that George is a Utraquist, but he also praises him as a defender of justice that keeps his word. He also notes the Catholicism of king Ladislaus and many Czech nobles.

59) Enea had previously associated heretical behaviour with contemporary Utraquist clergy who, according to him, were the only group of Czech inhabitants that did not want ecclesiastic unity. Ibidem.

60) *Quod si volunt hodie Bohemi compactatis locum esse, et integram unionem, quovis errore seposito, volunt, aut enim necesse est Bohemos omnem haeresim abdicare, aut quae percusserunt compactata rescindere.* Ibidem, p. 104.

61) [...] *compactata semper ante oculos habuere, asserentes hanc unam esse viam, quae tandem ad formam aliarum provinciarum Bohemiam redigere possit.* Ibidem, p. 110. For the relationship between Enea and Prokop of Rabštejn, see F. ŠMAHEL, *Enea Silvio Piccolomini*, pp. xxix–xxx (in Czech), lxxi–lxxii (in English).

62) *At clam aliquis litteras et nuntios ad curiam mittit, magnopereque dissuadet, ne compactata firmentur. Fecit hoc olim Mainardus de Nova Domo et Ulricus de Rosis, quibus discordia frugi fuit. Oration “Res Bohemicas”, p. 110.*

those who practice the tradition of drinking from the chalice, but the necessity [meaning mandatory communion in both kinds – note A. P.] is rejected. If the kingdom accepts them, there will hardly be anyone left alive who will still be drinking from the chalice in 50 years. It is not necessary to be afraid of fathers teaching their sons because the treaties forbid this.”<sup>63</sup>

How do we interpret this undoubtedly key section? It is clear that Enea's introductory statement referred to “*Cedula A*” where it says *illi et ille, qui talem usum habent, communicabunt sub duplici specie*. The idea about a handful of survivors in half a century suggests that Enea understood the verb *habent* (in the present tense) to only refer to the moment of the signing the treaties, or in this case the moment the pope confirmed the *Compactata* in which this verb was included. Said in another way: In Enea's view, if the pope was willing to confirm the *Compactata* in 1455, the authorisation of *sub utraque specie* would only be valid for those Czechs that were in the habit of accepting the chalice at the time of Callixtus's confirmation. It would thus be unacceptable for someone to begin taking communion in both kinds after the pope's confirmation of the *Compactata*, either through (voluntary or involuntary) conversion, or simply because they had yet to be born. The understanding of the *Compactata* as a temporary licence and the need to acquire new reinforcements against the Turks were certainly the main reasons why Piccolomini did not oppose papal approval of the chalice. In short, he was convinced that the strict observance of the Catholic interpretation of the *Compactata* would lead to the Utraquists dying out sooner or later, returning total ecclesiastic unity to the Kingdom of Bohemia.<sup>64</sup> Enea's statement that the *Compactata* say it is unthinkable for fathers to teach their sons, that is to “indoctrinate” them in Utraquism, deserves a brief analysis. As the treaty of 1436 says nothing of the sort, it can be inferred that this was a strict elaboration of Piccolomini's thesis that the word *habent* was valid solely for individuals practicing Utraquism at the time of the conformation the *Compactata*.

We find one more moment in the speech defending the concession of the chalice to the Czechs when Piccolomini attempts to present the *Compactata* as a triumph of the Catholic Church over the Hussites. He first refers to former council member Nicholas of Cusa who allegedly saw the council's concession of the chalice as a rejection of the wars fought by Czechs and not as a blessing of them. Enea adds that the armed conflicts did not take place because of communion in both kinds as such, but because of the wilful change of church rites and the teaching of

63) *Compactata namque solum habentibus usum potionem calicis indulgent, necessitatemque negant. Quod si regnum ea suscipiat, post quinquaginta annos vix aliquis vivet de calice bibens. Neque timendum est, ne patres imbuant filios, quando id prohibent pactiones...* Ibidem, pp. 110–112.

64) Enea also expressed the hope that King Ladislaus taking communion in one kind would help achieve perfect ecclesiastic union. Ibidem, p. 112. Pius II's statement from 1455 about the validity of the *Compactata* for one generation was evaluated by R. URBÁNEK, *Dvě studie o době poděbradské*, p. 122: According to him, Enea spoke “in the spirit of sophistic interpretations”, typical of Catholics. Criticism of Enea also came from H. KAMINSKY, *Pius Aeneas among the Taborites*, p. 298, who called the statement an “oddly forced argument”.

the insufficiency of communion in one kind.<sup>65</sup> He then returns to the *Compactata* and with them to the decree *Ut lucidius videatur*. Enea claims that since the decree praising communion *sub una specie* was issued, the Czechs have been demanding ecclesiastic permission for the chalice (*permissionem expetant*). He adds an idea that according to both the wording of the *Compactata* (*ipsius concordiae tenor*) and the Basel decree, the Catholics are in the right and in a victorious position at the expense of the Utraquists.<sup>66</sup> By these words, Piccolomini probably wanted to say the following: the Council of Basel has already issued a statement (rather unfavourable for the Utraquists) rejecting the necessity of communion in both kinds; and Czechs desiring to practice Utraquism are requesting a new concession for the chalice from the church (e.g. papal confirmation of the *Compactata*) in accordance with the wording of “Cedula A”. This means that Enea did not consider the concession of the chalice guaranteed by the *Compactata* of 1436 to be valid any longer, and this, in my opinion, primarily led to the claim that the *Compactata* in combination with the verdict in the *Ut lucidius videatur* decree represented a victory for the Catholic side. The author writes that “if the opposite was true, not just the Germans, but the Roman Church itself [...] would be denigrated by the *Compactata*.”<sup>67</sup>

It is noteworthy that the Germans and other peoples play a striking role in Enea’s 1455 thinking about the *Compactata*. If Piccolomini considered papal confirmation of the *Compactata*, he could not ignore that the act might not meet with understanding in areas outside Bohemia and Moravia. He declares, for example, that the Germans that fought with the Czechs in the past “are not willing to accept the concession of the chalice. But that is a greater hate than reason demands. Hate that is blind is not considered truthful. All enmity is foreign to the eyes.”<sup>68</sup> He then points out an interesting paradox: German-speaking areas would allegedly welcome the death of one hundred thousand souls (probably referring to the damnation of many Czechs as a result of the pope refusing to confirm the *Compactata*), over people beginning to say: “The Czechs were in the right because communion was left to them, and the Germans who tried to suppress them with arms were in the wrong.”<sup>69</sup> This is how Enea characterises a possibly misleading interpretation of the pope’s confirmation of the *Compactata*. At the same time, he adds that slander

65) *Oration “Res Bohemicas”*, pp. 112–114.

66) *At cum decretum sit communionem calicis non cadere sub praecepto domini Bohemique loco gratiae ab ecclesia Romana permissionem calicis expetant, nos justos, illos iniquos, nos victores, illos victos, ipsius concordiae tenor ac decretum manifestabit.* Ibidem, p. 114.

67) *Quod si secus esset, non Theutones tantum, sed ipsam Romanam ecclesiam, cujus imperio pugnatum est, compactata deturparent.* Ibidem.

68) [...] *invitos audire concessionem calicis. Sed hos odium magis quam ratio ducit. Non intuetur ira, quae caeca est, verum. Oculis omnis inimicitia caret.* Ibidem, p. 112.

69) *Non tam grave his videtur, si centum milia pereant animarum, quam si dicatur in populis: “Justi fuerunt Bohemi, quibus relicta communio est; injusti Theutones, qui eam armis prohibere conati sunt.”* Ibidem. Cf. similar ideas about Germans on p. 114. It is certainly interesting that possible attitudes of the Germans were already addressed in 1433, when the Basel fathers were attempting to solve the question whether to allow the chalice or not. See Dušan COUFAL, *Turnaj víry. Polemika o kalich na basi-lejském koncilu 1431–1433*, Praha 2020 (= *Studie a prameny k dějinám myšlení v českých zemích* 20), p. 529.

should not have a greater value than questions of salvation.<sup>70</sup> He later confronts the fear that other states in the east (*Occidentis regna*, probably meaning Hungary and Poland) could request a chalice license led by the example of papal approval for the *Compactata*. According to Enea, this could not happen because people will hardly demand what they have already rejected.<sup>71</sup>

The last important moment in the *De compactatis Bohemorum* speech is the final assurance to the pope that he is the only one authorised to decide whether to indulge the Czechs. It is not surprising that Enea repeats his positive stance on papal confirmation of the *Compactata*: "However, as we saw the fathers in Basel – before the council was dissolved by papal authority – allowing the Czechs to drink from the chalice, for the same reason we are considering the bestowment now more than we believe in it."<sup>72</sup> Previous violations of the *Compactata* provisions by the Utraquists should not be an obstacle to acquiring papal approval for these treaties as in many aspects the Czechs do not violate teachings of the faith.<sup>73</sup>

We should now ask the question how Piccolomini viewed the *Compactata* in the speech from the mid-1450s. While he emphasised the violation of the *Compactata* by the Utraquists in his discussion with George of Poděbrady in Benešov, he now works primarily to frame the *Compactata* as a legitimate licencing of the chalice by the Council of Basel. The treaties may have lost their validity as a result of the publication of the *Ut lucidius videatur* decree, but the pope has the authority to newly confirm the agreement between the Hussites and the Council and thus renew the liturgical license. This would acquire the Czechs for the Curia's fight against the Turks, in spite of fears this approach could be opposed by the Germans. Piccolomini did not envision the new authorisation of *sub utraque specie* through the papal confirmation of the *Compactata* to last forever. He and other Catholic intellectuals understood the words *qui talem usum habent* to mean that they applied only to Utraquists living at the time. This is the point where Enea would probably not find agreement with the grand majority of Utraquists. Regardless, the speech can be characterised as an unusually obliging gesture to the Kingdom of Bohemia as he called on the head of the Catholic Church to confirm documents that many of

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70) *At viri boni non ponunt rumores ante salutem. Oration "Res Bohemicas"*, p. 112.

71) *Postremo timent nonnulli, ne concesso Bohemis calice reliqua Occidentis regna similem facultatem expostulent. Sed ridiculum est, quod isti formidant, neque enim sibi postulant homines, quod in proximo damnant.* Ibidem, p. 114.

72) *Sed quia vidimus patres in Basilea residentes, antequam concilium auctoritate apostolica solveretur, genti Bohemiae potum calicis indulgisse, ratione pari et nunc indulgendum opinamur magis quam credimus.* Ibidem, p. 118. This statement was partially translated to Czech by R. URBÁNEK, *Dvě studie o době poděbradské*, p. 123.

73) *Nec nos movent, qui propterea negant cum Bohemis denuo paciscendum, quia priora non sint ab his pacta rite custodita. Habent namque Bohemi multa, quae objiciant, ne fidei fractores videri queant.* *Oration "Res Bohemicas"*, p. 118. I understand the last sentence as saying that through many of their actions the Czechs prove that they should not be considered violators of faith. However, R. URBÁNEK, *Dvě studie o době poděbradské*, p. 123, translated the sentence (in my opinion somewhat unintelligibly) as so: "as they also have many objections to being perceived as violators of the Word." Therefore, a better translation is in *Oration "Res Bohemicas"*, p. 119: "the Bohemians can bring up many reasons why they should not be considered as having broken their word."

Enea's fellow believers would have liked to see confined to the dustbin of history. A certain conciliation can also be seen in the fact that Enea did not list the violations of the *Compactata* by the Utraquists this time. He also admits that when such infractions occurred, they were caused by the difficult political situation in the recent decades.

### From the Supporter of Papal Confirmation to the Executor of the Opposite: Enea as Pius II in March 1462

It seems that Enea was still inclined towards the idea of confirming the *Compactata* in 1457.<sup>74</sup> However, shortly after ascending to the papacy in 1458 and taking the name Pius II, Enea began to be convinced of the need to bring the Bohemians and Moravians back to ecclesiastic unity and to halt taking communion from the chalice.<sup>75</sup> Nothing demonstrated this better than the 1462 negotiations in Rome where envoys of Czech King George of Poděbrady swore to obey Pius II and tried to have him confirm the *Compactata*, which his predecessor Callixtus III never did despite him hearing out the previously analysed *De compactatis Bohemorum* speech and despite his seemingly warm relationship towards George.<sup>76</sup> Seven years prior, imperial emissary Enea saw a concession of the chalice as a meaningful solution, but he approached the entire matter much differently as Pius II, declaring the *Compactata* invalid in March 1462.<sup>77</sup> That was certainly a radical step from the pope's side and the question remains whether he would have performed it, had he not been disillusioned by George not being able to side with the Hungarian king Matthias Corvinus

74) In the letter to John Carvajal dated November 2, 1457, he describes the great extent to which he disagrees with him in the matter of the Czech question. See *Aeneae Sylvii Piccolominei Senensis ... opera quae extant omnia*, ed. Marcus HOPPER, Basileae 1571, p. 810, no. CCCIX. This statement was already mentioned in R. URBÁNEK, *Dvě studie o době poděbradské*, p. 135.

75) On Pius II's expectations, see Rudolf URBÁNEK, *Věk poděbradský IV. Čechy za kralování Jiříka z Poděbrad. Léta 1460–1464*, Praha 1962 (= *České dějiny III/4*), p. 276; F. G. HEYMANN, *George of Bohemia*, pp. 235–236; Petr ČORNEJ – Milena BARTLOVÁ, *Velké dějiny země Koruny české VI. 1437–1526*, Praha – Litomyšl 2007, p. 201; E. O'BRIEN, *The 'Commentaries' of Pope Pius II*, pp. 80–81; Petr ČORNEJ, *Kvadratura kruhu (Jiří Poděbradský, kompaktáta a papežství)*, in: Idem, *Světla a stíny husitství (Události – osobnosti – texty – tradice). Výbor z úvah a studií*, Praha 2011, pp. 276–285, here p. 282; F. ŠMAHEL, *Die Basler Kompaktaten*, p. 106. It should be added that the pope's expectations were significantly based on the secret oath that George had pledged to the Catholic church as part of his coronation.

76) For more information on Callixtus's Bohemian policy and his letter to George from 1458, see F. G. HEYMANN, *George of Bohemia*, pp. 165–167. It appears that by 1458, the pope may have been willing to consider a ratification of the *Compactata*. Nevertheless, no negotiations between him and Czech ambassadors ever took place. See also E. O'BRIEN, *The 'Commentaries' of Pope Pius*, p. 74.

77) The embassy to Rome and the voiding of the *Compactata* are discussed in: František PALACKÝ, *Dějiny národu českého v Čechách i v Moravě IV*, Praha 172017, pp. 358–367; Max JORDAN, *Das Königthum Georg's von Poděbrad. Ein Beitrag zur Geschichte der Entwicklung des Staates gegenüber der katholischen Kirche*, Leipzig 1861, pp. 48–73; Georg VOIGT, *Enea Silvio de' Piccolomini, als Papst Pius der Zweite, und sein Zeitalter III*, Berlin 1863, pp. 458–468; Václav Vladivoj TOMER, *Dějepis města Prahy VII*, Praha 21906, pp. 35–43; R. URBÁNEK, *Věk poděbradský IV*, pp. 523–535; H. KAMINSKY, *Pius Aeneas among the Taborites*, pp. 301–302; F. G. HEYMANN, *George of Bohemia*, pp. 263–277; P. ČORNEJ – M. BARTLOVÁ, *Velké dějiny země Koruny české VI*, pp. 201–203; J. SMOŁUCHA, *Polityka Kurii Rzymskiej*, pp. 242–250; E. O'BRIEN, *The 'Commentaries' of Pope Pius II*, p. 81; F. ŠMAHEL, *Die Basler Kompaktaten*, pp. 105–107. However, the authors did not present a detailed analysis of Pius II's arguments about the *Compactata*.

against the Turks and instead searching for support among people holding antipapal views.<sup>78</sup> Under different circumstances, Pius might have employed a different means of bringing the Utraquists back to the full unity.

Our task now is to determine the arguments Pius used to reason his radical decision. It is important to note that he was not the only Catholic clergyman to inform the Czech envoys of his stance on the *Compactata*, but others probably did not reach the depths of his reasoning.<sup>79</sup> We have two chief sources for Pius II's anti-*Compactata* statement: an account written in Old Czech by Master Václav Koranda (one of the members of the Czech embassy),<sup>80</sup> and *Responsio Pii pape secundū*, which is the Latin record of Pius II's final statement from March 31.<sup>81</sup>

As Koranda recorded the statements by the pope on March 31 as well those from other days, we will first examine what this source reveals. On March 19, Pius II told one of the Czech envoys, Zdeněk Kostka, the reasons the *Compactata* had ceased to be valid: (1) The agreement with the Council permitted the chalice only for those who practiced the rite in 1436 and there are not many of those left alive.<sup>82</sup> (2) The *Compactata* say that a lay person wanting to take communion in both kinds should request it and implore the priest, yet Utraquist priests still give the chalice to children unable to ask of anything, which is a violation of the *Compactata*.<sup>83</sup> (3) The agreement with the Council was made to bring peace to the Czech lands and it was expected that the Czechs would abandon communion in both kinds and fully unify with the church after the achievement of this goal.<sup>84</sup> (4) Although the text of the *Compactata* anticipated the issue of a new license to use the chalice, this

78) P. ČORNEJ – M. BARTLOVÁ, *Velké dějiny země Koruny české VI*, pp. 202–203.

79) Cf. *Poselství krále Jiřího do Říma k papeži roku 1462*, ed. Adolf PATERA, in: AČ VIII, ed. Josef Kalousek, Praha 1888, pp. 321–364, here pp. 326–327, 345.

80) Published in *Poselství krále Jiřího*, pp. 322–354.

81) Ibidem, pp. 360–363, no. III. The speech has also recently been edited in *Oration "Superioribus diebus" of Pope Pius II (31 March 1462, Rome)*, ed. Michael von COTTA-SCHÖNBERG, 5<sup>th</sup> version, 2019 (= *Orations of Enea Silvio Piccolomini / Pope Pius II 66*), available online at <https://hal.archives-ouvertes.fr/hal-01230088> [cit. 2020-04-20], pp. 29–65 (together with an English translation). On p. 21, Cotta-Schönberg claims that Pius II's speech is preserved in two versions which, however, differ from one another in only a few unimportant details.

82) *Divím se tomu, že tak velmi stojíte o ta kompaktáta, ano již sú minula, aniž mají moci; neb v nich stojí: toliko těm, kteříž obyčej měli aneb mají; a takových jest málo, a jiným nenie dáno.* ("I am amazed how much you demand the *Compactata* that have already passed and have no authority as they say: It is only for those who practised or practise the rite; and there are few of those and others are not allowed.") *Poselství krále Jiřího*, p. 325. F. G. HEYMANN, *George of Bohemia*, p. 266, evaluates this argument as "the tricky one".

83) *Item praví se v kompaktátech: když by prosili a žádali, má svátost dána býti; ale vaši kněží dávají dietkám, kteréž ani sebe zkusiti ani prositi mohou; a poněvadž oni tak mnoho proti kompaktátóm přestupují, v tom sú kompaktáta zrušena.* ("It also says in the *Compactata*: If they request and ask, they are to be given the sacrament; but your priests give it to children who can neither try, nor ask for themselves; and because they violate the *Compactata* so extensively, the *Compactata* have been voided.") *Poselství krále Jiřího*, p. 325.

84) [Kompaktáta] nejsú dopuštěna jinak, jediné pro tvrdost jich, jakož jest Mojžiš udělal Židóm na půsti, aby tiem spieše mohl pokoj v zemi býti, a ten když by uveden byl, aby od takového přijímání přestali a sjednali se s cirkví. ("[The *Compactata*] were conceded solely because of their hardness, similarly as Moses did towards the Jews in the desert, so that there was likely to be peace in the land and after it being introduced, they would abandon such a communion and unify with the church.") Ibidem.

document was never published (either because of a lack of interest by the Czechs or a rejection by the Council)<sup>85</sup> and contrarily members of the Council “issued a decree against it and sent the decree to Bohemia, which is why the *Compactata* are no longer valid.”<sup>86</sup>

Some of these points deserve closer scrutiny. The first shows that just like in 1455, Pius II was convinced of the validity of *qui talem usum habent* just for Ultraquists living at the time the agreement was reached. The second point is about the “honest and pious” requesting that should have been anchored in the planned but never issued chalice license. Here we again see that Pius did not hesitate to apply the provisions of the future document to the *Compactata* themselves (just like in 1451), and that their breach was a reason for the *Compactata*'s invalidation. Let us move to the final point: Pius II admits that he does not know the real reason why Bohemian and Moravian clergy did not receive the chalice license called for in the *Compactata*. He does try to create the impression the Council denied the option for such a license in the *Ut lucidius videatur* decree from December 1437 (which is a very controversial interpretation<sup>87</sup>) and that the issue of this decree invalidated the *Compactata* as such, which by all accounts was also stated in the much more obliging speech from 1455.

The account written in Old Czech reveals that more extensive criticism of the *Compactata* came on March 20 after Pius II had heard the speech given by Koranda where the head of the Catholic Church was called on to confirm the Hussite-Conciliar agreement. In reaction to Koranda, the pope emphatically repeated the idea that the *Compactata* represented only a short-term bestowal of the rite of the chalice: “although the Council allowed them, it was only allowed for those practicing the rite, and there are few of those left alive, and the *Compactata* do not apply to others. Thus, the Council granted this communion not for a long period, but for a short time, so that after end of wars in Bohemia, the Czechs would become aware and abandon their delusions, and return to the unity of the church that they had

85) *Item praví se v kompaktátiach: že jest konciliium mělo moc dáti kněžím rozdávatí, budú-li za to prositi Čechové a toho žádati, ale že sú neprosili ani žádali; pak-li sú prosili, ale konciliium toho jest nedopustilo...* (“The *Compactata* also say that the Council had the authority to allow priests to administer if the Czechs asked and requested for it, but they did not ask or request; provided they did ask, the Council refused...”) Ibidem, pp. 325–326.

86) [...] *sú proti tomu dekret udělali a ten sú do Čech poslali, a protož kompaktáta nemají moci.* Ibidem, p. 326. The decree in question is undoubtedly the *Ut lucidius videatur* from December 1437. Nevertheless, M. JORDAN, *Das Königthum Georg's von Poděbrad*, p. 53, note 17, mistakenly identifies the decree mentioned by Pius as the Basel ratification of the *Compactata* from February 1437.

87) Pius II's conviction about the incompatibility of the chalice license and the *Ut lucidius videatur* decree is extrapolated from the above-cited words “issued a decree against it”. The Council's verdict did not forbid the *sub utraque specie* ecclesiastic license and instead permitted such a document: *Sive autem sub una specie, sive sub duplici quis communicet secundum ordinacionem seu observanciam ecclesie...* MC II, p. 1112. It should also be noted that a concept of promising the chalice license to Bohemians and Moravians was recorded by the council after the issuing of the decree. See above, p. 180. Pius II's use of the Basel decree from 1462 has seemingly not been addressed by any other researcher.

left...<sup>88</sup> It was not just the validity of the *Compactata* for a single generation and their “peace-bringing” role that Pius II referred to for the second straight day. He again referred to the fact the Council of Basel never issued the Czechs a new liturgical license for which, according to the *Compactata*, the Czechs were to request, if they desired to continue taking communion in both kinds.<sup>89</sup> It is noteworthy that while the pope had compared the *Compactata* to Moses and the Jews in the desert<sup>90</sup> on the previous day, one day later he referred to St. Augustine and said the *Compactata* had been allowed because a heretic with unwavering in their faith could not be defeated.<sup>91</sup>

The Latin-written *Responsio* is available to examine the pope's final speech given on March 31, 1462. Although Pius II suspected that not all Utraquists derived their liturgical practice from the *Compactata* as per his previous conversation with Zdeněk Kostka,<sup>92</sup> he tried to prove to the Czech emissaries that communion in both kinds on the basis of the *Compactata* was only an illusion. He begins his reasoning by noting that the agreement with the Council about the first article of Prague has “a double meaning” (*bipartita est racio*). One part permits and bestows communion *sub utraque specie* to those Bohemians and Moravians who but for the exception of the chalice unite with the church in faith and rites. According to the pope, the second part states that after the Council's decision about the (non-)binding nature of the chalice, Czechs can receive a license to use the chalice (*facultatem*) on the basis of a request by their envoys. This license would provide communion in both kinds

88) [...] *ačkoli koncilium jim dopustilo, dopustilo jest těm toliko, kteřížto obyčej mají, z nichžto málo zůstává živých, a k jiným neznějí kompaktáta. A tak koncilium ne na často, ale na čas pójčilo jest toho přijímání, aby totiž, když by přestaly a pominuly války v Čechách, Čechové aby se poznali, bludův nechali, a v jednotě cirkve, od niež sú vypadli, aby se navrátili...* Poselství krále Jiřího, p. 341.

89) [...] *a to jest, jenž pravie v kompaktátiech, že Čechové měli žádati, budú-li chtieti v tom přijímání setrvati, a koncilium že jim chce na to moc dáti; a že Čechové nežádali sú, ani koncilium toho dopustilo ani dalo.* (“it is said in the *Compactata* that the Czechs were to request, if they wanted to continue to take communion in both kinds, and that the Council wants to give them the authority; and as the Czechs did not request it, the Council did not grant them.”) Ibidem. The researchers that noted Pius II's statement about the lack of a request by the Czechs did not sufficiently take into account that the pope here was referring to the request for a new chalice license listed in “Cedula A”. Cf. R. URBÁNEK, *Věk poděbradský* IV, pp. 531, 533; F. G. HEYMANN, *George of Bohemia*, p. 272 (he incorrectly claims that the pope's argument “was clearly presented ad hoc and has no basis in the sources on the genesis of the Compacts”); F. ŠMAHEL, *Die Basler Kompaktaten*, p. 107.

90) See note 84. Here the pope was probably referring to Exodus 17:1-7 – the Israelites started complaining about lack of water in the dessert and Moses, feeling endangered, asked God for advice; subsequently he was able to provide the Israelites with water from a nearby rock.

91) *Viemet, co sú kompaktáta, ktoré sú dopuštěna: neb k jednotě [...] cirkve povoliti nechtěli a tvrdi byli v bludiech svých, a tak přemoženi sú nemohli býti; neb die svatý Augustin: Kacieř móż pohaněn býti, ale přemožen nemóż býti.* (“We know what the *Compactata* are and how they were conceded; for they [...] did not want to obey church unity and insisted on their delusions and so they could not be defeated; for Saint Augustine says: A heretic can be defamed, but cannot be defeated.”) *Poselství krále Jiřího*, p. 341.

92) Kostka stated: “There are some in Bohemia who say [...] that more grace is taken in both kinds than in one; and there are others who only adhere to that communion out of the Council's grant and there are few of them.” (The original wording: *Některí sú v Čechách, praviece, že z potrebnosti, když by toho čas byl a miesto, a že se milostí viece běře pod dvoji způsobů, než pod jednu; a jiní sú, jenž toliko držie to přijímání z pójčenie koncilium, a těch jest málo.*) Ibidem, p. 326.

to adults, with the caveat that these believers must be informed of the full presence of Christ in communion in one kind.<sup>93</sup> Here Pius II rather strictly paraphrased the third point of “Cedula A”.

In connection to this paraphrasing, the pope states: “Whether you cite the first part of the *Compactata* or the second, you have nothing.”<sup>94</sup> He first explains why the latter has never been fulfilled, repeating his previous argument – the promised chalice licence was never issued (*nunquam impleta*), either because the Czechs never requested it or because of the Council’s decision not to issue it for rational reasons.<sup>95</sup> Pius II then extensively explains that not even the first part of the treaty on communion in both kinds has been fulfilled: “Not even the first part helped you as communion in both kinds was allowed for those who practice the rite [communion in both kinds – note A. P.] and accept ecclesiastic unity in everything else except the article of communion. As you never accepted church unity and conformity, you were never worthy of the permission.”<sup>96</sup> This would negate Utraquists ever having received permission from the church to take communion in both kinds. Even if “Cedula A” specifically permits the chalice, according to the pope the Utraquists never fulfilled the condition of those taking communion in both kinds being at one with the church.

However, Pius II was not satisfied with a simple statement that Czechs never achieved the unity demanded by the *Compactata* and listed several examples of their schismatic deeds: the installation of priests to offices by unauthorized individuals; communion in both kinds administered to children and fools in violation of the Council’s orders (*mandata concilii*); the refusal of funerals and other forms of pressure on those that refused communion in both kinds; and the rejection of many things typical of Catholic rites.<sup>97</sup> With the exception of the first point, Pius II

93) *Compactatorum enim bipartita est ratio: altera permittit et indulget, ut, qui unionem recipiunt ecclesiasticam et pacem realiter et cum effectu et in omnibus aliis, praeterquamque in usu communionis utriusque speciei, fidei et ritui universalis ecclesie conformes essent et usum talis haberent, possint communicari sub utraque specie in regno Bohemie et marchionatu Moraviae. Altera promissionis est dicens, quod facta in concilio discussione super articulo communionis nichilominus si perseveraverint in desiderio habendi talem communionem et id per legatos indicaverint, concilium facultatem largiretur sacerdotibus communicandi eas personas, que in annis discrecionis constitute reverenter et devote postulaverint, cum adiectione: quod sacerdotes sic communicantes semper docerent, quod ipsi debent firmiter credere, quod non sub specie panis caro tantum, nec sub specie vini sanguis tantum, sed sub qualibet specie est integer, totus Christus.* Ibidem, p. 361.

94) *Sive igitur primam compactatorum partem sive secundam adducitis, nichil habetis.* Ibidem, p. 362.

95) *Nam secunda pollicitacionis est nunquam impleta, sive quia non petivistis, sive concilium ex rationabili causa recusavit concedere, quod noxium videbat futurum, cum vestri sacerdotes non servarent conventa.* Ibidem.

96) *Nec prima pars vobis subvenit, quia concessa est communio calicis usum habentibus et unionem recipientibus ecclesiasticam in omnibus aliis preterquam in articulo communionis. Sed unionem ecclesiasticam et conformitatem nunquam recepistis, non igitur indulti fuistis capaces.* Ibidem.

97) *Quod autem unionem et conformitatem non fuistis amplexi, liquet ex moribus vestris, nam sacerdotes vestri non instituuntur ad titulum beneficii, ut moris est in aliis regnis, per episcopos et habentes potestatem, nec servaverunt umquam mandata concilii, quibus preceptum erat, ut tantum habentes usum communicarent, sed pueros et dementes communicaverunt, et nolentes communicare sub utraque specie noluerunt sepelire, et aliis modis coegerunt, et multis in rebus ritum universalis ecclesie abiecerunt...* Ibidem.

had expressed these complaints during the 1451 meeting in Benešov. Pius II then intensified his criticism with the claim that a large portion of Czechs began taking communion from the chalice after the *Compactata* had been promulgated, which was forbidden.<sup>98</sup> He thus simply repeated his position that the Basel treaties should only apply to those proclaiming to be Utraquists in July 1436. There is the question to what extent this interpretation of the agreement about the chalice is valid, but it is certainly not “pure demagoguery”.<sup>99</sup>

Pius II clearly put significant emphasis on his arguments dispelling the Czech conviction that the *Compactata* legalised communion *sub utraque specie* on a practical level. This is further supported by other statements he made. Besides “Cedula A”, Pius II focused on provisions about holy communion in the *Litera expurgacionis et abolicionis* where the council's legates order current and future bishops, archbishops, and priests to administer communion in both kinds to lay people who practice the rite. Pius II proclaims that the legates' order to the clergy was made on the basis of the concession of the chalice in “Cedula A” (*vigore concessionis*). However, the Utraquists are not worthy of this concession, as the pope reasoned above. Therefore, the legates' order will not help the Utraquists, either.<sup>100</sup> The analysis of “Cedula A” and the document *Litera expurgacionis et abolicionis* eventually led the pope to state: “After studying all the *Compactata* and bestowed bulls, we proclaim that, on the basis of the advice of our brother cardinals, your priests allow lay people to take communion from the chalice without any authorisation, thus cheating them and committing a serious sin...”<sup>101</sup> Therefore, one of the main goals of Pius II's

98) [...] *et maior pars vestrum usum communionis calicis accepit post compactata, quod minime licuit.* Ibidem.

99) This is how Pius II's argument about the validity of the *Compactata* only for Utraquists living in 1436 was characterised by P. ČORNEJ, *Kvadratura kruhu*, p. 282, note 29. He bases his conclusion on the well-known text in “Cedula A” about the issuing of the *facultas* for the chalice (he notes the section beginning with the words *sacrum concilium sacerdotibus* and ends with *integer totus Christus*), and notes that the *Compactata* state this as *pro futuro*. Čornej is correct in this, but he does not reflect the reality mentioned several times by Piccolomini himself that this part of the Basel treaties discusses the possible issuing of the new licence for the chalice after the Council decides about the necessity of *sub utraque specie*. In this case, the section in question does not contradict the position that the *Compactata* guaranteeing communion in both kinds should only count for Utraquists living at the time. I would like to note in relation to this that M. von COTTA-SCHÖNBERG in *Oration “Res Bohemica”*, p. 12, automatically presents the *Compactata* in the Catholic spirit, thus only valid for a single generation, without considering their ambiguity. He directly says the Utraquists did not respect the Council's limitations: “the Bohemian Compacts had stipulated that the practice of communion under both species would be restricted to those already following that practice, whereas all others, including those to be born in the future, would not have it. This meant that the practice of communion under both species would effectively die out in one to two generations. The Bohemians, however, had not, in fact, respected this restriction, imposed by the Council of Basel...”

100) *Non est igitur, quod de compactatis gloriemini, nec id vos iuvat, quod oratores concilii mandaverunt archiepiscopo Pragensi, Olomucensi et Luthomislensi pro tempore existentibus et presbiteris, ad quos pertinet, ut populum sub utraque specie requisiti communicarent iuxta conventa: nam id factum est vigore concessionis, cuius vos fecistis indignos, ut ante diximus. Poselství krále Jiřího*, p. 362.

101) *Inspectis igitur compactatis omnibus et bullis concessis iudicamus, de concilio fratrum nostrorum cardinalium, sacerdotes vestros absque ulla potestate laicalem populum ad communionem calicis admittere, decipere plebes et graviter peccare...* Ibidem.

final statement was to present the *Compactata* as a document that Czechs cannot refer to in terms of taking communion in both kinds as no permission for the chalice emerging from the treaties ever took effect because of the actions of the Czechs themselves.

Pius II's speech from the end of March also touched on another sensitive question: the papal license for the chalice demanded by the Czechs, or in other words the confirmation of the *Compactata*. The pontiff listed at least four reasons for the Czech delegates why they could not expect him to do such a thing: (1) Pius II can hardly issue authorisation for something his predecessors always rejected.<sup>102</sup> (2) If papal approval was given to the chalice, lay people would increase their belief in the delusion that communion in both kinds was necessary for salvation.<sup>103</sup> (3) If the Czechs received what they wanted, unity would never be achieved in the kingdom and lasting division would devastate it.<sup>104</sup> (4) Papal approval for the chalice would certainly not help relations between Czechs and Germans, Hungarians, and Poles: "although our permission would stand out significantly, they would still call you of little faith and too arrogant who knew more than other Christians..."<sup>105</sup> Piccolomini had already pointed out a similar danger of deteriorating relations with neighbouring nations in 1455, but not as an unscalable obstacle to confirming the *Compactata*, but one that could actually be overcome.

Pius II also referred to the Bible itself in the conclusion of his rejection of the Czech request. At first, he addresses Jesus's words "You do not know what you are asking" (Mark 10:38) to the Czech envoys (they were originally spoken to the Apostles James and John). He stresses that the pope is in the position to guide Christians on the path to salvation and determine what is right. He then repeats again that communion in one kind is sufficient for the salvation of lay people, but not by referring to the Basel decree of 1437, but to the meeting of Christ and the Apostles in Emmaus.<sup>106</sup>

Here we should try to summarise the overall position Enea, now Pius II, took up towards the *Compactata* in 1462. As his intent was to declare the treaty null and void, it is not a surprise he returned to his criticism from eleven years earlier in

102) *Nam quomodo id nos concedamus, quod nostri predecessores semper concedendum esse negaverunt?* Ibidem.

103) *Nam cum fuerit olim communis opinio vestra, quod assumptio calicis esset de necessitate salutis, facile in eundem errorem populus prolaberetur, si ei permetteretur ex apostolico indulto, et maxime cum vestri sacerdotes noluerunt in communicando ea facere, que iussa fuere...* Ibidem.

104) *Quod si vobis indulgeretur, quod petitis, nunquam inter vos esset unio, semper durarent inter vos scismata, essetque vobis omni tempore timendum Domini verbum, quia omne regnum in se divisum desolabitur.* Ibidem.

105) [...] *quamvis mille extarent indulta nostra, tamen appellarent vos parum fideles et nimis arrogantes, qui velletis plus sapere, quam ceteri Christiani...* Ibidem. This and other reasons why the Holy See could not allow the *Compactata* were briefly noted by R. URBÁNEK, *Věk poděbradský IV*, p. 533. Reasons 2 and 3 resemble those presented by Vienna magisters in 1433 against any concession of the chalice. See D. COUFAL, *Turnaj víry*, pp. 523–524.

106) *Nec velitis pluris esse quam illi discipuli, qui euntes in Emaus cognoverunt Dominum in fraccione panis.* *Poselství krále Jiřího*, p. 363. The pope here refers to the text in Luke 24:30–31, according to which Christ was to break bread and give it to his apostles after his resurrection.

Benešov. Just as he did then, he points out the violation of the *Compactata* by the Utraquists (communion by children, forcing the chalice upon people, not adhering to Catholic rites), and he labels them the reason why the treaties with the Council are no longer valid. It must be noted, however, that Pius II's attacks on the validity of the *Compactata* were much more elaborate than in Benešov. Besides violations *contra compactata*, he reasoned their invalidity in other ways, such as the *Ut lucidius videatur* decree or the establishment of peace in the Kingdom of Bohemia. The most scathing criticism of the Utraquists was aimed at the agreement about the chalice in "Cedula A", as communion in both kinds was thus never authorized because of the deeds of the Utraquists themselves. In this argument, Pius II did not hesitate to point out a fact he apparently had not mentioned in the 1450s: The *facultas* for the use of the chalice that the Czechs could have requested from the Council after December 1437 (according to the text of the *Compactata*) was actually never published. Although Pius's speech from March 1462 had an opposite intention when compared to his 1455 request to Callixtus III to confirm the *Compactata*, there is an important commonality between the two: The *Compactata* were a temporary license to use the chalice as the words *qui talem usum habent* were only valid for Utraquists living at the time the treaty was signed. On the other hand, the list of reasons why the *Compactata* should not be confirmed by the Holy See must be viewed as a fundamental difference from the 1455 text.

Two important points have to be noted about Pius II's speech. First, there can be no doubt that the pope declared the agreement between the Hussites and the Council of Basel to be invalid in March 1462. As the above analysis has shown, however, this act by Pius II was only confirmation of a reality that had lasted for years as he understood the *Compactata* to be invalid from the end of 1437 at the latest.<sup>107</sup> Secondly, although any voiding of the *Compactata* in 1462 represents an important moment, this step certainly did not bring what the pope had hoped it would. As we will now see, the Utraquists led by King George of Poděbrady refused to submit to Pius II's decision and the *Compactata* continued to be legally valid in the Kingdom of Bohemia. Over time, the Catholic minority in the Czech lands had to accept the fact that despite the clear statement by the pope, the treaty with the Council of Basel continued to be valid. This is specifically stated in the text of the Religious Peace of Kutná Hora of 1485.<sup>108</sup>

107) According to Pius II, the issue of the Basel decree about holy communion voided the *Compactata*. It can also be argued that in the light of the improper behaviour of the Utraquists, Pius II considered the *Compactata* to be invalid from the beginning on July 5, 1436.

108) *A což se dotýče kompaktat a smlúvy koncilium Basilejského, ti na své míře stuojte a v své moci zuostaňte, jakž v sobě jsú.* ("In relation to the *Compactata* and the treaties from the Council of Basel, let them remain as they are and let them keep their validity.") AČ V, ed. František PALACKÝ, Praha 1862, p. 419. This fundamental provision was most recently pointed out by F. ŠMAHEL, *Die Basler Kompaktaten*, p. 113.

### Digression: The King of Bohemia and a Witness to the Negotiations with the Council in Opposition to the Pope

As Pius II based the voiding of the *Compactata* on rather sophisticated reasoning, it would now be useful to focus on how George of Poděbrady and Martin Lupáč viewed his criticism of the *Compactata* as they were the authors of the only known Utraquist reactions to the pope's decision. The former did so in a resolute speech to Utraquist and Catholic inhabitants of the Czech lands, while the latter published polemic treatises, including the remarkable *Super responso Pii pape*.

George of Poděbrady, who rather surprisingly became King of Bohemia in 1458, publicly reacted to the result of the mission to Rome perhaps a little later than was expected. It took place at the Prague Diet on August 12, 1462, despite the Catholic-Utraquist embassy returning from Rome in mid-May.<sup>109</sup> The contemporary sources make it seem that George of Poděbrady did not specifically dispute any of the pope's statements about the *Compactata*, but he certainly familiarised himself with them. The Czech diplomats had brought documents to Prague that included Pius II's reasoning.<sup>110</sup> When the Hussite-Conciliar treaty was discussed, George simply ordered the documents, formerly ratified for the unity and peace of the kingdom, to continue to be upheld, and that no one could dispute them no matter the reason. He emphasised that his predecessors on the throne (Sigismund, Albert, Ladislaus the Posthumous) had ordered the *Compactata* to be maintained. For himself, George declared he was prepared to defend the agreement with the Council and fight for it to the death.<sup>111</sup> It is noteworthy that he said the *Compactata* had been "approved by the Holy See" (*auctoritate apostolica concessa*). This is proof of the mistaken conviction typical of Utraquists that the Basel *Compactata* were approved by Eugene IV years earlier.<sup>112</sup>

Martin Lupáč's treatise *Super responso Pii pape* offers a completely different testimonial. Its second part quotes and critically comments many of the pope's statements about the *Compactata*. First, let us list the important facts about the author: Lupáč was a Utraquist priest, diplomat, and author who probably left more thoughts about the *Compactata* of Basel in his writings than any other person, whether Catholic or Utraquist. His interest in the agreement between the Hussites and the Council primarily stemmed from the fact that he had significantly taken

109) For the return of the embassy, see most recently Adam PÁLKA, *Super responso Pii pape Martina Lupáče jako pramen k jednáním husitů s basilejským koncillem*, Časopis Matice moravské 134, 2015, pp. 29–54, here pp. 29–31.

110) Ibidem, pp. 29–30.

111) *Tercio volumus et mandamus, ut compactata, que antiquitus nobis sunt concessa pro unitate et pace hujus regni, solita et fixa autenticaque conserventur et nullus aliqua excusacione ipsis contraire audeat: ex quo predecessores nostri Sigismundus, Albertus, Ladislaus ipsa rata et approbata et auctoritate apostolica concessa firmiter tenere constituerunt, quod et ego attenuare nullatenus volo, sed potius defensare et usque ad mortem pro ipsis concertare*. SRS VIII. *Politische Correspondenz Breslau 1454–1463*, ed. Hermann MARKGRAF, Breslau 1873, pp. 133–135, no. 111, here p. 134.

112) For details about this phenomenon, see R. URBÁNEK, *Věk poděbradský IV*, p. 275, note 139.

part in negotiations with the Basel legates in 1432–1436.<sup>113</sup> Although he dedicated extensive energy to disproving the pope's claims in 1462, our goal is not to analyse them all; we will only list the most important ideas.

Lupáč spent significant effort disproving the idea that the Hussite-Conciliar treaties were only valid for Utraquists alive in 1436.<sup>114</sup> Contrary to the pope, he compiled evidence showing the *Compactata*'s provisions about the chalice were expected to have unlimited validity. A significant role was given to the so-called Imperial *Compactata*, which were agreements between the Hussites and King of Bohemia Sigismund from 1435–1436. He quoted a section from these documents that can be interpreted as a promise of eternal validity of all agreements reached at the time, including the *Compactata* of Basel. For example, there is Sigismund's vow: "we want all things to be upheld and wholly maintained for them in the eternal future by us and our successors."<sup>115</sup> He also pointed out the wording "who are or will be in time" in the previously discussed *Litera expurgacionis et abolicionis*. He used these words to object that the legates of the Council ordered even future clergy to administer communion from the chalice, not just those living at the time of the sealing of the *Compactata*.<sup>116</sup> He also documents the unrestricted validity of the *Compactata* by saying that "eternal peace" is based on the treaties, which is almost certainly a reference to the provisions of "Cedula A".<sup>117</sup> The most interesting of these is Lupáč's reasoning that the use of the present tense in the phrase *qui talem usum habent* certainly does not exclude people not practising *sub utraque specie* in 1436 from adopting the rite. The author notes that the Bible includes at least eleven passages with verbs in the present tense, the content of which is binding not just for the biblical epoch, but for future generations as well. Lupáč adds the same interpretation must be applied to the use of the present tense in the *Compactata*'s key phrase.<sup>118</sup>

Lupáč also responded to the thesis that communion in both kinds as listed in the *Compactata* was actually never permitted.<sup>119</sup> The author of *Super responso* expressed the idea that can be found in various parts and sections of the treatise:

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113) His fate was most recently summarised by Adam PÁLKA, *Papoušek versus Lupáč: polemika o výklad basilejských kompaktát z poloviny 15. století*, *Studia mediaevalia Bohemica* 8, 2016, pp. 41–87, here pp. 44–46. For the debate with Pius II, see R. URBÁNEK, *Věk poděbradský* IV, pp. 557–558; A. PÁLKA, *Super responso Pii pape*, pp. 31–54 (neither work reflects Lupáč's arguments against Pius II's interpretation of the *Compactata*).

114) Reaction to the words quoted above in note 98.

115) [...] *volumus, ut per nos et nostros successores in futurum pro perpetuo singula eis teneantur, et plene conserventur*. AČ III, pp. 427–431, no. 12, here p. 431.

116) *Ecce, hic non presentibus solum, sed etiam futuris episcopis et prelatibus mandatur communicare populum sub duplici specie*. Wien, Österreichische Nationalbibliothek (hereinafter referred to as ÖNB), Cod. 4302, fol. 370r.

117) [...] *super hiis compactatis fundata sunt pax perpetua, unio, obediencia et hiis similia, nam aliter pars nobis adversa nullo modo pacem obtinere potuit. Sed compactatis factis statim pax perpetua pronuntiata est. Si ergo cessant compactata, ut vult papa, non erit pax perpetua*. Ibidem.

118) Presents for example the sentence *Qui habet aures audiendi, audiat* (Matthew 13:9). The entire relevant section is Ibidem, fol. 370r–v.

119) He distances himself from the words quotes above in note 94.

taking communion in both kinds is performed by Utraquists not under the authority of the Council of Basel, but through the power of the Bible (here called the “evangelical and apostolic *Compactata*”). A positive of the *Compactata* with the Council of Basel, Lupáč adds, lies in the fact that the legates, in the presence of many people including the Emperor, praised the chalice in these treaties, which is a reference to the proclamation of the *Compactata* in Jihlava in July 1436.<sup>120</sup> Lupáč’s reaction is proof of the deep ideological divide between Catholics and Utraquists: While the first group understood the *Compactata* as a liturgical concession of the chalice that was a forbidden practice before 1436, the second group was inclined to the interpretation that the *Compactata* were the church’s consent with eternally valid communion in both kinds that had been ordered by Christ himself.<sup>121</sup>

The last example of Lupáč’s objections to the pope’s opinion to be listed here is the problem of the *facultas* of the chalice that should have been issued after the *Ut lucidius videatur* decree. As we already know, the pope declared in March 1462 that the *facultas* had never been published, which he used to doubt the legality of using the chalice in Bohemia and Moravia. In reaction to this idea,<sup>122</sup> Martin Lupáč expressed the opinion that the *facultas* Pius II mentions was meant not for Bohemian and Moravian Utraquists, but for Catholics. According to the text of the *Compactata*, the *facultas* should have allowed communion in both kinds only to adults, which, according to Lupáč, cannot apply to Utraquists who give the chalice to children on the basis of Christ’s order. The chalice licence promised by the *Compactata* was therefore supposed to obligate Catholic clergy to administer communion in both kinds to adults who piously requested it. In connection with that, the Utraquist author notes his alleged memory that the words *annis discretionis* were included in the *Compactata* because of the unwillingness of the Council legates to allow Catholic priests to administer the Eucharist to children.<sup>123</sup> Lupáč thus tried to instil the feeling that the function of the planned license was that if desired, an adult lay person could receive the altar sacrament *sub utraque specie* not just from a Utraquist priest, but also from a Catholic one. The *facultas* should

120) *Dicimus, quod communicandi sub utraque specie vim nullam et auctoritatem habemus ex istis compactatis. Habemus compactata ewangelica et compactata apostolica et per consequens legis Dei [...]. Ex istis vero compactatis humano modo fabricatis solum hoc bono gaudemus, quod communio sub utraque specie laudata est a parte adversa ore et literis legatorum auctoritate generalis concilii coram generali et multum splendida audiencia imperatoris, principum et multarum gentium finitinarum regionum...* ÖNB, Cod. 4302, fol. 369r–v.

121) For more on this dispute, see also Adam PÁLKA, *Basilejský koncil očima českých utrakvistických a katolických učenců pozdního středověku (1438–1526)*, Časopis Matice moravské 137, 2018, pp. 29–56, here pp. 52–53, 55–56.

122) He specifically reacted to the words quoted above in note 95.

123) [...] *papa non intelligit compactata, quia hec promissio seu politacio non fuit, nec debuit dari pro nobis, sed pro sacerdotibus adversariis tocius regni, qui ad communionem parvulorum non adducerentur, nec nobis legati de parvulis consensissent, nec concilium daret. Ideo propter sacerdotes adversarios notatum est de annis discretionis, non propter nos aut sacerdotes nostros, qui communionem parvulorum eadem fide, ex fide et mandato Cristi observamus, sicut communionem adultorum per omnia.* ÖNB, Cod. 4302, fol. 369r: On similar ideas in the treatise *Sensus*, see A. PÁLKA, *Papoušek versus Lupáč*, pp. 57–58, 79.

therefore have ensured that all priests in Bohemia and Moravia could administer communion in both kinds. Lupáč proves this conclusion on the example of a quote from the above-mentioned Imperial *Compactata*: “freedom to take communion in both kinds will be granted to all in the Kingdom of Bohemia and the Margraviate of Moravia through the Holy Council of Basel...”<sup>124</sup>

### In Direct Connection to 1462: Pius II's *Profecturos adversus*

Shortly before his death, Pius II, certainly disappointed by the unwillingness of the Utraquists to subjugate themselves to his statement from 1462, once more extensively objected to the use of the chalice and the *Compactata* of Basel. He did so in the papal bull *Profecturos adversus* from June 1464, where he added further thoughts about the *Compactata* to those listed two years earlier.<sup>125</sup> As part of a historic excursion the pope determines the genesis of the treaty between the Hussites and the Council, noting that the Hussites acquiesced to the judgement of the Council in three of the Articles of Prague while the matter of taking communion in both kinds as a binding article of faith would only be decided in the future by the Council.<sup>126</sup> The pontiff then summarises the content of the *Compactata* pertaining to the chalice. For better clarity, let us list the main ideas in Pius II's interpretation of the third part of “Cedula A” in points: (1) The holy council permitted Bohemians and Moravians of both genders who are used to taking communion in both kinds to continue in this practice in the name of the Lord and with the authority of the church.<sup>127</sup> (2) When administering communion in both kinds to lay people, priests were to proclaim the full presence of Christ in communion in one kind, so that Utraquists did not feel a superiority of *sub utraque* over *sub una*.<sup>128</sup> (3) Children

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124) [...] *licentia per sacrum concilium Basiliense omnibus tam in regno Bohemiae quam marchionatu Moraviae constitutis dabitur, sub utraque specie communicandi...* AČ III, p. 430.

125) Document published in *Aeneae Silvii Piccolomini Senensis qui postea fuit Pius II Pont. Max. Opera inedita*, ed. Giuseppe CUGNONI, in: *Atti della R. Accademia dei Lincei. Memorie della Classe di scienze morali, storiche e filologiche* 280/8, 1882–1883, pp. 319–686, here pp. 461–470, no. LXXI. Cf. G. VOIGT, *Enea Silvio de' Piccolomini* III, p. 500; R. URBÁNEK, *Věk poděbradský* IV, pp. 766–768; H. KAMINSKY, *Pius Aeneas among the Taborites*, pp. 302–304; F. G. HEYMANN, *George of Bohemia*, pp. 381–382; Kenneth M. SETTON, *The Papacy and the Levant (1204–1571)* II. *The Fifteenth Century*, Philadelphia 1978, pp. 294–295; J. SMOŁUCHA, *Polityka Kurii Rzymskiej*, p. 317. Apart from Voigt and Setton, who both briefly address Pius's negative stance on the *Compactata*, I know of no researcher that paid attention to the reflection on the *Compactata* in this bull.

126) *Postremo de tribus articulis, hussite iudicio Synodi consenserunt. Ita suas propositiones interpretantes, et dictis suis adeo artificiosas glosas adicentes, ut sine heresis labe sustinere possent. De quarto communionis utrum esset de precepto domini, rursus in concilio diffiniendum esse placuit. Verum quia vis maior super hoc articulo esse videbatur, persuasaeque hussitarum multitudo ab ea divelli non poterat; conventiones cum ipsis hussitis sub nomine Bohemorum ac Moravorum habite sunt, et capitula quedam edita, quae vocantur compactata. Aeneae Silvii Piccolomini Senensis ... Opera inedita*, p. 464.

127) *Indulsit Sancta Synodus omnibus utriusque sexus de Regno Bohemiae et Marchionatu Moraviae usum habentibus communicandi sub utraque specie, alioquin ad id habilibus, ut in nomine domini auctoritate universalis ecclesiae communionem ipsam continuarent...* Ibidem.

128) [...] *ut per sacerdotes eorum plebibus declararetur sub utraque specie totum et integrum Christum contineri: ne plus accepisse aut plus mereri putarent, qui sub duabus speciebus, quam qui sub una communicaret.* Ibidem.

and fools must not be allowed to take holy communion and no one must be forced to the practice.<sup>129</sup> (4) The Hussites should accept the general rites of the church and unify themselves with it.<sup>130</sup> (5) Communion in both kinds was allowed until the Council examined the necessity of the chalice and then the holy assembly, on the basis of its considerations, would again grant the communion to those individuals that requested it (*petentibus*).<sup>131</sup> These arguments are not at all surprising. It should also be emphasised that Pius II once again associates the wording that was to be used in the expected new license for the chalice with the *Compactata* themselves. In the opposite case, he would not have claimed that Utraquist clergy should inform lay people about the full presence of Christ and that it was impermissible to allow children and fools to take communion (this was almost certainly based on the key phrase *annis discrecionis*).

To describe the subsequent events, Pius II claims that “the Holy See never confirmed the *Compactata*, though the Hussites blather the opposite.”<sup>132</sup> This would seem to be the pope criticising the mistaken belief among the Utraquists that the *Compactata* were confirmed by Eugene IV, as he would know of this phenomenon from his conversation with Václav Koranda two years earlier.<sup>133</sup> The papal bull also states that the Council declared sub-unitary practice as sufficient, and the key provision from the Basel decree from December 1437 is paraphrased. As we know, according to Pius II the validity of the license for the chalice in the *Compactata* ended as soon as the decree was published. It is thus not surprising that just as in 1462 he declares: “It is not known that the Hussites subsequently requested communion in both kinds from the Council nor that they received such authorisation.”<sup>134</sup> And just as in 1462, he reaches the conclusion that it is no longer possible to practise Utraquism on the basis of the *Compactata*.<sup>135</sup>

The often-emphasised violations of the treaty with the Council also have their place in *Profecturos adversus*. The obligatory complaint about the communion of fools and children then and now includes a new and interesting item of information: the Utraquists publicly appeal to these individuals to participate in the eucharistic rite. In his criticism of forcing Catholics to take the chalice, Pius II newly states that besides refusing funerals and sacraments, people unwilling to practice *sub utraque*

129) [...] *ne quo pacto infantes aut mente captos ad communionem divini sacramenti adducerent, neve invitum ad bibendum de calice quenquam compellerent*. Ibidem.

130) *In caeteris vero universalis ecclesiae ritum resumerent et illi se conformarent*. Ibidem.

131) *Indultaque est huiusmodi communio, donec in Concilio diffiniretur, an communicare sub utraque specie de praecepto domini esset et ad salutem necessarium. Tunc vero Sancta Synodus, si videret communionem ipsam expedire, petentibus illam ulterius indulgeret*. Ibidem.

132) *Compactata vero Sancta Sedes apostolica nunquam approbavit, quamvis contrarium garriunt hussite*. Ibidem.

133) *Poselství krále Jiřího*, p. 335.

134) *Nec repertum est, quod postea hussite communionem utriusque speciei a concilio petierint, aut petitam sive ultro indultam obtinuerint. Aeneae Silvii Piccolomini Senensis ... Opera inedita*, p. 464.

135) *Propter quod manifestum est in vim compactatorum non posse hussitas laicos communionem calicis adire*. Ibidem, pp. 464–465.

*specie* are refused ranks or offices.<sup>136</sup> He then envisions what the Bohemians' and Moravians' respecting the *Compactata* would look like, *de facto* repeating one of the arguments expressed two years prior. He reasons that if only those who took communion in both kinds in 1436 continued the practice at the present time, there would be very few people taking from the chalice (*eius communionis amatores*) left in the kingdom and margraviate after nearly 30 years since the promulgation of the *Compactata*. In order to emphasize the actual approach of the Utraquists towards the *Compactata*, Pius II criticizes them for giving the chalice to children and forcing the practice on Catholics, and this improper behaviour is logically reasoned by their efforts to maintain their numbers.<sup>137</sup> The pope's conclusion is simple: "The law was publicly violated and the *Compactata* were damaged."<sup>138</sup>

In 1464, Pius II did not just ideologically continue his reasoning from his two-year-old speech in Rome, but also from his meeting with George of Poděbrady in Benešov. *Profecturos adversus* notes the provision in "Cedula B" that not following the general rites of the church by some of the Utraquists does not present an obstacle to peace and unity. As in the 1450s, the pope objects that there is no reason to refer to this provision "because not three or four or several have violated the agreement, but the entire Hussite community has resigned from it as those who do not have such a rite take communion in both kinds, such as children and toddlers..."<sup>139</sup> The Pope's conviction that the Utraquists do not uphold the rites of the Catholic Church in contrast to the *Compactata* is then supported by pointing to the question of the necessity of the chalice: the return of Bohemians and Moravians to the bosom of the church (*conversio*) was not genuine because the Utraquist teaching of the *necessitas* of the chalice was never repudiated and the laity were taught about it in sermons (besides other delusions). Pius II's criticism of the necessity of the chalice could be seen during his meeting in Benešov, but here it is noteworthy that the pontiff refers to his own experience.<sup>140</sup> On the general level, it probably did not happen often that a Catholic would point out behaviour *contra compactata* using personal experience.<sup>141</sup>

136) *Infantulos enim et dementes publice ad communionem calicis vocaverunt, et hodie vocare feruntur; nolentes communicare per subtractionem sepulture et aliorum sacramentorum perque denegationem magistratum et honorum, invitos compulere.* Ibidem, p. 465.

137) *Quod si servata fuisset lex apposita, ut soli habentes usum communicassent sub utraque specie, paucissimi nunc essent in toto Regno et marchionatu eius communionis amatores; cum iam annis ferme triginta renovata quodammodo sit aetas et per pauci illius temporis vivant, qui tunc usum habuere bibendi calicem. Sed ipsi pueros et non habentes usum ad usum admisere. Et ita factum est, ut non pauciores sint hodie, quam tunc fuerunt, ad calicem accedentes.* Ibidem.

138) *Publice itaque fracta lex est et fraus indita compactatis.* Ibidem.

139) [...] *quoniam non tres, aut quattuor, aut aliquot pauci conventa sprevere, sed universitas omnis hussitarum ab illis recessit, communicando sub utraque specie non habentes usum, veluti pueros et infantes...* Ibidem.

140) [...] *nec vera fuit unquam eorum conversio, qui nunquam errorem illum de necessitate calicis assumendi ex animis dimoverunt; sed praedicantes plebibus priorem insaniam magis ac magis inculcaverunt, et alios damnatos articulos in angulis clauculum suis auditoribus quotidie insinuerunt; quaemadmodum in minoribus constituti, cum Bohemiam intravissemus, plane didicimus.* Ibidem.

141) For example, the words of John of Palomar from 1438 can allow us to infer the Catholic diplomat based his note concerning the omission of the words about the full presence of Christ on personal

The text is also noteworthy because the pontiff mentions the negotiations that took place in the spring of 1462 that led to the official invalidation of the *Compactata*. When he recalls what he told the Czech envoys about the *Compactata*, he paraphrases his statements about the end of the validity of the *Compactata* (*petita atque obtenta*) as a result of the publication of the Council's decree about holy communion, or as a result of violation of the *Compactata*'s provisions by the Utraquists (again the communion of children and people who did not practice the rite are listed).<sup>142</sup> Furthermore, Pius II says he told the emissaries from King George that the *Compactata* divided the kingdom more than they united it as these treaties conceded communion *sub utraque specie* to some and forbid it to others. Pius's recounting of recent history does not end there as he intensifies his criticism of Utraquism by describing the king's spirited performance in August 1462. Space is given to the *Compactata* here as well – George appears in the role of a defender of the treaties issued by a general council (*generalis concilii decreta*) that cannot be voided, even by a pope.<sup>143</sup> The varying views of Utraquists and Catholics heard during the Prague assembly are subsequently summarised. According to Pius II, the former group expressed a firm resolve to defend the *Compactata*, while the Catholics spoke of the insignificance of the Hussite-Conciliar treaties and the will to follow the traditions of their forefathers and the orders of the pope.<sup>144</sup> At the end, Pius II objects to George of Poděbrady's resolute defence of the chalice and the *Compactata* by repeating the thesis that the agreements with the Council do not have any validity.<sup>145</sup>

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conversations with several members of the Utraquist clergy: *hoc in nullo loco Bohemie servatur. Dicunt aliqui sacerdotes, de hoc interrogati, quod esset grave onus, et quod iam in predicacionibus instruunt populum.* J. PROKEŠ, *M. Prokop z Plzně*, p. 266. At the beginning of the 1450s, John of Capistrano gave the example of a *contra compactata* violation when Utraquists in Kroměříž captured Catholic priests who were forced to give communion from the chalice: *nunc est patens exemplum in Cremsyer, ubi detenti sunt sacerdotes de Radisch et coacti ad ministrandum populo laycali communionem sub utraque specie...* F. VALOUCH, *Životopis svatého Jana Kapistrána*, p. 827.

142) *De compactatis respondimus id, quod supra tactum est: ea scilicet non fuisse, ut convenerat, post diffinitionem de precepto a concilio, petita atque obtenta, et alioquin etiam si obtenta fuissent, annullata esse, quia non servassent hussite, que in eis convenerant: non habentes usum passim de calice participant, etiam infantulos.* Aeneae Silvii Piccolomini Senensis ... *Opera inedita*, p. 468.

143) *Rex, ut audivit compactata negari sibi que communionem calicis interdicti, dixit se sub observantia communionis utriusque spetiei natum et educatum, eamque salutarem divina lege mandatam nec velle nec posse dimittere; compactata insuper illam indulgere; meruisse Bohemos prestantia et virtute sua pre ceteris regnis eas compactatorum prerogativas nolle ab illis recedere; stare illa et robur habere etiam nolente Papa, quia non posset Romanus pontifex Generalis Concilii decreta rescindere...* Ibidem, p. 469.

144) *Primi hussite regi respondentes gratias egerunt ei, quod mentem suam ad eorum intentionem declarasset; corporaque et substantias suas pro defensione compactatorum et regis obtulerunt. Catholici nihil sibi cum compactatis esse dixerunt neque illis usus unquam fuisse neque usuarios. Velle se ut hactenus fecissent paternis inherere traditionibus et apostolice sedis mandatis obedire.* Ibidem.

145) [...] *in superbiam se erexit et servaturum se compactata et sub utraque spetie communicaturum, etiam nobis inhibentibus, contestatus est. Cum certum sit compactata, quae memorat, nullum habere vigorem.* Ibidem, p. 470. Pius II also notes the controversial arrest of Fantinus de Valle, a royal procurator and papal legate, by George of Poděbrady.

It is obvious that the arguments in the papal bull are not significantly different from those expressed by Pius II in public in 1462. He again insisted on the interpretation that the *Compactata* bestowed communion in both kinds for a short period (specifically until December 1437) upon Utraquists living at the time when the treaties were proclaimed. He did not omit the fact that the *facultas* allowing Bohemian and Moravian clergy to administer communion in both kinds was never published. He again reasoned the invalidity of the *Compactata* with the alleged illegal activity of the Czechs, accusing all Utraquists of violating the provisions of the agreements. An entirely new angle of attack that could not appear in his previous statements is Pius's reflection upon his own official cancelation of the *Compactata* in 1462 and the Czech King's decision not to respect the pontiff's decision.

### Conclusion

The attention that Enea Silvio Piccolomini paid to the *Compactata* in the 1450s and 1460s signals the agreement between the Hussites and the Council of Basel played an important role after 1436 in the Czech lands as well as abroad. We have proven that the *Compactata* became the central theme for Enea at least four times, each time in a different situation. The first instance was as a royal ambassador telling George of Poděbrady in Benešov that the *Compactata* were invalid due to many violations committed by the Utraquists. Four years later, still in the position of Frederick's diplomat, he tried to convince the pope to have the Holy See confirm the Hussite-Conciliar treaties for strategic reasons. In 1462, when Enea wore the papal tiara himself, there was no trace of such understanding as he officially voided the *Compactata* for a number of reasons, partially based on his statements from the meeting in Benešov. Two years later, this time without direct contact with Czechs, he issued the *Profecturos adversus* bull that confirmed that his highly critical view of the *Compactata* had not changed at all.

While his statements were of a more negative character in Benešov, within the voiding of the *Compactata*, and in the *Profecturos adversus* (he spoke of the violations of the *Compactata* by the Utraquists, and in the 1460s he furthermore stressed the limited validity of the *Compactata* or the lack of the Council issuing the *facultas*), the speech meant for Callixtus III emphasised the positives (the legitimate approval of the chalice by the Council, the overall benefit of confirming the *Compactata* in the geo-political situation of the time). It should be remembered that even during his sympathetic statement 1455, Enea did not retreat from the conviction (uncommon among the majority of Czechs) that the *Compactata* were a short-term church license for the Bohemians and Moravians to use the chalice.

There is the question whether Enea's views of the *Compactata* were original. First we have to list the main points of his interpretation of the treaties: (1) Utraquists have violated the *Compactata* and thus rendered them invalid – the specifics include the rejection of sub-unitary communion; not informing about the full presence of Christ; administering the chalice to children and fools; forcing Catholics to take the chalice; refusing funerals, sacraments, and office to Catholics; hymns sung in Czech during mass; and the non-canonical election of John Rokycana as

archbishop. (2) The agreement with the Council of Basel bestowed Bohemians and Moravians with communion in both kinds for a limited time under certain conditions that were not upheld. (3) The *Compactata* suggest that after the publication of the *Ut lucidius videatur* decree in 1437, which meant the end of the validity of the Council license from July 1436, Utraquists could have received a new *sub utraque specie* authorisation on the basis of a request, but this never occurred.

It can generally be said that none of Enea's ideas were completely original and to a certain extent he followed (either knowingly or unknowingly) texts and statements created by other intellectuals. Various *contra compactata* violations had been listed by former councillor John of Palomar and conservative Utraquist Prokop of Pilsen.<sup>146</sup> The thesis about the limited validity of the *Compactata* had clearly been elaborated by Basel legate Philibert in Prague (August 1437). He based the idea on the present tense used in the sentence *qui talem usum habent*.<sup>147</sup> We have seen in Enea's statements that the validity of the Basel treaties could also be limited by issuing the Council decree about holy communion. That had first been argued by John Papoušek of Soběslav in his treatise *Edicio* that also pointed out the violation of the conditions set by the Council.<sup>148</sup> Before Enea's statement from 1455, Papoušek had also been the one who pointed out Czechs might receive a new chalice concession after the publication of the *Ut lucidius videatur* decree.<sup>149</sup> Furthermore, Nicholas of Cusa had contemplated in his 1452 letter why the promised *facultas* had never been issued,<sup>150</sup> which Pius II provably did for the first time in Rome ten years later.

Despite that, it cannot be said that Enea only copied the ideas of his predecessors. Some details were probably not listed in previous statements or speeches by other authors. Before the discussion between Enea and George of Poděbrady in Benešov, I know of no Catholic that explicitly states the *Compactata* have lost their validity because of being violated. In terms of the violations of the *Compactata* themselves, a complete comparison of various Catholic authors has to be

146) J. PROKEŠ, *M. Prokop z Plzně*, pp. 262–268.

147) This is written about Philibert: *Idcirco admonebat, ortabatur in virtute facte obediencie, ut populum usum habentem tempore concessionis et in locis, ubi vigeat communio, communicarent sub utraque specie plebani per se vel alium... Johannis de Turonis Regestrum actorum in legationibus a sacro concilio in Boemiam*, ed. Ernst BIRK, in: MC I, pp. 785–867, here p. 860. A similar argument, this time in association with the communion of children, can be found *Ibidem*, p. 862. Philibert's statement and the general effort by the legates for Utraquism to die out was noted by Winfried EBERHARD, *Der Weg zur Koexistenz: Kaiser Sigmund und das Ende der Hussitischen Revolution*, Bohemia. Zeitschrift für Geschichte und Kultur der Böhmischen Länder 33, 1992, pp. 1–43, here p. 37.

148) Quinto, *in eadem sacri concilii concessione ponitur, quod communio calicis con ceditur usque ad discussionem et lycenciam*. A. PÁLKA, *Papoušek versus Lupáč*, p. 74. *Videamus, si Boemi tenent, quod promiserunt sacro concilio. [...] Prospiciat ergo quilibet racione utens, si Bohemi ista tenent, et videbit oppositum*. *Ibidem*, pp. 73–74.

149) [...] *si discussionem suscipietis, ulterius procedemus in compactatis, scilicet si perseveraveritis in desiderio communions, dabitur licencia vestris sacerdotibus communicandi*. *Ibidem*, p. 74.

150) *Ideo ex eorum negligentia permissio etiam quoad personas, quae usum habebant, non est sortita effectum, minus permissio de libertatione concedenda obtinere potuit a synodo – semper ob talium presbyterorum praesumptam pertinaciam, qui toto tempore, quo concilium sedebat, compactata nulla ex parte observare curarunt... Nicolai de Cusa opera omnia XV/1, p. 63.*

performed in the future. At this point in the research, Enea's complaint that the Utraquists have violated the *Compactata* by denying offices seems to be original. We must also mention that unlike other Catholic scholars, Enea explained why the agreement about maintaining peace despite occasional violations of ecclesiastic rites had no significance. I also know of no other author who expressed the idea that the provision about communion in both kinds was never valid both in the *Litera expurgacionis et abolicionis* and in "Cedula A". Piccolomini showed himself to be an original thinker also in comparing the *Compactata* to passages from the Bible. It must also be said that Enea showed a certain ideological originality in 1455 when he reasoned the utility of papal confirmation of the *Compactata*; and in 1462 when he presented the reasons for their voiding. I am not aware of any other works of a similar aim.

As we presented the documents that comprised the *Compactata* at the beginning of this paper, we should briefly summarise the parts of the *Compactata* of Basel that Piccolomini focused on most often. It is no surprise that the most attention was paid to the third point of "Cedula A" as this provision about communion in both kinds was virtually reflected by all who examined the *Compactata* in the 15<sup>th</sup> century. Enea mentioned the Hussite-Conciliar agreement about the chalice in each analysed text. The provision of establishing peace from "Cedula A" was reflected, but not expressly mentioned. Twice – in Benešov and in the bull of 1464 – Enea mentioned the second point of "Cedula B". He also took into account the conciliar order to clergy in the *Litera expurgacionis et abolicionis* when he made his statement in Rome in 1462. This evidence clearly shows Enea did not reduce the *Compactata* only to the key provisions of "Cedula A".<sup>151</sup>

Let us discuss one more interesting fact that can be deduced from the previous analysis. In the 1430s, Enea was one of the representatives of the Council of Basel and at the end of the decade he entered the service of the council-installed anti-pope Felix V. However, he left the pontiff at the beginning of 1443 and eventually turned out to be a staunch opponent of conciliarism.<sup>152</sup> Therefore, the question is what position Enea took on the Council of Basel, which could not be ignored within the reflection of the *Compactata*. Although he did not usually refer to the council as holy,<sup>153</sup> he presented it mostly in a positive way as an authority allowing the Hussites the chalice for a limited time and then issuing the *Ut lucidius videatur* decree which praised communion in one kind. The meeting of Christendom in Basel was thus seen as legitimate from 1431 until 1438 when Eugene IV ordered the Council to move to Ferrara. A number of other Catholics would have agreed with this view.<sup>154</sup>

151) John Papoušek of Soběslav, well known to Enea, reduced it thus as seen in his polemic *Edicio*. Cf. A. PÁLKA, *Papoušek versus Lupáč*, pp. 73–74.

152) Enea's journey from conciliarism to papalism is documented in *Reject Aeneas, Accept Pius*.

153) If we are to believe Koranda's account, the adjective holy was used by Pius II in March 1462: "In the Council of Basel a decree or enactment was made by the Holy Church against that..." (The original wording: *Proti tomu v koncilium Bazilejském cierkvi svatú učiněn jest dekret nebo ustavenie...*) *Poselství krále Jiřího*, p. 341. The bull *Profecturos adversus* labels the Council as *Sancta Synodus* twice. See *Aeneas Silvii Piccolomini Senensis ... Opera inedita*, p. 464.

154) For a reflection on the Council, cf. A. PÁLKA, *Basilejský koncil*, pp. 29–56.

Only in the speech to Callixtus III does Enea note, twice, that the council entered into conflict with the pope after 1438.<sup>155</sup>

We can thus infer that Enea's mostly critical views of the *Compactata* that eventually led to their cancellation were not primarily based on the fact that they had been negotiated with the Hussites by the Council that subsequently rejected the Roman papacy as such and installed the last antipope in history. For Enea, it was probably much more important that from his point of view these documents caused more harm than good, mainly because of the Utraquists. However, more research needs to be done in order to determine if Pius II may or may not have perceived the *Compactata* (similarly to the Pragmatic Sanction of Bourges) as a "dangerous remnant of the Basel council's legacy", "dangerous instrument of conciliar authority" and "unwelcome reminder [...] of the enduring authority of the Council of Basel".<sup>156</sup>

As the interpretation of the *Compactata* by other Catholics is certainly not a closed matter and future research into it will certainly reveal new discoveries, it cannot be ruled out that some of the suggested conclusions about the originality or lack thereof in Enea's thinking may be revised over time. However, further research will hardly find another member of the Catholic party that lent as much attention to the *Compactata* between the Hussites and the Council over the years as Piccolomini did. It will also be nearly impossible to find another Catholic scholar who changed his mind about the benefits of the *Compactata* more than once.<sup>157</sup>

155) [...] *quia post compactata mox subortum est in ecclesia Dei grave discidium, cum Eugenius, antecessor tuus, patres in Basilea congregatos damnaret, illi autem Eugenium multifarie persequerentur*. Oration "Res Bohemicas", p. 98. *Sed quia vidimus patres in Basilea residentes, antequam concilium auctoritate apostolica solveretur...* Ibidem, p. 118.

156) These formulations are used by E. O'BRIEN, *The 'Commentaries' of Pope Pius II*, pp. 81, 80, 152. On p. 72, she also claims that when Piccolomini spoke in favor of conceding the chalice to the Utraquists in 1455, that speech was "as an endorsement of conciliar authority as preserved and protected in the Prague Compacts". For another example of stressing the role of anti-conciliarism in Pius's decision, see P. ČORNEJ, *Kvadratura kruhu*, p. 282.

157) This study has been produced with the assistance of the database Czech Medieval Sources online, provided by the LINDAT/CLARIAH-CZ Research Infrastructure (<https://lindat.cz>), supported by the Ministry of Education, Youth, and Sports of the Czech Republic (Project No. LM2018101).