

# Jan van Arkel: Prince-Bishop during the Black Death

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## Summary

This thesis is about Jan van Arkel, prince-bishop of Utrecht during the Black Death (1346-1353). I ask how the prince-bishop of Utrecht response to the Black Death was depicted in ecclesiastical and narrative sources, specifically in diocesan synods, charters in the name of the bishop, and later chronicles detailing the life of the bishop. This is important research because the Black Death in Utrecht has not yet been researched in-depth, and because there is a debate on whether, and for what reason, the Low Countries did not write about the Black Death as much as other regions. My approach to these problems is to evaluate a single person's context and responses to the Black Death, rather than big data. I found that Jan van Arkel's behaviour before the Black Death was often about increasing his authority and imposing public order on the diocese. Accordingly, during the Black Death he responded to the plague by creating an administrative tool to oversee future outbreaks, and tailor-made rules for a plague-stricken monastery. Narrative sources also presented him as a strong leader, detailing his military victories, survival of hardships, and his revenge on his enemies.

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## Prefatory Note

On 11 March 2021, the Utrecht Archive experienced an ICT disruption because of ransomware. The inventories of documents remained visible, but scans were no longer available.<sup>1</sup> Furthermore, the archive has not been open for in-person visits due to Covid-19. Because of these limitations, I was not able fully to research one of my sources, the *Catalogus Episcoporum Ultrajectinorum*. I copied a Dutch translation of the contents of this source before the disruption, and have had to use this for my analysis rather than scans of the source. Therefore, in part D, under the heading *Catalogus Episcoporum Ultrajectinorum*, I have quoted the Dutch translation. There is one ambiguity in the translation, where a plague is spoken of (“*een aardbeving, die vreselijke plagen voorspelde*”), but I assume the Dutch word means ‘turmoil’ or ‘torment’ rather than ‘plague’. I was unable to access the original latin to check this, but these two definitions fit the remaining text better than ‘plague’ because no plague is later described. This disruption is also an example of the difficulties in doing research during a ‘plague time’, as documents sometimes became hard to locate during the Black Death as well.

## Introduction

There is a mystery among the surviving documents from the Low Countries that were made during the Black Death (1346-1353). These documents often do not mention the plague, especially when compared to contemporary Italian or French sources. A discredited, but influential, approach by Van Werveke argued that the Low Countries actually were (generally) not infected by the bubonic plague and therefore people did not write about the plague.<sup>2</sup> However, until proven otherwise, there is no good reason why the Low Countries would not be affected by the Black Death as much as their neighbours, as population density was high and there was frequent trade with outsiders.<sup>3</sup> Both old and new literature on the topic maintain a similar methodology: looking for demographics, or, where there are no demographic sources, sources that mention great deaths. This has produced some interesting results, with Blockmans and Roosen & Curtis finding that either all records of certain activities entirely stopped or that employees/church officials were replaced at an alarming rate.<sup>4</sup> This has led to an explanation that sources from the Low Countries did not mention the plague often because the administration fell apart during the Black Death. However, De Boer provides evidence that administration did not fall apart everywhere or in the same way.<sup>5</sup> Another explanation, by Benedictow, is that it was not culturally accepted to

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<sup>1</sup> “Website voorlopig beperkt toegankelijk,” Het Utrechts Archief, last accessed 4 Apr 2021, <https://hetutrechtsarchief.nl/over-ons/nieuws/594-digitale-collectie-beperkt-toegankelijk>.

<sup>2</sup> Hans van Werveke, “De Zwarte Dood in de Zuidelijke Nederlanden, 1349-1351,” *Mededeelingen van de Koninklijke Vlaamse Academie voor Wetenschappen, Letteren en Schoone Kunsten van België* 12, no. 3 (1950).

<sup>3</sup> Ole J. Benedictow, *The Black Death 1346-1353: The Complete History* (Woodbridge: The Boydell Press, 2004), 207.

<sup>4</sup> W.P. Blockmans, “The social and economic effects of plague in the Low Countries: 1349-1500,” *Revue belge de Philologie et d'Histoire* 58, no. 4 (1980), 843 and Jorris Roosen and Daniel Curtis, “The Light Touch of the Black Death in the Southern Netherlands: An Urban Trick?,” *Economic History Review* 72, no. 1 (2019) 43-44.

<sup>5</sup> Dick E.H. de Boer, “*Graaf en grafiek : sociale en economische ontwikkelingen in het middeleeuwse “Noordholland” tussen ± 1345 en ± 1415*” (PhD. diss., University of Leiden, 1978), (page missing, will add when I have book again).

discuss the plague, or that rulers did not want to seem weak, and therefore it simply wasn't mentioned in sources.<sup>6</sup>

However, rather than attempting to research the Black Death in the Low Countries generally, I will look at a case study of a particular region. The southern Low Countries have been well studied in this regard, as well as the Holland and Friesland regions of the Northern Low Countries. The Utrecht region, which I will define as the prince-bishopric of Utrecht, has been somewhat neglected. For example, in texts by De Boer and Benedictow, some documents from the prince-bishopric of Utrecht were quoted, but only to give an example of a region that experienced the plague.<sup>7</sup> As I will show in this essay, studying the Utrecht region can provide a meaningful addition to our understanding of the Black Death in the Low Countries. Given the periodisation of the Black Death (roughly 1349-1351 in this part of the Low Countries), I chose to follow one individual during the Black Death and a few years before, and limiting this research to the years 1343-1351. That individual is Jan van Arkel, the prince-bishop of Utrecht, who was elected in 1343, and who ruled beyond the Black Death. I will focus on the ecclesiastical duties of Jan van Arkel. Five sources will be used for this: Utrecht diocesan synodal records from 1343-1350, the *Statuta Ecclesiae Traiectensis* by Hugo Wstinc from 1343, a charter in which Jan van Arkel gives new statutes to the plague stricken convent Marienberg from 1351, the *Catalogus Episcoporum Ultrajectinorum* from 1342 (with later additions up to 1430), and the *Kroniek* by Johannes de Beke from 1346 (with later additions, specifically the Middle-Dutch translation and new sections from 1393).

Research on this topic is important because the Northern Low Countries are underrepresented in research on the Low Countries, and Utrecht specifically has not been given more than a paragraph in any research on the Black Death in the Low Countries. The five sources I will discuss have also not been analysed in the context of the Black Death, even though they were made during the plague or discuss events from those years. Further, the current Covid-19 pandemic is reviving interest in older pandemics. This interest ranges from academic texts like Shameck et al's "COVID-19: Is it the black death of the 21st century?"<sup>8</sup> or Varlik's "Rethinking the history of plague in the time of COVID-19"<sup>9</sup>, to mass media, like the Guardian's "What can we learn about 2020 from the Black Death?"<sup>10</sup> or the Miami Herald's "Black Death's rapid spread in 2nd outbreak could have lessons for COVID-19".<sup>11</sup>

In order to better understand the impact of the Black Death in Utrecht, I will ask: How was the Prince-Bishop of Utrecht's response to the Black Death depicted in ecclesiastical and narrative sources, specifically in diocesan synods, charters in the name of the bishop, and later chronicles detailing the life of the bishop? To answer the question, this essay will be split into four parts: historiography, context, ecclesiastical sources, and narrative sources.

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<sup>6</sup> Benedictow, *The Black Death*, 207.

<sup>7</sup> De Boer, "Graaf en Grafiek," (page missing, will add when I have book again). and Benedictow, *The Black Death*, 205

<sup>8</sup> Ali Shameck, Ata Mahmoodpoor, and Sarvin Sanaie, "COVID-19: Is it the black death of the 21st century?," *Health Promot Perspect* 10, no. 3 (2020).

<sup>9</sup> Nükhet Varlik, "Rethinking the history of plague in the time of COVID-19," *Centaurus* 62, no. 2 (2020).

<sup>10</sup> Sam Wollaston, "What can we learn about 2020 from the Black Death? Dorsey Armstrong has all the answers," *The Guardian*, published 1 Nov 2020, <https://www.theguardian.com/world/2020/nov/01/what-can-we-learn-about-2020-from-the-black-death-dorsey-armstrong-has-all-the-answers>.

<sup>11</sup> Katie Camero, "Black Death's rapid spread in 2nd outbreak could have lessons for COVID-19, study says," *Miami Herald*, published 20 Oct 2020, <https://www.miamiherald.com/news/coronavirus/article246586248.html>.

The first part will ask how other historians have approached the relatively small number of sources that describe the Black Death in the Low Countries. This will consider the major works in the debate between two opposing approaches, namely the works by Van Werveke (195), De Boer (1979), Blockmans (1980), Benedictow (2004), and Roosen & Curtis (2019). The second part will ask what the context for the actions of the bishop Jan van Arkel are, with the outcome being the creation of a 'normal state of affairs' to compare with later plague years. This will take into account the synodal statutes for the diocese of Utrecht between 1343 and 1348, and the *Statuta Ecclesiae Traiectensis* which explain the responsibilities of a bishop and funerary rituals. The third and fourth parts will ask whether the ecclesiastical and narrative sources show a response from Jan van Arkel, to the Black Death. In these parts, the remaining sources will be analysed by introducing their contents and contexts, to discern what (if any) response to the Black Death is present. I will argue that these sources each show a different response to the Black Death, and that these differences are due to their format and to legal/cultural expectations.

## Main Body

### A: Historiography

How have historians approached the relatively small number of sources on the Black Death in the Low Countries? In general, historiography on this topic can be broken up into two approaches: the 'light touch' approach and the 'heavy touch' approach. Simply put, the 'light touch' approach argues that the Low Countries were not severely affected by the Black Death and therefore people did not write about it, and the 'heavy touch' approach argues that the Low Countries were (possibly severely) affected by the Black Death but that people did not write about it often, for varied reasons. In this section I will first discuss the original 'light touch' approach developed by Van Werveke in 1950, then two responses to the 'light touch' approach by De Boer and Blockmans in 1978 and 1980 respectively (though there were a few earlier responses, these two are cited more often and seem to be more important), and then the modern state of the 'heavy touch' approach as shown by Benedictow in his 2004 book and Roosen and Curtis in their 2019 article. Afterwards, I will discuss how these two theories are applied. In literature that does not specialise in the Black Death (and even in some which does), the 'light touch' approach is often repeated uncritically, and often it is the underpinning of our understanding of certain behaviours or developments. From the application of the two theories I will shortly discuss an epidemiology book and an economic history article which show why subscribing to the 'light touch' approach is problematic.

#### Light Touch Approach

The 'light touch' position was first developed by Van Werveke in his 1950 article "De Zwarte Dood in de zuidelijke Nederlanden 1349-1351."<sup>12</sup> As the title states, this article is focused on the Southern Low Countries, roughly the equivalent of modern Belgium. Van Werveke's thesis is that the Southern Low Countries were not touched by the Black Death anywhere

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<sup>12</sup> "Light touch" is a label given by Roosen and Curtis in 2019, but I use it here to sum up the main points of Van Werveke, and the label made by Roosen and Curtis is also specifically meant for Van Werveke.

near as widespread or deadly as in other areas of Europe. The article comes as a response to both historians and contemporary sources making too many assumptions and using misleading figures. He criticises, for example, Meinsma and Torfs, who each put out highly regarded, but also flawed, arguments that the Low Countries experienced the Black Death.<sup>13</sup> There are several assumptions made by these two historians, which Van Werveke responds to: that fear of the plague or preparation for it in a city does not mean that that city experienced it or that entire regions around that city experienced it;<sup>14</sup> that instances of chaos or decreased revenues (such as in St. Truiden) could be caused by other reasons, such as wars;<sup>15</sup> and also that if you go looking for evidence of plague you might find it, but that does not necessarily mean it was widespread.<sup>16</sup> Concerning contemporary sources, he mentions several times that a certain person claims massive numbers of people died, whilst archaeological and historical records show that there were not even that many people in the city to begin with.<sup>17</sup> Like all future historians will do, he laments the unreliability of sources and the absence of full demographic data.

For its time, Van Werveke's article is methodologically sound and innovative. He questions sources and figures and puts them to the test with other sources to show how the sources used by enthusiastic historians are perhaps not reliable. He also emphasises a shift from the general to the individual, where seeing one plague event as evidence for plague in an entire region is problematic, and where taking fear of the plague as evidence of plague activity is also problematic. His last - influential - point is, that plague did not necessarily spread everywhere. Therefore, while his conclusions are disagreed with today, they are important contributions to the debate and should not immediately be labelled as wrong. However, not all researchers who use his theories have kept up to date with the debate, and later historians should not have taken Van Werveke's article as the end of the discussion. Doing so means overlooking his cries for further research. In the end, he calls for more research to be done on demographic and economic situations.<sup>18</sup> Twenty-eight years later, his call was answered by De Boer.

## Responses to Light Touch Approach: Heavy Touch

The development of an opposite approach to the 'light touch' approach started only two years after Van Werveke published his article with Rogghe's "De Zwarte Dood", but for the most part, initial responses came in the form of small case studies in the Southern Low Countries. Around 1980, texts were published by De Boer and Blockmans which brought these earlier case studies into a consensus that the Low Countries were indeed hit by the Black Death. I label this opposite approach the 'heavy touch' approach. Both texts are influential because of the claims they make, but also because they are frequently referenced by later academic texts.

First, the doctoral dissertation of Dick E. H. De Boer from 1978.<sup>19</sup> It covers demographic and economic data (and an analysis thereof) of the Holland region in the very specific time period of the mid 14th Century to the early 15th Century. Though the Black

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<sup>13</sup> Van Werveke, "Zwarte Dood," 8.

<sup>14</sup> *Ibid*, 9-10.

<sup>15</sup> *Ibid*, 18.

<sup>16</sup> *Ibid*, 21.

<sup>17</sup> *Ibid*, 7.

<sup>18</sup> Van Werveke, "Zwarte Dood," 23.

<sup>19</sup> Dick E.H. de Boer, "Graaf en grafiek."

Death is not the focus of De Boer's text, he does provide a comprehensive set of data concerning it and also offers some explanations of what happened to administrations as a consequence. In North Holland and South Holland, De Boer uses two examples to show that administration during the Black Death didn't disappear completely. Firstly, the accounts of the steward of North Holland are missing key demographic records between 1348-1351, because many records were divided between people and taken away, requiring the old steward to reproduce lost records from memory.<sup>20</sup> However, economic records such as grain tithes and fishing rights are present in the archives. De Boer concludes from this that, while individual cases of disorder - such as those of the steward losing records - did occur, they didn't happen as a rule.<sup>21</sup> Rather, administration and record keeping on the whole, continued. Secondly, De Boer mentions that the forestry accounts of North Holland continue to record rents, purchases, and incomes throughout the first wave of the Black Death.<sup>22</sup> Again, De Boer concludes that administrative breakdown didn't happen. However, while he argues for a continuation of the administration, he also believes that a demographic crisis occurred which heavily affected the population.

Blockmans published "The social and economic effects of plague in the Low Countries : 1349-1500" in 1980. Like De Boer, he covers the Northern Low Countries, but unlike De Boer he also covers the South. Blockmans rejected the 'light touch' approach on the grounds that the people of the Low Countries weren't exceptionally healthier than those of other European countries, that the Low Countries were densely populated, and that they regularly interacted with people outside the region.<sup>23</sup> His approach is to subject sources used by others to a demographic and economic analysis. He uses several people's research, as well as his own, to argue that the plague actually did have a great impact on the Low Countries (though perhaps somewhat less than on other countries). He incorporates M.A. Arnould (1956) and G. Sivery's (1966) research on Hainault hearth censuses and domanial accounts respectively, G. Marechal's (1964) and P. Rogge's (1952) research on the Bruges hospital "De Potterie" and the construction of two new graveyards. Blockmans own research is centred on Ghent, for which he uses the registration of tutelage contracts and "the number of persons for whom exue-duty was paid on the alienation of possessions falling under the jurisdiction of the town".<sup>24</sup> He discovers problems with the data in the years 1350 and 1351, when the death rate is lower than it should be, but he concludes that a plague epidemic occurred because while tutelage records showed low mortality, exue duties' revenue doubled in these years. He credits the problematic data (lacking records, missing records) to disorder (i.e. administrative breakdown), and while he says this is a weak argument, he has no better alternative.<sup>25</sup>

## The Modern State of Heavy Touch Approach

The current state of the "Heavy Touch" approach is still influenced by the texts of De Boer and Blockmans, and still sets itself in opposition to Van Werveke. The two most important recent publications are *The Black Death 1346-1353: The Complete History* by Benedictow

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<sup>20</sup> Dick E.H. de Boer, "Graaf en grafiek," 35.

<sup>21</sup> *Ibid*, 35-36.

<sup>22</sup> *Ibid*, 35-36.

<sup>23</sup> Blockmans, "Plague in the Low Countries", 834.

<sup>24</sup> Blockmans, "Plague in the Low Countries", 839.

<sup>25</sup> *Ibid*, 845.

and “The ‘light touch’ of the Black Death in the Southern Netherlands: an urban trick?” by Roosen and Curtis. They take two different approaches in their defense of the ‘heavy touch’ approach, as Benedictow mainly uses quotations from individual primary sources to support his arguments and Roosen and Curtis mainly use database source analysis to support their arguments (though both also use secondary literature for support or critique).

The first text, by Benedictow, is a book attempting to cover the effects and mortality of the Black Death in Europe, Asia Minor, and Northern Africa. It includes a chapter on “The Netherlands” and shortly discusses Van Werveke, the spread of the plague, its presence in several places (including Utrecht), and why there are so few demographic sources available. He argues explicitly that it would have been impossible for the plague not to have spread, because of the characteristics of the disease, the high population density, and the frequent trade with outside regions.<sup>26</sup> Benedictow’s book is in general well thought out. In one section, however, he laments that in many regions, account books and tax registers were not produced during the Black Death because of an administrative breakdown, but immediately thereafter argues that it is a methodological fallacy to infer from a “silence of the sources” that a phenomenon did not occur (referring to Van Werveke).<sup>27</sup> Benedictow offers one seemingly new explanation for why the Black Death was only seldom mentioned in sources, and that is that epidemic events did not fit in with the classical and humanist ideals of narrative sources and chronicles. This is an alternative explanation which deserves further research, and I will discuss it in a later section.

The article by Roosen and Curtis is the most recently published text on the Black Death in the Low Countries, and is the most advanced and comprehensive compared to those I discussed earlier. However, they only use sources from the Southern Low Countries, and therefore cannot be used to thoroughly examine the Black Death in the Northern Low Countries. I surmise their results may be true here as well. Their article consists of five main sections with five main conclusions: (1) earlier studies used problematic sources; (2) the Black Death took a severe toll on the Southern Low Countries as seen from archival data and a database of mortmain accounts; (3) the Black Death afflicted the countryside as well; (4) the traditional ‘light touch’ approach is a result of historians over-privileging urban sources that do not account for city replenishment through inward migration; and (5) the rapid recovery of the Southern Low Countries still has to be proven, and if it did happen then it was because of increased nuptiality and fertility rather than from reduced mortality.<sup>28</sup> Roosen and Curtis have strong source criticism to support their first conclusion (such as that Blockmans (1980) used data collected by a master student, which was full of methodological errors), and ample data to support their second conclusion, but for the last three conclusions their argumentation often relies on assumptions and guesswork of what might have happened.

## Discussion

I have briefly covered the historiography of the Black Death ‘light touch’ vs. ‘heavy touch’ debate, but there is a far broader literature base which uses these texts. Unfortunately, texts that only marginally touch on the Black Death in the Low Countries do not seem to be up to date on the state of this debate. For example, two texts that came out relatively recently both assume the Black Death did not hit the Low Countries (or at least not very hard). In an article

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<sup>26</sup> Benedictow, *The Black Death*, 207.

<sup>27</sup> *Ibid*, 207.

<sup>28</sup> Roosen and Curtis, “Light Touch,” 35.



from 2004 by Van Bavel and Van Zanden, “The jump-start of the Holland economy during the late-medieval crisis, c.1350–c.1500,” it is argued that the “remarkable performance of the Holland economy”<sup>29</sup> was due to it having been largely spared by the Black Death. They argue that the Dutch population declined moderately and bounced back quickly, and that, following that, Dutch wages stayed low. Accordingly, Holland had a competitive edge over surrounding areas.<sup>30</sup> Surprisingly, they used both Blockmans (1980) and De Boer (1978) to argue this. Then, in a 2005 book by Christakos et al. only Friesland and Deventer are mentioned as really getting the plague.<sup>31</sup> How is it possible that Roosen and Curtis (2019) and Benedictow (2004) use Blockmans (1980) to argue for a ‘heavy touch’ approach, while Bavel and Van Zanden (2004) and Christakos et al. (2005) use Blockmans (1980) to argue for a ‘light touch’ approach? How can they arrive at certain conclusions from earlier texts without considering the more general conclusion that the Low Countries did experience high mortality from the Black Death?

The debate over ‘light touch’ or ‘heavy touch’ is far from over when historians on both sides say they lack sources, that more research needs to be done, and when other academic writers can take their arguments to support both sides of the debate. More research is needed indeed. However, if there are a fair few things that can be learned from these texts, it is mostly in the form of becoming aware of assumptions affecting research. Firstly, although it is unlikely for the plague not to have visited the Northern Low Countries, it did not necessarily have to be there. Secondly, even if the plague did arrive in the Northern Low Countries, it did not necessarily have to lead to high mortality. Thirdly, if in my research I find individual instances of missing documents for a certain period, this should not automatically be treated as a large scale administrative breakdown caused by the frequent death or chaos of scribes, stewards, etc. Lastly, there is frequent mention of why certain sources might not mention the plague, but although this is important for understanding the silence of the sources, it is almost impervious to research and therefore leads to weak conclusions.

So much for the ‘light touch’ versus ‘heavy touch’ debate, though there are many minor studies which I did not yet mention. There is a large literature for the Black Death in the Hainaut region and in the cities of Bruges and Ghent. Research on these towns is the reason why among specialists the ‘heavy touch’ approach has become the consensus. However, they are too numerous to discuss in depth and they focus on the Southern Low Countries rather than on the Northern Low Countries. Among these are the works of Rogghe, Arnould, Sivery, Bocquet, Nicholas, Heeres, Marechal, Derville, Thoen & Devos, Vandeburie, and Vermeersch. The literature for the Northern Low Countries is much smaller, consisting of the texts already discussed and an influential but outdated book by Meinsma from 1924.<sup>32</sup> Above I asked how historians have approached the relatively small number of sources describing the Black Death in the Low Countries. The ‘light touch’ approach has shown itself to be unconvincing, but the ‘heavy touch’ approach cannot do much better. De Boer, Blockmans, Benedictow, and Roosen & Curtis are able to support their conclusions that the Low Countries experienced the plague, but they cannot say why demographic data

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<sup>29</sup> Bas J. P. van Bavel and Jan L. van Zanden, “The Jump-Start of the Holland Economy during the Late-Medieval Crisis, c.1350-c.1500,” *The Economic History Review* 57, no. 3 (2004), 506.

<sup>30</sup> Van Bavel and Van Zanden, “Jump-Start,” 507.

<sup>31</sup> George Christakos, Ricardo A. Olea, Marc L. Serre, Hwa-Lung Yu, and Lin-Lin Wang, *Interdisciplinary Public Health Reasoning and Epidemic Modelling: The Case of Black Death* (Berlin: Springer, 2005), 223.

<sup>32</sup> Koenraad O. Meinsma, *De zwarte dood : 1347-1352* (Zutphen: Thieme, 1924).

skip the Black Death years or why few chronicles and other narrative sources describe the Black Death. My attempt to answer the mystery of the sources will be to look at a wide range of sources produced in one area and in the context of one person.

## B: Context

In this part I will answer the question: what is the context for the actions of the bishop of Utrecht, and Jan van Arkel in particular? Since the topic of a 'context' is too broad, I have decided on three relevant areas. Firstly what might be expected of Jan van Arkel (his responsibilities as a bishop), secondly what his aims were (as seen through synodal statutes), and thirdly how death was handled (as seen through the *Statuta Ecclesiae Trajectensis*). The result of this will be to reconstruct a kind of 'normal state of affairs' which I can compare in the next two parts with ecclesiastical documents and narrative sources from the plague years. This will be important, because by contextualising the sources from the plague years, you can distinguish what is abnormal. I will first discuss the Utrecht diocesan synods, and the *Statuta Ecclesiae Traiectensis*, and then in a short discussion bring together this 'normal state of affairs.' First of all, though, a basic explanation of the functioning of the Utrecht Church is required.

There were five chapters (*kapittels*) which by 1209 had become a unified *ecclesia*.<sup>33</sup> This unified *ecclesia* often referred to itself as *Traiectensis*: the Church of Utrecht. Important in this Church were: the Bishop, the deans (the heads of the chapters of canons), and the canons (the members of a chapter of the cathedral).

### Synods

A diocesan synod is an assembly of the diocese's bishop and other church officials, who meet to pass judgement on issues of discipline or administration.<sup>34</sup> The leader of the synod was the bishop, and it was in his name that synods were held. There were (almost) yearly diocesan synods held in Utrecht between the time Jan van Arkel was elected in 1343 and the last plague year of 1351. These synods took place in the cathedral church (the Dom). The bishop, the canons of the chapters, other high-ranking clergymen, the count of Holland, and the duke of Gelre were expected to show up (though the count and duke probably didn't show up during Jan van Arkel's rule).<sup>35</sup> They would discuss practical problems, for example on the topics of marriages, religious holidays, and the behaviour of the clergy. Afterwards, the statutes resulting from the synod would be posted on the doors of the Dom church, and sometimes they were sent to the different parishes to be read out.<sup>36</sup> The post-1342 synods of Utrecht were held each year a few days before Sunday Cantate, and lasted three days.<sup>37</sup> Jan van Arkel made more use of synods than his predecessor, and he used them differently too.<sup>38</sup> In the following paragraphs I will discuss the synods of 1343-1348. The records of these synods come in the form of a short text, consisting of a short introduction, a list of statutes, a (few) closing lines, and the date and year indicating when the synod was held. I

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<sup>33</sup> R. R. Post, "Geschiedenis der Utrechtsche bisschopsverkiezingen tot 1535," in *De Utrechtse bisschop in de middeleeuwen* ed. C. A. Rutgers (Den Haag: Martinus Nijhoff, 1978), 165.

<sup>34</sup> "Synod," *Encyclopædia Britannica*, last accessed 27 March 2020, <https://www.britannica.com/topic/synod>.

<sup>35</sup> C. A. Rutgers, *Jan van Arkel: Bisschop van Utrecht* (Groningen: Wolters-Noordhoff, 1970), 166.

<sup>36</sup> Rutgers, *Jan van Arkel*, 166.

<sup>37</sup> *Ibid*, 164-165.

<sup>38</sup> *Ibid*, 173.

will be using J.G.C. Joosting and S. Muller's *Bronnen voor de geschiedenis der kerkelijke rechtspraak in het bisdom Utrecht in de Middeleeuwen* Volume 5 (1914) for my analysis, as it contains a transcript of the synods, reconstructed from copies held in Utrecht, Paris, and Gouda.<sup>39</sup>

Several developments took place over the course of these synods. One of the clearest is the increasing authority of the bishop in terms of absolutions, interdicts, and excommunications (these last being the most important). In 1343 all special authorisations and licences were removed (except for the Domproost); in 1344 absolution for regular clergy was forbidden; in 1345 the bishop's control over absolution was extended again; and in 1347 the bishop took exclusive rights for absolution of excommunication and interdict. In 1348, Zweder Uterlo restated the bishop's exclusive rights for absolution when the bishop was away. Rights to absolution were important for the bishop because they helped him control forces that were otherwise hard to control or were outside of his control, according to Rutgers. Together, the right to absolution and excommunication formed a powerful tool. Let me first give a seemingly innocent example. In the synod of 1345, Jan van Arkel was in a tight spot financially and used his right to issue excommunications to threaten his debtors to pay up within two weeks.<sup>40</sup> Here this tool is rather useful in simply forcing people to do quicker what they ought to have done anyway. However, excommunication also gave Jan van Arkel the means to show a more authoritarian streak, as in the 1348 synod he threatened anyone who hindered the publication of a synod's statutes with excommunication, while each parish needed a copy of the provincial and synodal statutes to prevent mistakes.<sup>41</sup> In itself, this is neither good nor bad, but it provides a strong administrative tool by which Jan van Arkel can set rules, publish them, and enforce them.

Another development that can be seen in the synods is a movement towards ordering and the creation of rules. According to Richard W. Kaeuper (in his *Chivalry and Violence in Medieval Europe* (2001)) a broad change in medieval life occurred roughly between the 11th and early 14th centuries in Western Europe.<sup>42</sup> There was an increasing attempt to create and sustain public order, a topic which Kaeuper rightly argues cannot be studied in isolation. One example of this "ordering of things" can be found in the Utrecht synod of 1346. Statute 2 presents the problem that there were too many holidays ('[Nos] confitemur, ad conformitatem reducere cupientes, dies et festivitates', 'we [the synod] acknowledge and agree with the desire to reduce religious days and festivals') and that these holidays were not celebrated in the same way everywhere ('*Preterea difformitatem rituum circa reverencias festivitatum et dierum celebrium*', 'furthermore, the unconformity of rites about holy festivals and festive days').<sup>43</sup> The statute then lists many religious holidays. These rules are framed by the synod stating that "we" (here referring to the synod and the people of the diocese) have one God, one faith, one Baptist, and one Church. I would not go so far as Kaeuper in saying that everyone in Europe was attempting to create public order, but the Utrecht synods show an ability and desire of Jan van Arkel, and perhaps other important clergymen as well, to see organisational problems and attempt to impose order, as shown here through the example of standardising religious holidays.

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<sup>39</sup> J.G.C. Joosting and S. Muller, *Bronnen voor de geschiedenis der kerkelijke rechtspraak in het bisdom Utrecht in de Middeleeuwen* ('s-Gravenhage: Nijhoff, 1911), Volume 5.

<sup>40</sup> *Ibid*, 167.

<sup>41</sup> Rutgers, *Jan van Arkel*, 170.

<sup>42</sup> Richard W. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford: Oxford University Press, 2001), 11.

<sup>43</sup> Synod 1346, statute 2.

Another characteristic of Jan van Arkel's behaviour as bishop in the Utrecht synods is that his actions were influenced by and in turn influenced secular as well as ecclesiastical matters, as shown, for example in his relationship with the count of Holland and duke of Gelre. The count in particular, had been involved in Jan van Arkel's election as bishop. According to R. R. Post, after Jan van Diest (the previous bishop) had died, there had been infighting amongst the Utrecht chapters, which had allowed the count and duke to get the chapters to vote for the candidates they put forth.<sup>44</sup> The count of Holland convinced several chapters to vote for Jan van Arkel in this way.<sup>45</sup> The Pope's confirmation that Jan van Arkel would be bishop is also attributed to the count's actions.<sup>46</sup> The count might have expected Jan van Arkel to pay back this favour by ruling with the count's interests in mind. Jan van Arkel however, instead intended to free Utrecht from Holland's influence. This resulted in a war that raged on and off from 1345 until 1356. It is in this context that the synods take place.

### Hugo Wstinc: *Statuta Ecclesiae Traiectensis*

The *Statutae Ecclesie Traiectensis* by Hugo Wstinc, written in 1342, is a comprehensive yet practical collection of canon law for the Utrecht diocese.<sup>47</sup> It consists of 118 chapters, covering topics such as the responsibilities of various ecclesiastical offices and rituals like translations, funerals, and elections. It was perhaps made to create a more formal and coherent approach to ecclesiastical administration, or perhaps to guide (and limit) the newly elected bishop Jan van Arkel.<sup>48</sup> Wstinc also mentions the place of the bishop within the Church throughout the text, and has a section specifically on the office of the bishop (*de officio episcopi*). Before discussing the responsibilities of the bishop, I will mention three of his weaknesses.<sup>49</sup> First, the bishop cannot make a synodal or provincial statute without the consent of the cathedral (Dom) chapter.<sup>50</sup> Secondly, if the bishop neglects to do justice or otherwise harms the diocese, even after being warned, the chapter can force the bishop to do said justice, or stop said harm to the diocese.<sup>51</sup> Thirdly, if the bishop wants to transfer church property, he should ask and follow the chapter's advice. Ideally, these three rules allow the Dom chapter to intervene if a bishop neglects his duties as a spiritual leader. These restrictions limit the bishop's independence, and increase the Dom chapter's influence on church proceedings. However, it is unclear whether these suggestions were invoked during

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<sup>44</sup> R. R. Post, "Utrechtsche bisschopsverkiezingen," 167.

<sup>45</sup> *Ibid*, 167.

<sup>46</sup> *Ibid*, 168.

<sup>47</sup> S. Muller, *Het Rechtsboek van Den Dom van Utrecht door Mr. Hugo Wstinc* ('S-Gravenhage: Martinus, 1895).

<sup>48</sup> P. J. Block and P.C. Molhuysen, *Nieuw Nederlandsch biografisch woordenboek. Deel 1* (Leiden: Sijthoff, 1911), 1507.

<sup>49</sup> Eds Hein Blommestijn, Charles Caspers, and Rijcklof Hofman, *Spirituality Renewed: Studies on Significant Representatives of the Modern Devotion* (Leuven: Peeters, 2003), 50. And W. N. Boeren, *Kerkelijke instellingen in de Middeleeuwen* (Amsterdam: Antiquariaat Hieronymus Bosch, 1995), 202-203.

<sup>50</sup> "*Episcopus Traiectensis sine consensu capituli nostri non potest facere statuta synodalia nec provincialia admittre*. Meaning: bishop of Utrecht without consensus of our chapter, cannot make synodal or provincial statutes."

<sup>51</sup> "*Si episcopus aliqui neglexerit justiciam exhibere vel alicui de dyocesi injuriam fecerit, ad monicionem decani nostri episcopus coram capitulo nostro, convocatis ad hoc prelati et capitulari aliarum IIII ecclesiarum, venire tenetur et ibi de justicia de hoc respondere et ad sententiam capituli justiciam facere et ab injuria cessare.*"

Jan van Arkel's rule, and he certainly did mismanage church funds despite these three limitations on his power.<sup>52</sup>

The section on bishops, *de officio episcopi*, is rather long and consists of five sub-sections: the election of a bishop; the task of a bishop; how the bishop assembles laypeople; the *Landrecht*; and the punishment of canons or clergy.<sup>53</sup> The sub-section called 'the task of a bishop' would seem to be relevant, but is actually just a list of the bishop's requirements to observe certain religious holidays and celebration rituals. In fact, none of the sub-sections mention the day-to-day responsibilities of the bishop. Rather, they act as descriptions of certain rituals in which the bishop must take part. For example, in 'how the bishop assembles the laypeople' is described how an edict must be made and where the assemblies should be held: those on one side of the river IJsel must go to Oudwijn, and those beyond the river must go to Spouderberch.<sup>54</sup> The *Landrecht* section is by comparison the most useful in determining the expected behaviour of a bishop in Utrecht, as a prince-bishop of the Holy Roman Empire. It states that the bishop can punish (among others) thieves, rapists, prisoners of war, and arsonists. This section implies that, where these crimes would traditionally be taken to a secular court, the bishop can pass judgement on the criminals and determine their punishment. *Landrecht* normally means customary law of the region, but in the *Statuta Ecclesiae Traiectensis* it brings some of the legal powers of being a prince to being a bishop (since in Utrecht prince and bishop were the same person). Above I mentioned three limitations to the bishop's authority. Here I show that there was also a strength, as the bishop of Utrecht can punish regular criminals as well as canons or clergy.

In the *Statuta Ecclesiae Traiectensis*, Hugo Wstinc also discusses, at length, the funerary rites for a canon. It contains twenty-one provisions in total, sometimes deriving rules from other texts like the *Liber Camere* and the ancient *Edictum Theodorici*, and sometimes simply being made by Hugo Wstinc. The first nine provisions relate to the funerary rites of a canon of the church. These nine provisions contain directions for what to do at the deathbed, during a procession from the home to the cathedral, the night watch, the actual burial, offerings, wine payments, and rites well beyond the burial. Later provisions cover topics such as burials for choir members, scholars, the faithful, laypeople, and burials in other countries or outside the city, among other things. This section is long, a fact which is noteworthy because it implies the importance in performing 'correct' funerals, both in terms of performing a funeral according to the deceased's status and in terms of protecting their souls. This is perhaps the "largest and most important set of regulations relating to death and funerals that has survived from medieval Utrecht," as this one chapter takes roughly fifteen pages.<sup>55</sup>

According to this text, the funeral began in the house of a canon at his deathbed, as other canons go to his house, then read the *Proficiscere anima* and the passion of Christ. After death, the canons read short vigils and then start a procession which takes the body to the cathedral. The procession includes members of the mendicant orders, knightly orders,

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<sup>52</sup> Rutgers, *Jan van Arkel*, 178. "Als het niet goedschiks gebeurde dan maar kwaadschiks, maar het geld moest en zou er komen," ("Whether willingly or maliciously, the money had to and would come.")

<sup>53</sup> "de admissione ad possessionem" ("election"), *de officiis peragendis per episcopum* ("the task of a bishop"), *quomodo episcopus convocabit laycos* ("how the bishop assembles laypeople"), *lantrecht* ("Landrecht"), and, *de punitione canonici vel clerici* ("the punishment of canons or clergy").

<sup>54</sup> "Et tunc omnes convenire tenentur: hii qui sunt citra Yselam in Oudwijn, qui ultra Yselam in Spouderberch."

<sup>55</sup> Bram van den Hoven van Genderen, "Utrecht Canons, Death and Funeral Regulations," in *Care for the Here and the Hereafter: Memoria, Art and Ritual in the Middle Ages*, ed. Truus van Bueren (Turnhout, Brepols, 2005), 160.

other canons, and monks. Once the body reaches the interior of the cathedral the 'real' funeral starts, as several texts are read/sung (including 150 psalms).<sup>56</sup>

The actual content of the funeral ritual is not relevant, but the sheer length and intricacy is noteworthy. The entire ritual included services and visits to the grave for a whole month after death.<sup>57</sup> Several other facts are also noteworthy: a canon was considered a "living member" of the chapter community until the funeral ("so it was not the death but the funeral that marked the end")<sup>58</sup>, and clergy received (a lot of) wine as a reward for their presence ("the highest quality Rhine wines available in Utrecht").<sup>59</sup> This section's length and intricacy implies at the very least that writing about topics concerning death were not taboo. Further, the Oudmunster Chapter also kept a necrology in roughly the mid 13th century.<sup>60</sup> If plague deaths are not mentioned in other texts, it would not be because death was an unapproachable topic, but because the plague or some effect of the plague was unapproachable.

I have discussed the synods and the *Statuta Ecclesiae Trajectensis*, with the aim of finding a 'normal state of affairs' for the bishop. For my purposes this is not a 'true' or 'accurate' state of affairs, but what it means for this essay is to understand the position of the bishop and how he (as an individual, as a bishop, and as a prince) might reasonably be expected to behave. To conclude from the primary sources discussed above, a bishop of Utrecht could be expected to oversee the administration of his diocese, through matters of justice, public holidays, assembling the public, etc. However, his power is limited by the power of the chapters, who can correct him and punish the bishop if he mismanages the diocese, neglects to do justice, or transfers church property illegally. Jan van Arkel specifically exercised his powers, showing an interest in increasing his authority (though not always successfully), furthering the creation of public order, and only indirectly interacting with 'secular/political' issues. This is a 'normal' and expected range of behaviours for Jan van Arkel during the six years before the Black Death.

## C: Ecclesiastical Sources

My research question asked how the Prince-Bishop of Utrecht's response to the Black Death was depicted in ecclesiastical and narrative sources? So far, I have explained the historiography of this topic and the specific context in which the bishop of Utrecht worked in the years before the plague. Now I will discuss whether ecclesiastical and narrative sources created by/with/about Jan van Arkel (or in his name), show a response to the Black Death. By 'response', I mean a purposeful reaction to the plague (by or involving the bishop), which deviates from the bishop's expected behaviours. Most sources dated to the years 1349-1350 have no connection to the plague, and therefore can not be considered a response to it. However, I will analyse two sources which do show responses to the plague, and different kinds of responses at that. The first are the decisions taken at the diocesan synods of Utrecht, which were introduced earlier. I will focus on the years 1349-1350. Synodal records are an example of a type of source which can be linked to the plague, but because they were meant as a forum for creating rules for the future, they have no reason to describe the

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<sup>56</sup> Van den Hoven van Genderen, "Utrecht Canons," 158-160.

<sup>57</sup> *Ibid*, 164.

<sup>58</sup> *Ibid*, 163.

<sup>59</sup> *Ibid*, 164.

<sup>60</sup> Necrology of the chapter, middle 14th century, document 394, inventory of 223 Kapittel van Oudmunster te Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

severity of the Black Death. The second source is a charter from 1351, in which Jan van Arkel gives statutes to the plague-stricken monastery Mariënberg. This charter is an example of a type of source that is directly linked to the plague, but which must also discuss the context of the rules it sets, and therefore, in this particular case, has a reason to describe the severity of the Black Death.

## Synods of 1349-1350

First of all, I will discuss the synods of 1349 and 1350: their context, content, and importance. The synod of 1349 is missing from the records, and it was either not held, or the records were not written down, or all copies of the record have been destroyed over time. Rutgers believes that no synod was held in 1349, either because of fears of the Black Death in the North and East of the bishopric or because of political troubles.<sup>61</sup> Post disagrees, arguing that a lack of records produced by a synod does not necessarily mean that no synod was held.<sup>62</sup> However, going beyond speculation, we do not know what happened to the synod of 1349, if it was indeed held. Contrarily, the records of the synod of 1350 have survived. They are found in three copies kept at Paris, Gouda, and Utrecht.<sup>63</sup> The synod covers several topics, among which are marriage proclamations (which from then on had to come with a letter of a priest certifying someone was not excommunicated); the collection of money for the Dom church now had to be according to the rules set by Clemens V at the council of Vienna; decisions about the appointment of strangers from different dioceses for church positions; whether holy oil was allowed to be used in funerary rites; issues of jurisdiction in confession of adultery; the requirement to report cases of excessive deaths and unexecuted wills; and the requirement for priests and sextons (officers in charge of the maintenance of a church and/or graveyard) to wear a surplice (white tunic) during certain church functions.<sup>64</sup>

I will focus particularly on the synod of 1350. However, first I will give some context about what Jan van Arkel did in this year with regard to Utrecht. Charters published on 27 January and 26 November resolved the payments of *servitia* (meaning payments by an abbot, bishop, or archbishop, due upon his induction, of the anticipated revenue of the next year in his new benefice) owed by Jan van Arkel to the pope and cardinals.<sup>65</sup> He paid 1150 golden florins that were owed by the previous bishop, and 54 golden florins, 18 solidi, and 3 denarii owed by himself as well as others.<sup>66</sup> On 2 May he absorbed a parish church and

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<sup>61</sup> Rutgers, *Jan van Arkel*, 170.

<sup>62</sup> R. R. Post, *Kerkgeschiedenis van Nederland in de Middeleeuwen* (Utrecht: Het Spectrum, 1957), 253.

<sup>63</sup> Muller, *Bronnen*, 124. The Paris copy is found in the *Bibliothèque nationale de France* in *Nouvelles Acquisitions Latines* as document no. 328, according to Muller, *Bronnen*, 5. The Gouda copy Muller discusses is probably the *Statuta Traiectensia Utrecht: Provincialia et synodalia*, an incunabula (early printed book) from 1484-86. The Utrecht copy is found in the *Liber Camere* by Hugo Wstinc.

<sup>64</sup> Post, *Kerkgeschiedenis*, 256. And Rutgers, *Jan van Arkel*, 170.

<sup>65</sup> Charters of acquittance for bishop Jan van Arkel because of the payment of *servitia* that he and his predecessor Nicolaas of Caputio owed the pope and the college of cardinals, 27 Jan and 26 Nov 1350, documents 43 and 44, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands. For definition of *servitia*, <https://en.wikipedia.org/wiki/Annates>

<sup>66</sup> Charter where Guillelmus bishop of Tusculanus, chamberlain of the college of cardinals, acknowledges to have received from bishop Jan van Arkel a sum of 1150 golden florins, which his predecessor Nicholaus owed the college, and a sum of 54 golden florins 18 solidi and 3 denarii, which he owed the college, and relieves him from ecclesiastical punishments, 26 Nov 1350, document 859, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands. And, charter where Stephanus, archbishop of Arles, chamberlain of the pope, acknowledges to have

vicary into the chapter of Steenwijk as a payment.<sup>67</sup> On 12 April he loaned a ferry in Deventer to a citizen of Deventer.<sup>68</sup> On 15 March he needed money, so he loaned out Nederhaermolen to count Hendrik of Solms and got 150 'schilden' (golden coins). All together the available charters from this year show Jan van Arkel in a low spot, having to pay large sums to his debtors, and also issuing as loans large portions of land (by this point, he had given as loans both Oversticht and Nedersticht). The Dom chapter also seems to have been unhappy with Jan van Arkel, because he appointed a troublesome Groningen *prefectus* (leader of an administrative area).<sup>69</sup>

The synod of 1350 consists of a short introduction, eleven statutes, and a short conclusion. The text opens with a greeting by Johannes (Jan van Arkel) and a proclamation that the synod has a duty to govern the "*universalis ecclesie Traiectensis*" (the whole Church of Utrecht) and to lead the "*gregis*" (from *grex*, flock, the people). The introduction ends by shortly discussing a problem with marriage contracts. Statute eight is perhaps the most interesting. It concerns strange deaths (*excessus notorios et enormes non correctos*) and unexecuted wills (*testamenta seu ultimas voluntates decedencium, rite et legitime factas, infra annum non executas*):

*Precipimus omnibus et singulis ecclesiarum curatis et eorum loca tenentibus, et excessus notorios et enormes non correctos, infra limites parrochiarum suarum commissos, necnon testamenta seu ultimas voluntates decedencium, rite et legitime factas, infra annum non executas, singulis annis in sancta synodo per eorum patentes litteras vel vive vocis oraculo et in scriptis ad nostrum seu officialis nostri noticiam deducant.*<sup>70</sup>

Among the eleven statutes of the synod of 1350, the eighth statute is also perhaps the most underrated. C. A. Rutgers found all eleven statutes unimportant, stating it was another synod which was all about creating order in small matters ("*opnieuw dus een synode waar het er om ging orde te scheppen in kleine zaken*").<sup>71</sup> R. R. Post finds the synod somewhat more important, commenting that "*de huwelijksafkondiging en de inzameling van gelden ten behoeve van de dom bleven ook in 1350 de aandacht van de bisschop houden*," ("marriage declarations and the collection of money for the Dom kept the attention of the bishop in 1350

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received 1150 gold guilders from bishop Johannes for the *servicium commune* of his predecessor Nicolaus, and 219 gold guilders 1 solidus for a part of the *quatuor servicia familiarium*, and gives him an extension for the payment of the complementum of the two *servicia* to St. Michael (29 Sep), 27 Nov 1350, document 860, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

<sup>67</sup> Charter of the incorporation of the parish church of Vollenhove and the vicary of the St.Maartensaltaar at the chapter of Steenwijk, by bishop Jan van Arkel, 2 May 1350, document 143, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

<sup>68</sup> Charter of the loan of a ground lease by bishop Jan van Arkel to Wnemaar Gillisz, citizen of Deventer, of the ferry in Deventer, 12 Apr 1351, document 1041, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

<sup>69</sup> The Dom chapter complains to the bishop about various grievances and seeks their correction, 1350, document 863, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands. for definition <https://en.wikipedia.org/wiki/Prefect>

<sup>70</sup> "We order all individual curates and those who keep their places, that the notorious and enormous excesses that have been committed within the borders of their parishes, as also the testaments or last wills of the dying that have been made according to the rule and legitimately, that have not been executed, need to be brought in each individual year to the holy synod by their open letters or by their own voices' prayer, and in writing to our or our officialis' notice."

<sup>71</sup> Rutgers, *Jan van Arkel*, 170.



as well").<sup>72</sup> Statute eight, however, is only mentioned by these two authors in passing. I think they may have overlooked the statute because they both subscribe to Van Werveke's theory that most parts of the Low Countries were largely spared by the plague. For example, R. R. Post states that the Low Countries were largely spared, with the exception of Doornik, Henegouwen, Zuid-Vlaanderen, and the east and north of the Netherlands, though he does also show some uncertainty in this ("*in het algemeen weet men er weinig positiefs van*").<sup>73</sup> Rutgers likewise believes Van Werveke, saying that the Nedersticht and Holland were not heavily affected areas (using only Meinsma and Van Werveke to support this statement), but that fear of the plague would have reached these regions.<sup>74</sup> This means that both Rutgers and Post had no reason to believe that a statute mentioning excessive deaths could be connected to the massive plague going through nearby areas like the Southern Low Countries or the Oversticht. They accepted this statute simply as a small and regular public order law. However, I think this statute is indeed a response to the Black Death.

It is not absolutely clear that statute 8 of the 1350 synod is asking curates to report deaths and testaments left unexecuted by the plague. It was well known, however, as even Van Werveke agrees, that many people were infected in the Oversticht, for example in Friesland or in Deventer, and specifically in 1350.<sup>75</sup> Jan van Arkel and the Utrecht canons could reasonably be expected to have known that the plague was active in the northern parts of the diocese. But, a plague does not simply wash over a territory like a wave. Its spread is dependent on several factors, such as population density and the weather.<sup>76</sup> This is not helped either by the unexpected rapid spread of the plague in rural areas.<sup>77</sup> So, even though contemporary explanations might have been that plague was caused by punishments from God, by strangers, or by corrupt air (among others), if local leaders or Utrecht leaders did happen to notice that a plague was spreading across the North-East of the Utrecht diocese, it would have been difficult to track.<sup>78</sup> Therefore, I believe statute eight in particular (as well as, to a lesser extent, the statute on strangers marrying into the diocese, strangers entering church offices, and the use of holy Oil) is an attempt by the church officials (here, Jan van Arkel and the chapter canons) to keep tabs on instances of plague.<sup>79</sup> If I am correct, this statute can be assigned the purpose of being an (administrative or ecclesiastical) tool, and if so, it is a specific response to the plague (even if it might be made to keep track of other, more varied events).

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<sup>72</sup> Post, *Kerkgeschiedenis*, 255.

<sup>73</sup> *Ibid*, 261.

<sup>74</sup> Rutgers, *Jan van Arkel*, 69.

<sup>75</sup> Meinsma, *De Zwarte Dood*, 21.

<sup>76</sup> Kenneth L. Gage, "Factors Affecting the Spread and Maintenance of Plague," in *Advances in Yersinia Research*, eds. Alzira M. P. de Almeida and Nilma C. Leal (New York: Springer, 2012).

<sup>77</sup> Roosen and Curtis, "Light Touch."

<sup>78</sup> "The Black Death," BBC, last accessed 27 March 2021, <https://www.bbc.co.uk/bitesize/guides/z7r7hyc/revision/2#:~:text=Medieval%20doctors%20were%20not%20certain,bad%20smells%20and%20corrupt%20air>.

<sup>79</sup> They also state early in the synod of 1350 that the synod makes these rules to take care of the 'flock': "*nobis commissi gregis curam gerere mente vigili ex debito nostri officii teneamur*"

Charter of statutes given to the Marienberg monastery

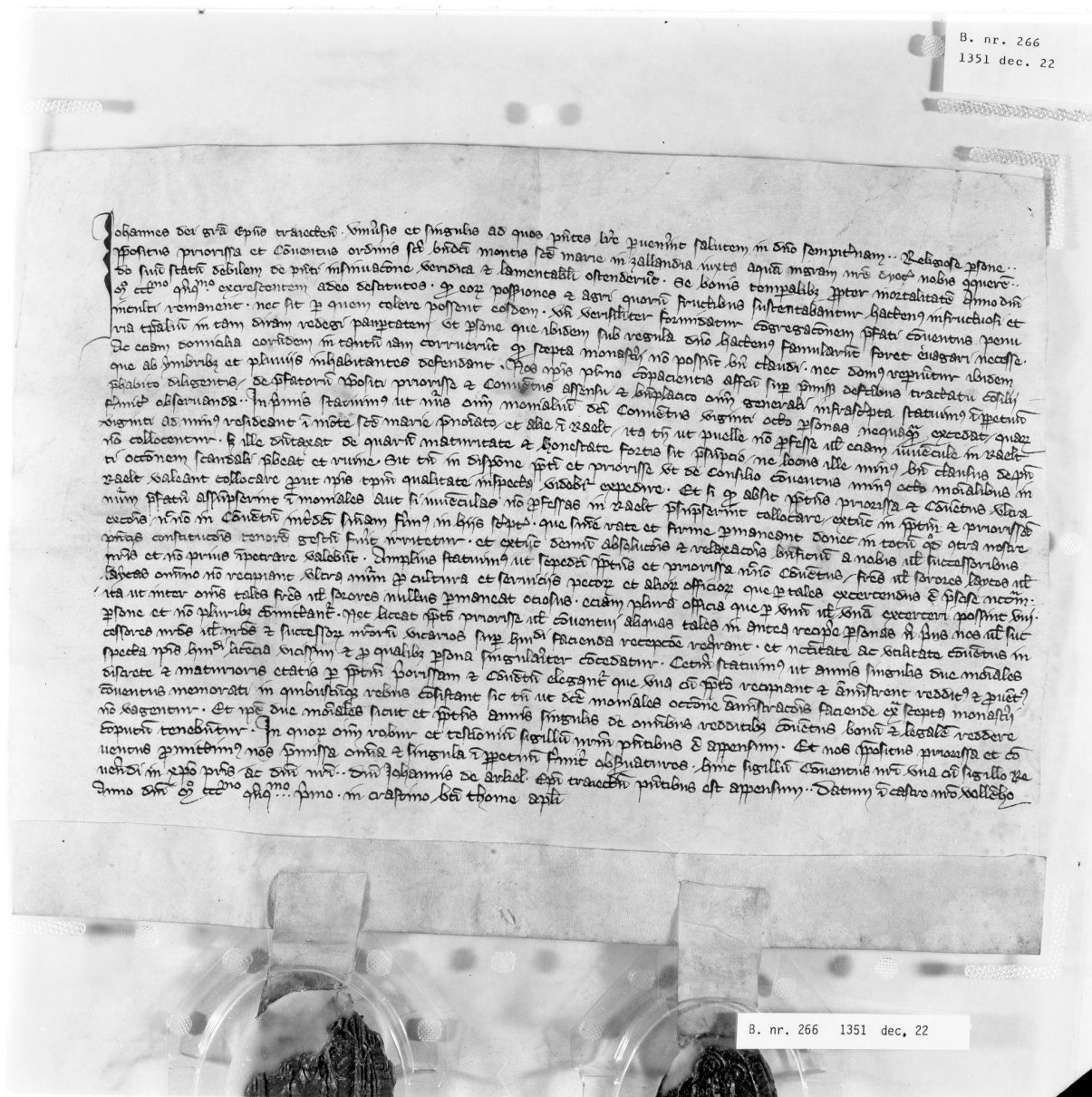


Figure 1: Charter of statutes given to the Marienberg monastery, 218-1 Bisschoppen van Utrecht, no. 170.

The second ecclesiastical source I will discuss is a charter of statutes by Jan van Arkel issued on 22 December 1351, given to the Marienberg monastery because their lands had been neglected.<sup>80</sup> See a copy of the original charter in Figure 1 above, and its transcription and translation in the appendix. I will discuss the context, content, and importance of this charter, but first I need to give some basic information. The charter was made on parchment, and it contains a text written in Latin, by a single scribe. Two seals are attached to the bottom fold, the red seal of the bishop and the green seal of the monastery. Several elements are found within the text of the charter, among which an *intitulatio* (giving the name of the ruler), a *narratio* (an exposition of the background or circumstances of the statutes),

<sup>80</sup> Charter Where bishop Jan van Arkel gives new statutes to the convent Marienberg by the Zwartewater in Salland, 22 Dec 1351, document 170, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands

a *dispositio* (the details of the statutes to be given), and *subscriptiones* (signatures and a recognition of the charter). The *narratio* is most important here, as it explains the heavy impact the plague has had on the monastery.

The *narratio* explains that in 1350 the goods of the convent had gotten into a bad state. Specifically, the possessions and lands which had previously been productive were now unproductive and uncultivated (“*quod eorum possessiones vel agri quorum fructibus sustentabantur hactenus infructuosi et inculti remanent*”), and the people are reduced to poverty (“*in tam diram redegei paupertatem*”). Further, it seems a wall was damaged and a building needed to be repaired after a storm (“*de eadem domicilia eorundem in tantum iam corruerunt quod scepta monasterii non possunt bene claudi. nec domus reperiuntur ibidem que ab ymbribus et pluuiis inhabitantes defendant.*”). Next in the *dispositio*, several statutes are given to the Marienberg monastery. They are to have a maximum of 20 nuns stay in Marienberg, and 8 nuns or any other undeclared people are to move to Raelt.<sup>81</sup> The punishment for not following this is excommunication for the prioress, and an interdict on the convent. They are also not to take in more people than necessary to do field work, livestock services, or other duties, and nobody should be idle (“*ut inter omnes tales fratres uel sorores nullus permaneat ociosus*”). These statutes and the *narratio* imply that Marienburg was unable to work its land, did not have enough money or food to support the amount of people living there at the time, and that people had previously been staying there and not working. The big death of 1350 which had caused this condition (“*propter mortalitatem anno domini mo cccmo quinquagesimo*”) is not necessarily the Black Death, but the timing lines up and there were no wars going on near them at the time.

While this charter is special for mentioning what cannot be anything other than the plague, it is not the only time Jan van Arkel interacted with the Marienberg monastery. He was the dean (“*prepositus*”) of the monastery, and interacted with the monastery in several ways.<sup>82</sup> First of all, upon his election as bishop he confirmed that the monastery would keep the privileges it had held under its previous dean.<sup>83</sup> Secondly, as dean he was not only a superior of the nuns, but also held control over their land. For example, tithes of land were given to him, the prioress, and the monastery; he was able to collect rents from lands in the region; and he could collect land in repayment of a debt.<sup>84</sup> What this means is that the

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<sup>81</sup> “*In primis statuimus ut numerus omnium monialium dicti conuentus viginti octo personas nequaquam excedat, quarum viginti ad minus resideant in monte sancte marie prenominato, et alie in Raelt, ita tamen ut puelle non professe uel eciam iuuenule in Raelt non collocentur.*”

<sup>82</sup> Charter where Wernerus de Brechtlaer, judge in Hasselt, confirms that Lubbertus ten Velde and Beatrix his wife sold to Johannes, dean of Mons Sancte Marie in Zallandia, a yearly rent of one pound of pennies from the land inhabited by Wilhelmus van Wruchten, in Haseelt, 2 May 1344, document 23, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

<sup>83</sup> Charter where Johannes, confirmed bishop of Utrecht, confirms the privileges given to the St. marinberg monastery by his predecessors, 1343, document 22, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

<sup>84</sup> Charter where the vassal of Johannes, bishop of Utrecht, Rudolphus van der Maet gives to the dean, prioress, and the convent of the monastery of Mons Sancte Marie in Zallandia, the tithes of Velschedijnck, Mateveendijnck, Vesselijnck, and Hemmekync, and the patronage right in the churches of Nijensteden and Heme, 21 Aug 1326, document 16, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands. And Charter where Helmich van der Schuren and Hascke his wife, renounce all rights they have on a piece of land, located at the “Belijerde maet,” for the benefit of the dean and convent at “Swarten water,” 19 Oct 1340, document 21, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands. And Charter where Wernerus de Brechtlaer, judge in Hasselt, confirms that Lubbertus ten Velde and Beatrix his wife sold to Johannes, dean of Mons Sancte Marie in Zallandia, a yearly rent of one pound

bishop was involved in the affairs of this monastery, though there is only one remaining record of the bishop giving statutes directly to the monastery: 22 December 1351, the statutes given to the Mariënberg monastery in response to plague issues.<sup>85</sup> Jan van Arkel had already given statutes to a church 'building' because of an inadequate living situation. For example, on 2 May 1350, he made a new arrangement for the chapter church in Steenwijk (*Steenwijc*), as the canons couldn't live there because they didn't have enough property.<sup>86</sup> All of this means to say that the Mariënberg charter did not exist in a vacuum: Jan van Arkel had previously interacted with the monastery and had previously created statutes with a similar function. The difference between the Mariënberg charter and the charters just mentioned, is that it is the only remaining source produced by Jan van Arkel that mentions the plague.

The importance of this charter is clearer than that of the previously discussed synod of 1350. It explains that the monastery became neglected because of the plague. Further of interest, the charter is presented as coming from Jan van Arkel specifically, "*Johannes dei gracia episcopus traiectensis*," and it is he who recognises the bad state of the monastery; it is he who gives new statutes to the monastery to remedy this bad state, and it is his seal attached to the charter. Contextually, it is also Jan van Arkel's responsibility to take care of this monastery, as he is its dean.<sup>87</sup> Hence, this charter should not be seen as the creation by a vague and general "ecclesiastical body" like the Utrecht Church or its chapters, but rather as a specific intervention of the bishop. This suggests that a possible flaw in previous methodologies in research on the Black Death in the Low Countries is their reliance on demographic sources (sources using many data points, and which were created by administrative bodies), and discounting the importance of "special interventions" like this one, for an analysis of the effects of the Black Death.

The Mariënberg charter is also unique in that its *narratio* (exposition of the background of the statutes) states quite simply that the plague caused the monastery lands to be unworked and its inhabitants to live in poverty, a clear statement of the severity of the Black Death in this one monastery. My research question is, why Utrecht sources understated the severity of the Black Death, mostly sources not mentioning the Black Death at all. So why do other sources not mention the plague, while this charter does? A possible answer comes from the purpose of a charter as compared to, for example, the synodal statutes discussed earlier. A charter is defined as "a document granting certain specified rights, powers, privileges, or functions from the sovereign power of a state to an individual, corporation, city, or other unit of local organization."<sup>88</sup> In the process of documenting the grant of rights, powers, privileges, or functions, charters need to provide some background information on the grant in question. In the case of the Mariënberg charter, the granting of

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of pennies from the land inhabited by Wilhelmus van Wruchten, in Haseelt, 2 May 1344, document 23, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

<sup>85</sup> Charter Where bishop Jan van Arkel gives new statutes to the convent Mariënberg by the Zwartewater in Salland, 22 Dec 1351, document 170, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands

<sup>86</sup> Bishop Johannes makes new regulations for the service in the chapter church of Steenwijk created by his predecessors, 2 May 1350, document 853, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

<sup>87</sup> And Charter where Wernerus de Brechtlaer, judge in Haseelt, confirms that Lubbertus ten Velde and Beatrix his wife sold to Johannes, dean of Mons Sancte Marie in Zallandia, a yearly rent of one pound of pennies from the land inhabited by Wilhelmus van Wruchten, in Haseelt, 2 May 1344, document 23, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

<sup>88</sup> "Charter," Encyclopedia Britannica, last accessed 27 March 2021, <https://www.britannica.com/topic/charter-document>.

new statutes to the monastery is preceded by an explanation of the derelict state of the monastery. A synod is an assembly created for the resolution of ecclesiastical issues. This does not require background information about a specific event, because by convention a synod deals with general issues and not with particular ones. However, the Marienberg charter is also the only charter to state the severity of the Black Death. Perhaps there were more charters like the Marienberg charter, for different places, that simply did not survive, but this cannot be proven. Rather, I will argue next that there is a more systematic explanation for charters and synods not discussing the plague: a cultural/religious stigma.

## D: Narrative Sources

In this part I will ask the question: did narrative sources show a response from Jan van Arkel, to the Black Death? In particular, I will discuss the *Catalogus Episcoporum Ultrajectorum* (1342 with later additions) which does not mention the Black Death, and the *Kroniek* (1346 with later additions) by Johannes de Beke which does mention the Black Death. Both these narrative sources were started during Jan van Arkel's time, 1342 and 1346, but included additions from decades later. The Black Death was therefore described in these later additions, not by contemporaries. However, I still think these sources are valuable and relevant because they are the two narrative sources from Utrecht that are the closest to the time of the Black Death and to the bishop of Utrecht.<sup>89</sup> Further, the later additions were made from either the late 14th or early 15th centuries, during which the bubonic plague was coming back every few years or decades, so the scribes would have at least known about the disease. I will show with these sources that Jan van Arkel's merit (to the merit of these future writers) was measured by his military successes and the overcoming of hardships such as the financial state of Utrecht. I will also discuss the contemporary belief that God influenced man's actions, and the belief that sins would be punished by God. Put together, the contemporary beliefs in divine punishment and the measures of merit, pushed scribes to avoid talking about the Black Death's impact in Utrecht and make it look like the bishop did not respond or interact with the plague.

### *Catalogus Episcoporum Ultrajectinorum*

The *Catalogus episcoporum Ultrajectinorum* is a catalogue of the important deeds of bishops in Utrecht.<sup>90</sup> It can be found in a cartulary that was compiled around 1342, with later additions from the 15th century. It contains the *Catalogus Episcoporum Ultrajectinorum*, *Memoriale de prerogativa Romani imperii*, the golden bull by emperor Carl IV of the Holy Roman Empire, and several charters dating from 723-1330. The *Catalogus* was made in 1342, but contains additions from five other scribes throughout the fourteenth and fifteenth centuries, like other sources in the cartulary. In its final form it catalogues bishops from 695 (Willibrord) until 1378 (Jan van Arkel).<sup>91</sup> The "Utrechtse Kronieken Project" (created by the

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<sup>89</sup> [https://www.narrative-sources.be/simple\\_search\\_nl.php](https://www.narrative-sources.be/simple_search_nl.php), search terms, diocese of Utrecht, 14th-14th century.

<sup>90</sup> Cartulary put together in 1342 or shortly after, a copy of a cartulary from 1315 with additions, containing charters from 723-1330, preceded by a list of Utrecht bishops created in 1343 or shortly after, the *Memoriale de prerogativa Romani imperii* by Alexander von Roes, and the golden bull of emperor Carl IV, document 3, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

<sup>91</sup> "Catalogus Episcoporum," Utrechtse Kronieken, last accessed 27 March 2021, <http://www.utrechtsekronieken.nl/kronieken/catalogus-episcoporum/>.

Utrecht archive and the university library of Utrecht) characterises this text as a chronicle rather than a catalogue, because many historical events are described in the text.<sup>92</sup> The list of bishops found in the *Catalogus* is also found in the *Kroniek* by Johannes de Beke, and is possibly one of its sources.

The forty-eighth section of the *Catalogus Episcoporum Ultrajectinorum* is devoted to the history of Jan van Arkel as bishop, though it also includes later additions about the histories of the counts of Holland and their families. For a full version of section 48, see the appendix. The text can be broken into seven sub-sections, each with a distinct topic. First, a short section explains how Jan van Arkel was elected as bishop. Secondly, there is a summary of the major deeds of Jan van Arkel, ranging from his election until his death in 1378 as bishop of Liège. Thirdly, a description of the siege of Utrecht from 1345. The next three sections roughly concern the events of the Battle of Warns. The fourth section describes Jan van Arkel and his soldiers going to Frisia and fighting Jan van Beaumont of Hainault (the uncle of the count of Holland) and then winning a miraculous victory. The fifth section describes how the Frisians killed the count of Holland. The sixth section contains an earlier prediction by count Reinald of Gelre that the count of Holland would be killed by the Frisians, and a list of people who died in the war. The last section is Jan van Arkel's revenge on all his enemies: he ends a ceasefire with Holland, bans people who were allies of the count during a siege of Utrecht, destroys a castle, burns the village of Eemnes, burns large parts of the IJsselstein estate, accepts the surrender of the Abcoude estate, and more.

The *Catalogus Episcoporum Ultrajectinorum* does not mention Jan van Arkel's experience with, or actions against, the Black Death. One might therefore wonder why I have included it in an analysis of the Black Death in Utrecht, but there are two major points that this text can tell us about the Black Death. First of all, about what is not mentioned. The text touches on several topics, mainly focusing on military history and the building or destruction of castles, but also on others. It mentions the bad situation of the bishopric when it was given to Jan van Arkel, “[Hij] trof het hele bisdom in beroerde omstandigheden aan, maar hij spande zich om in de schuldeisers tevreden te stellen,” he found the bishopric in a terrible condition, but he tried to satisfy the creditors. It also mentions the visitation rights given to Jan van Arkel by Pope Innocent IV, which prelates and canons were so unhappy with that they got the next pope, Urban V, to move Jan van Arkel to Liège. It also mentions burial rites, an earthquake in 1342, symbolic actions, a prophecy, honour, and revenge. Given this wide range of topics, it is not immediately clear why the author would not mention such a great event as the Black Death, but does mention an earthquake. Furthermore, the text is heavily involved with events in Friesland, which makes me speculate that the author might have had some connection to Friesland, as Jan van Arkel was involved in many wars, and here the author is at pains to show that the Frisians were honourable (a nobleman fought honorably until death: “hy verdedigde zich eervol tot hij sneuvelde”). Frisia was severely impacted by the Black Death, so why would an author describe these wars in which several hundred people died, but not a plague a few years later which presumably killed many more? Nor does the text mention events from the Black Death years in general.

There are, however, two relevant passages from this text that I will use to introduce a possible cultural influence that influences narrative sources. First, there is the passage:

*Dan was er nog in het jaar des 1342 op 2 januari in Holland een aardbeving, die vreselijke plagen voorspelde.* (“There was also, in the year 1342 on 2 January in

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<sup>92</sup> “Catalogus Episcoporum.”

Holland, an earthquake, which predicted horrible plagues” [possibly meaning bad events, not a disease]).

The text proceeds to say that the prediction came true, because William IV, the count of Holland besieged Utrecht because of “ijdele woorden” (“vain words”), and when the count was planning to storm the city at night (“toen ... hij op een nacht de diepte van de gracht wilde peilden”) he got hit by a spear in his heel. Within a short time, he died of that wound. Essentially, there was an earthquake which predicted a plague, and it came true when the count attacked Utrecht unjustly and dishonourably. A bad thing happened because of a bad action, and the person who did it was punished. The second passage likewise attributes an action to a greater power:

*Zo speelt de almacht van God een rol in de aangelegenheden van de mensen. Want graaf Reinald I van Gelre heeft indertijd, toen hij als getuige graaf Willem ten doop hield, voorspelde dat deze door de Friezen omgebracht zou worden.* (“So does the might of God play a role in the deeds of men. Because count Reinald I of Guelders, when he as witness baptised count William, predicted that he would be killed by the Frisians.”)

The context of this second passage is that the count of Holland was decapitated by the Frisians in the place where the counts of Holland had previously held court hearings. There is clearly a more complex belief than “bad things happen to bad people” going on here. Next I will be elaborating on this with a discussion of the *Kroniek* by Johannes de Beke.

## The *Kroniek* by Johannes de Beke

The *Kroniek* is a Latin chronicle of the bishops of Utrecht and the counts of Holland, from Roman times until 1346. Further additions to the chronicle were made in 1393 and 1430, and a Middle Dutch translation was also made in 1393, with additions added in 1430.<sup>93</sup> I will be quoting from the Middle Dutch version. This version was likely made by someone who did not have a connection to the original author, changing his name from Jan Beke to Johannes van der Beke, and omitting the author’s place of origin, Egmond.<sup>94</sup> Furthermore, the Middle Dutch version is more focused on Utrecht than the original Latin version, and many of the additions made after 1393 are original additions rather than translations.<sup>95</sup> The section of the *Kroniek* which I will be discussing can be found in chapter LXXXII: *Van Margrieten Der Keyserinnen, die XX van Hollant*. A copy of the relevant sections in this chapter can be found in the appendix. The section contains a description of the flagellants who came to Utrecht in 1349, a very short description of the Black Death, and then a longer section of Jan van Arkel’s journey from making peace with Holland when he had having to pay back massive loans, making a big comeback, and his journey to Rome.<sup>96</sup>

What follows is the paragraph in chapter LXXXII which mentions of the Black Death, found in lines 140 - 145:

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<sup>93</sup> H. Bruch, *Johannes De Beke, Croniken van den Stichte van Utrecht ende van Hollant (s’ Gravenhage: Bureau der Rijkscommissie voor Vaderlandse Geschiedenis, 1980)*, pg VII - VIII.

<sup>94</sup> Bruch, *Johannes de Beke*, IX.

<sup>95</sup> *Ibid*, X.

<sup>96</sup> *Ibid*, lines 113-181, on pages 196 - 198.

*In denselven jare quam een sterfte van volke so groot, dat men meende voerwaer, dat in al European cume die helft van den menschen te live bleef. Ende somighe steden storven mit allen uut. Mer of dese plaghe iet was in Asyen of in Afriken, des en weet ic niet.*<sup>97</sup>

(In the same year came a death of the people so large, that people meant verily, that in all of Europe half of people stayed alive. And some cities died out altogether. But whether this plague was something from Asia or Afria, this I do not know about.)

Since the original text was written in 1346 (before the time of the plague), and a later addition came from either 1393 or 1430, this section would have been made by someone looking back on the event (perhaps an event from before they were born). Further, it is not descriptive of the situation in Utrecht or even the Low Countries per se, although it does describe the situation as severe. Therefore, even though this section mentions the plague, it is not interesting for our purpose. But, as I will now discuss, the sections on the flagellants who came to Utrecht, and the story of the bishop after the plague can contextualise the cultural expectations of a narrative source from Utrecht in roughly the mid 14th to early 15th centuries.

Lines 113-139 tell about the flagellants ("*gheselbroeders*") who came to Utrecht in 1349. These flagellants came from far away, with crucifixes and flags, they sang praise for God and Mary, and they whipped themselves. First, they took off all their clothes, except for a *caproen* (a hat) and a *broec* (pants), then they tied a linen cloth around them that went from their navel to the ground. They then hit themselves with sharp rods until they bled ("*ende sloeghen hemselves mit scerpen gheselen, sodat si sere bloeden*"), and sang out:<sup>98</sup>

*Slaet u sere, doer Christus ere:  
Doer God so laet die sunden meer*<sup>99</sup>

This means: "Hit yourself hard, by Christ's honour: by God desist from sins". These flagellants apparently inspired many people to join in the procession, including laypeople, clerics, popes, monks, and even some bishops. These flagellants were able to reconcile wars, murders, and many heavy feuds, which nobody was able to do before ("*die tevoren nieman versoenen en conde*").<sup>100</sup> They also killed Jews wherever they found them ("*Dese gheselbroeders sloeghen die Joden dood, waer si se vonden*").

Lines 145 to 181 form a 'rags to riches' story for Jan van Arkel. The text states that right after a peace was made between Holland and the Sticht of Utrecht in 1349, six lords decided to band together and demanded the bishop repay his debts. These lords were: "Sweeder uter Lo," "Jan van Culenborch," "Henric van Vianen," "Jan van Woudenberch," "Ghisebrecht van Sterkenberch," and "Jacob van Lichtenberch."<sup>101</sup> They wanted several other things as well, among which all the land of the Sticht (presumably) on the west side of the IJssel river, the city of Vollenhove, and Jan van Arkel's seal and his church seal (for 30

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<sup>97</sup> Bruch, *Johannes de Beke*, lines 141 - 144 on page 197.

<sup>98</sup> *Ibid*, lines 122-123.

<sup>99</sup> *Ibid*, 124-125.

<sup>100</sup> *Ibid*, 131 - 134.

<sup>101</sup> *Ibid*, lines 147 - 149.



years). For this, they were prepared to pay “*ii<sup>m</sup> pont*” (2,000 pounds).<sup>102</sup> The bishop agreed to this, but the majority of the Church did not, and in response the six lords made a damage claim for the debts the bishop owed to the Lordship of Laghe, eventually totalling “*xl<sup>m</sup> pont*” (40,000 pounds). At this point, Jan van Arkel is at a low point. The text says “In deser groter scout ... verdwaelde bisschop Jan also ver, dat hi ghene weghe en wiste, hoe hi daerut comen mochte ende verarmde so sere, dat hi noch lenen noch borchten en mochte” (“ In this big debt, bishop Jan got so far lost, that he did not know any way to get out, and he became so impoverished, that he was not able to loan or borrow”). After realising that these six lords whom he had trusted in the past, had squandered that trust, he took their power from them, and “*beval Gheride van den Veen sijn zeghel, maecten sinen vicarius ende reet van groter scaemte mit ses peerden uut sinen lande te groten Romen in die stat*” (“ordered Gerard van den Veen’s seal [to be taken], made him his vicar, and [he] rode out of great shame with six horses out of his land to the city of great Rome”).

This ‘rags to riches’ story of Jan van Arkel and the mysterious appearance of flagellants in Utrecht are described in more detail than the Black Death. Perhaps this means that Jan van Arkel did no great deeds in response to the plague? This is certainly possible. However, there are some similarities between the *Kroniek* and the *Catalogus Episcoporum Traiectensis* which make me think that it was rather literary convention that made authors avoid talking about the Black Death in detail. Firstly, both present a kind of rightful revenge of Jan van Arkel on the people who betrayed him (the six lords in the *Kroniek* and the (allies of the) count of Holland in the *Catalogus* respectively). This involves an aggressor wronging the bishop or Utrecht (such as the six lords in the *Kroniek*), the bishop reaching a low point or making a mistake (such as bishop’s army going in the wrong direction), but eventually becoming stronger and taking his revenge (such as Jan van Arkel taking revenge against the six lords and the lord of IJsselsteyn). I will characterise this as ‘overcoming hardships.’ Secondly, these two sources both include instances of a higher power influencing events. In the *Catalogus* there are two examples of this, including the earthquake predicting a horrible event and a man predicting the death of the count of Holland. Both are instances of divine punishment. In the *Kroniek*, the section of the flagellants contains an example of this, as their presence was able to reconcile wars, murders, etc. This was because of their penitence and strict religious values.

The overcoming of hardships and the presence of a higher power interacting with life are possibly irreconcilable with the Black Death. If only half or less of the people in Europe survived, as the *Kroniek* describes, then there is no way to paint that in a good light for future generations. The bishop could not bring back people who had died, and admitting that there was such a horrible plague in the Utrecht diocese could be interpreted by others as God giving divine punishment for some sin the people had committed. Furthermore, though this still needs to be studied in the case of medieval Utrecht, the plague might have undermined the legitimacy of the administration if it was not dealt with properly.<sup>103</sup> Even if it was responded to with measures such as quarantines and isolation, this would have meant major government intervention. The scribes who added to the *Kroniek* and the *Catalogus* might

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<sup>102</sup> “*Dese sesse seiden, si wouden hebben allet stichte an dese side der Ysel ende Vollenho daertoe, ende sijn zeghel xxx jaer lang ende daerof der clesiën zeghel. Ende so wouden si hem jaerlix gheven tot sinen cost ii<sup>m</sup> pont.*” Bruch, *Johannes de Beke*, lines 156 - 158.

<sup>103</sup> Isaac Chotiner, “How Governments Respond to Pandemics Like the Coronavirus,” *The New Yorker*, published 18 March 2020, <https://www.newyorker.com/news/q-and-a/how-governments-respond-to-pandemics-like-the-coronavirus>.

also have lived through the first wave of the Black Plague, or be the offspring of people who had. If Jan van Arkel died in 1378 and these two texts were written in the 1390's, then roughly the same people might have still been in power in the Church. This is speculation, of course, and more in-depth research deserves to be done on Utrecht during the Black Death.

## Conclusion

At the start, I asked how the prince-bishop of Utrecht's response to the Black Death was depicted in ecclesiastical documents and in narrative sources. Other historians had debated over two different approaches to the topic of the Black Death in the Low Countries. Van Werveke argued for a 'light touch' approach, in which the Low Countries are not seen as having experienced the plague. He used good source criticism to argue this, but nevertheless over the decades an opposing idea became the consensus. The 'heavy touch' approach suggested that the Low Countries were seen as having indeed experienced the plague. Its most cited texts were written by De Boer, Blockmans, Benedictow, and Roosen & Curtis. From the debate between proponents of these two approaches, two things stood out. Firstly, that any study of the Black Death in the Low Countries should not assume the plague spread everywhere in a region nor at the same time, but, conversely, that, in the absence of positive evidence, it should not be assumed that the plague did not hit a town/region either. Secondly, there is a lack of demographic sources for the Northern Low Countries. Studies on the Southern Low Countries used sources such as hearth counts or mortmain counts, but there are no similar sources available for the Northern Low Countries in the mid-fourteenth century (with a few exceptions, like the Necrology of the St. Lebuinus church in Deventer). This lack of demographic sources means that for the Northern Low Countries mainly textual sources such as synodal statutes, charters or chronicles need to be used. Along with an analysis of these textual sources comes the need to understand their context.

In the particular case of Jan van Arkel, this context is formed partly by what his behaviour was, and partly by what his responsibilities were. Through the diocese's synodal statutes of 1343-1348, I argued that Jan van Arkel actively tried to increase his authority (though not always successfully) and impose public order on the diocese. Through the *Statuta Ecclesiae Traiectensis* by Hugo Wstinc, I argued that there were several strengths and weaknesses to being a bishop, and that there was a set way of handling funerals and deaths. In a later synodal statute from 1350, more questions surrounding deaths had to be answered, though, as statute eight in particular called for excessive numbers of deaths and testaments left unexecuted to be brought to the attention of the synod. Within the context of the synod being aware of the plague being in the North and East of the diocese, and Jan van Arkel having previously been seen trying to impose public order, this statute can be seen as an administrative tool to deal with consequences of the plague, even if it does not directly mention the Black Death. The only direct response of Jan van Arkel to the Black Death came in the form of a charter which gave statutes to the Marienberg monastery. The charter explains how the monastery had fallen on hard times: its lands were not cultivated and the community was unable to provide for as many people as they were before. Unlike the synodal statutes, these statutes for the monastery are a one-time tailor-made response to the effects of a plague. The difference between the format of a synodal statute and a charter therefore has an impact on how a response to the Black Death is depicted.

The two chronicles, the *Catalogus Episcopus Traiectensis* and the *Kroniek*, also show how format can impact how a response to the Black Death is depicted. They both

portrayed Jan van Arkel as a strong leader, who achieved military victories, survived hardships, and took rightful revenge on those who did him and Utrecht harm. They also always included influence from a higher power to reward the pious and punish the wicked. They do not describe the Black Death in Utrecht, possibly because it would undermine the Church and city leader's authority and make it look as if they might have done something to deserve such a plague. In sum, these examples of ecclesiastical and narrative sources do show Jan van Arkel taking different responses to the Black Death, with the differences coming down to the expectations created by the different formats of the sources and the legal/cultural expectations for the content of the genres involved. But, this has only been a starting point for research on the Black Death in Utrecht.

# Appendices

## 1. *Kroniek*

Found in *Johannes De Beke, Croniken van den Stichte van Utrecht ende van Hollant*, by H. Bruck (1980).

In dien tiden als in den jaer ons Heren m ccc xlix gheschiede een sonderlinghe wonder, want daer quam een volc, dat nieman en conste ter waer heit vernemen, wie si waren of in wat lande dat sijs ierst begonsten. Ende sonder oerlove des paeus ende der heiligher kerken dese lude nayden cruce op hoer hoede ende op hoer cleder ende namen bedevaert ane, die duerde xxxiiis dach. Dese ghinghen mit crucen ende rnit vanen doer die lande ende songhen den lof Gods ende onser Vrouwen. Ende elkes daghes ontclede si hem twewerf sonder horen hoet, caproen ende broec behielden si ane, ende beneden scorten si een linnen cleet om hem, dat was lanc van den navel ter eerden toe, ende daerboven bleven si al naect ende sloeghen hemselves mit scerpen gheselen, sodat si sere bloeden, ende songhen: Slaet u sere, doer Christus ere: Doer God so laet die sunden meer.

Ende als si hem ghegheselt hadden, so ghinghen si voert in een ander kerke hem gheselen, ende nerghent sliepen si die ene nacht daer si die ander gheslapen hadden. Ende veel lude die dat saghen, worden beroert rnit groten rouwen van horen sunden ende namen die bedevaert mede aen : leke, clerke, papen, monicke ende oec somighe bisscoppe; mer die priestere waren, en gheselden hem niet openbaerlike. Hierof gheschieden veel duechden, want dese gheselbroeders maecten menighe soene van oerloghen, van dootslaghen ende van manighen swaren veeden, die tevoren nieman versoenen en conde. Dese gheselbroeders sloeghen die Joden doot, waer si se vonden, die niet kersten werden en wouden ende waenden Gode lieven dienst daermede doen, dat nochtan in onser wet verboden is. Ende want daer vele erroers in gheschiede, so verboet die paeus bi sinen banne dat mens niet meer en dade. Men seide, dat een prophete van desen gheselbroeders ghesproken hadde langhe tevoren aldus : Veniet gens sine capite et flagellabit se pro peccatis suis.

In denselven jare quam een sterfte van volke so groot, dat men meende voerwaer, dat in al Europeen cume die helft van den menschen te live bleef. Ende somighe steden storven mit allen uut. Mer of dese plage iet was in Asyen of in Afriken, des en weet ic niet.

Ende also die vrede tusschen Hollant ende den ghestichte van Utrecht ghemaect was, die inghinc tsunte Berthelmeeus daghe in den jaer xlix also voerseit is, doe quamen dese sesse, haer Sweeder uter Lo, haer Jan van Culenborch, haer Henric van Vianen, haer Jan van Woudenberch, haer Ghisebrecht van Sterkenberch ende haer Jacob van Lichtenberch, diet al had 150 den in hant, de ambachte, slote ende lant dat den stichte toebehoorde an dese side der Ysel, ende seiden, si en mochten des bisscops scout niet langher verhouden. Ende nu en hadde die bisscop in sijn ghewout niet meer van alle den stichte dan Vollenho allene ende dat daer toebehoort. Want haer Vrederic van der Eze had al tlant van Overysel te pande voer sine rekeninghe, die voerseit is.

Dese sesse seiden, si wouden hebben allet stichte an dese side der Ysel ende Vollenho daertoe, ende sijn zeghel xxx jaer lang ende daerof der clesiën zeghel. Ende so wouden si hem jaerlix gheven tot sinen cost ii" pont. Dit hadde die bisscop wel al ghedaen, opdat hi hadde behouden Vollenho mit sinen toebehoren ende sijn zeghel. Mede so en woude die meerre deel van der clesi niet ghehenghen. Doe die sesse dat vernamen, dat

hoer opset niet en mochte gheschien, doe lieten si die borghen lesten op dat ghelt dat hi sculdich was van der heerscapie te Laghe, daer si op verleisten ix" pont, ende dat wonnen si te scade, sodattet quam op xl" pont.

In deser groter scout aen ghene side der Ysel ende an dese side der Ysel verdwaelde bisscop Jan also ver, dat hi ghene weghe en wiste, hoe hi daerut comen mochte ende verarmde so sere, dat hi noch lenen noch borghen en mochte. Ende sach, dat hem dese sesse, daer hi in voertiden sijn ghelove op hadde gheset, ummer verderven wouden ende si heren des Stichts bliven wouden, ontwaerde hi den sessen hoor macht ende beval heren Gheride van den Veen sijn zeghel, maecten sinen vicarius ende reet van groter scaemte mit ses peerden uut sinen lande te groten Romen in die stat ende liet al varen alst varen mochte. Ende in desen tiden alse bisscop Jan te Romen was, ghinghet buten vrede tusschen den ghestichte van Utrecht ende haer Aernd van Yselsteyn. Doe overdroech des bisscops maerscale mitter stat van Utrecht, dat si toghen voer Yselsteyn des manendaghes na beloken paesschen, ende lach daervoer v weken, ende rieden hem so wee mit storme, dat hi dadingde ende hem venvilcoerde ende swoer ende alle de van Yselsteyn mit hem, altoos voertan goede ende ghetrouwe Stichts lude te bliven ende nummermeer tieghen den ghestichte noch tieghen Utrecht te oorloghen; dat si onlange hielden.

## *2. Catalogus Episcoporum Ultrajectinorum*

Found in a cartulary put together in 1342 or shortly after, with fifteenth century additions. Document 3, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

[48.] Jan van Arkel verkreeg het bisdom door benoeming door de Apostolische Stoel van Clemens VI in het jaar des Heren 1342 op de woensdag na het octaaf van Sint-Maarten en dat was op 20 november.

En paus Clemens VI voorzag in de benoeming van heer Jan van Arkel, die op jeugdige leeftijd in de curie was gewijd. En deze trof het hele bisdom in beroerde omstandigheden aan, maar hij spande zich in om de schuldeisers tevreden te stellen. De verpanding van Overijssel loste hij af en met hulp van de stad [Utrecht] heeft hij van kastelein Florens van den Boechorst Vreeland vrijgekocht uit de macht van de graaf van Holland.

Evenzo veroverde hij het kasteel Marckenburg, het kasteel te Woudenberg en het kasteel De Voorst bij Zwolle en liet ze tot de grond toe afbreken. En het land dat in de volkstaal Mastenbroek heet, onderwierp hij aan zijn gezag hetgeen de heer van Voorst met de zijnen aanvankelijk verhinderde. Tevens liet hij uit eigen middelen het kasteel Arkestein bij Deventer bouwen en door middel van een vriendschappelijke overeenkomst wist hij Zweder Uterloo, de toenmalige proost van Sint-Pieter [te Utrecht], het kasteel Ter Eem afhandig te maken, dat diezelfde proost als vicaris van de bisschop daar tegen hoge kosten had laten bouwen. Ook verkreeg de bisschop van paus Innocentius [VI] het visitatierecht over de Utrechtse prelaten en kanunniken en alle anderen in zijn bisdom, vanwaaruit men in beroep is gegaan. Nadat het bezwaarschrift en de punten van aanklacht waren ingediend en toegelaten als bewijsstukken en nadat negatief was beschikt, werd door paus Urbanus V in het jaar des Heren 1364 bisschop Jan van Arkel overgeplaatst naar het bisdom Luik, dat hij tot zijn dood in bezit heeft gehouden. En in het jaar des Heren 1378 is hij op 1 juli overleden

en nadat hij is overgebracht, is hij in de Utrechtse kerk met de vereiste uitvaartplechtigheden begraven.

Dan was er nog in het jaar des Heren 1342 op 2 januari in Holland een aardbeving, die vreselijke plagen voorspelde. Dat is ook uitgekomen, want in het jaar des Heren 1345 wilde graaf Willem [IV], juist voor de derde maal terug uit Pruisen, met 400 ruiters Friesland veroveren, maar om ijdele woorden belegerde hij eerst Utrecht van alle kanten en zes weken lang viel hij onvermoeid met dertien stukken geschut uit alle macht en gruwelijk de Utrechters aan. Maar die doorboorden met hun werpsperen heel wat soldaten als die niet op hun hoede waren. Toen de graaf van plan was de stad te bestormen en hij op een nacht de diepte van de gracht wilde peilen, trof een van de muur geworpen speer zijn hiel. En hij werd in zijn tent teruggebracht, waar hij in korte tijd genas.

Toen bisschop Jan van het beleg hoorde, ging hij er snel naar toe, hij kwam en wist een overeenkomst tot stand te brengen en wel op die manier, dat 500 burgers voor de tent van de graaf op hun knieën nederig om vergiffenis moesten smeken. Toen dit gebeurd was, ging de graaf met verse troepen naar Friesland. Maar wat een ellende! Zijn leger zette – tegen de bedoeling in – koers naar onbekend gebied en stak wanordelijk de Zuiderzee over. Daardoor vooral liep het zijn ongeluk tegemoet. Want heer Jan van Beaumont van Henegouwen landde bezuiden het Sint-Odulfusklooster en sloeg zijn tenten op aan de zee. Sommige van zijn soldaten hebben de vijand moedig aangevallen en op de vlucht gejaagd binnen Staveren en geen enkele tegenslag trof de Hollanders, voordat zij het Sint-Odulfusklooster aanvielen. Want vanaf dat ogenblik werden zij als het ware op miraculeuze wijze van het kerkhof verdreven.

De graaf ging de vijand onversaagd en snel tegemoet, en persoonlijk doodde hij een adellijke Fries, en hij verdedigde zich eervol tot hij sneuvelde. De Friezen omsingelden zijn kleine Hollandse leger en doodden de graaf met vele anderen. En naar men zegt, hebben zij hem, om de dood van de adellijke Fries te wreken, na zijn dood onthoofd op 26 september en wel op de plek waar de graven van Holland vroeger gewoon waren hun rechtszittingen te houden, toen zij nog de heerschappij over Friesland bezaten.

Zo speelt de almacht van God een rol in de aangelegenheden van de mensen. Want graaf Reinald [I] van Gelre heeft indertijd, toen hij als getuige graaf Willem ten doop hield, voorspeld dat deze door de Friezen omgebracht zou worden. Wel 500 man zijn samen met hem om het leven gebracht. De voornaamsten waren de heer van Hoorne, van Ligne, van Walcourt, van Mauny, van Antoing, van Haamstede en van de Merwede, allen van hoge adel; Gerard met de Baard, Willem van Naaldwijk, Simon en Dirk van Teilingen, Guy van Asperen, Jan de Rovere en Willem van Montfoort, Dirk van Santhorst, Dirk en Herman van Swieten, Florens van de Merwede, Otger van Spangen, Gerard Ever, Alfert van der Horst, Nicolaas Oem, Willem van Dongen, Dirk van Walcourt, Gerard van Florvil, Bonninc Honerus, ridders, met vele anderen, burgers en anderen die met wapens wisten om te gaan.

Na tien dagen heeft heer Maarten, later commandeur te Haarlem, onder de lijken van de gesneuvelden, het lijk van de illustere graaf Willem door bepaalde kenmerken teruggevonden, en hij heeft het laten overbrengen naar het klooster Bloemkamp, en het daar eervol laten begraven, naar men zei.

Daarna heeft bisschop Jan van Arkel een einde gemaakt aan de wapenstilstand en allen die tevoren aanhanger waren geweest van genoemde graaf tijdens het beleg van de stad [Utrecht] uit het bisdom verbannen.

Hij verwoestte het kasteel Wulven en legde het dorp Oost-Holland (Eemnes) in de as door een overval, hij stak de heerlijkheid IJsselstein voor een groot deel in brand en hij accepteerde de overgave van de heerlijkheid Abcoude. En nadat andere opstandelingen

een zware schatting was opgelegd, had hij voldoende wraak genomen op zijn tegenstanders.

### 3. Synod of Utrecht: 1350

Found in *Bronnen voor de geschiedenis der kerkelijke rechtspraak in het bisdom Utrecht in de Middeleeuwen*, volume five, by J.G.C. Joosting and S. Muller (1911).

Johannes, Dei gracia episcopus Traiectenssi, universis et singulis, quos infrascriptum tangit negocium vel tangere poterit in futurum, salutem in Domino sempiternam.

Cum nos, licet immeriti dispositione tamen divina ad regimen universalis ecclesie Traiectensis assumpti, nobis commissi gregis curam gerere mente vigili ex debito nostri officii teneamur, presertim ut eis, per que nimium diffamatur ecclesia et scandala generantur in populo, viam precludamus, convenit digna sollicitudine meditari.

Sane cum ex eo, quod matrimonia contrahere volentes, quamquam eciam ipsi contrahere volentes diversorum existant episcopatum vel parrochiarum a se distancium, non tamen in utroque episcopatum vel parrochiarum huiusmodi sed in uno eorum dumtaxat aliquociens banna de eisdem contrahendis matrimoniis fieri procurant, scandala et pericula in Dei ecclesia contigerunt hactenus et contingunt;

1. Eapropter statuimus et statuendo presentibus prohibemus, ne aliqui de cetero diversorum episcopatum vel parrochiarum quam plurimum a se distancium matrimonia invicem contrahant aut contrahere presumant, nisi - bannis et denunciacionibus seu proclamacionibus in utrisque episcopatibus et parrochiis, quos dicti contrahentes inhabitaverint seu inhabitare consueverint et de quibus originem traxerint debite premissis - iidem contrahentes litteras testimoniales obtinuerint super facis proclamacionibus antedictis. Alioquin dicta matrimonia clandestina reputamus, et ipsos contrahentes ac presbiteros eosdem contrahentes matrimonialiter copulantes decernimus et declaramus auctoritate statutorum synodali per nos alias editorum fore excommunicacionis sententia innodatos, quorum absolucionem nobis et officiali nostro Traiectensi specialiter reservamus
2. Item. Omnibus provisoribus decanis et officialibus foraneis nostris et subditorum nostrorum sub pena excommunicacionis inhibemus, ne super omittendis uno vel duobus de bannis seu proclamacionibus trinis in matrimoniis observandis aliquatenus dispensent aut se de eorum dispensacione quomodolibet intromittent.
3. Item. Questoribus, qui pro elemosinis querendis in nostra civitate vel dyocesi destinantur, sub pena excommunicacionis late sentencie prohibemus, ne in tabernis vel aliis locis inhonestis hospitentur aut sibi mulieres associant aut habitum false vel fecte religionis assumant aliquo modo sive gestent
4. Item. Eisdem questoribus sub pena excommunicacionis inhibemus, ne de cetero aliquid attemptent seu faciant contra ea vel eorum aliquid, que in decretali edita per dominum Clementem papam quintum in consilio Viennensi sub rubrica (De penitentis et remissionibus) -, que sic incipit (Abusionibus quas nonnulli elemosinarum questores in suis proponunt predicacionibus, ut simplices decipiant et aurum subtili vel fallacy potius ingenio extorqueant ab eisdem) etcetera - continentur. Ipsi questoribus sub eadem pena distincte precipientes, quod, antequam ad questum admittantur, de observandis indictis in dicta decretali contentis juramentum nobis vel commissariis nostris present et eiusdem decretalis copiam habeant, ne ignoranciam valeant allegare.

5. Item. Inhibemus omnibus et singulis abbatibus prepositis prioribus archidyaconis decanis collegiis ac aliis quibuscunque -, ad quod de consuetudine beneficiorum collatio seu personarum institutio in eadem vel cure aut officiaconum aliquorum beneficiorum commisso pertinent, dyocesis aut his -, Qui, professione in aliquo ordine a sede apostolica approbator tacite vel expresse facta, eundem suum ordinem dimiserunt pretext dispensacionis vel alias quovis colore quesito vel eciam in suis ordinibus permanentes superiorum suorum non optenta licencia evagantur, - beneficia conferant aut Ipsos in eadem beneficia instituant vel eis curam vel officiaconem aliquorem beneficiorum committant; nec curati et rectores ecclesiarum Ipsos ad regimen beneficiorum admittant; nisi prius per nos vel officialem nostrum Traiectensem per nostras aut ipsius officialis nostril litteras patentes approbati fuerint et recepti.
6. Item. Curatis nostrarum civitatum et dyocesis et eorum vices gerentibus suos parrochianos utriusque sexus, quos adulterium se commisisse confiteri contingat, dummodo sit occultum, absolvendi in foro penitencie dumtaxat concedimus facultatem.
7. Item. Eisdem damus et concedimus licenciam utendi veteris olei sacramento in articulo necessitates utpote in articulo mortis, dummodo notabilis culpa negligencie vel desidie super novo optinendo eis non valeat imputari.
8. Item. Precipimus omnibus et singulis ecclesiarum curatis et eorum loca tenentibus, et excessus notorios et enormes non correctos, infra limites parrochiarum suarum commissos, necnon testamenta seu ultimas voluntates decedencium, rite et legitime factas, infra annum non executes, singulis annis in sancta synodo per eorum patentes litteras vel vive vocis oraculo et in scriptis ad nostrum seu officialis nostril noticiam deducant.
9. Item. Quia domum Domini decet sanctitudo, statuimus, ut rectores ecclesiarum nostrarum civitatum et dyocesis et eorum vices sive loca gerentes, dum in suis ecclesiis divina official celebraverint aut eisdem officiis interfuerint necnon et dum sacramenta ecclesiastica suis parrochianis ministraverint, nisi quoad hoc distancia locorum vel qualitas temporis aliud exegerit, almuciis et superpelliciis aut aliis sacris vestibus sint induti. Similiter eciam eorundem rectorem custodes seu sacriste in ipsis ecclesiis utantur superpelliciis vel sacris vestibus huiusmodi temporibus divinatorum.
10. Qui autem huiusmodi nostril statute absque legitima et racionabili causa temerarius fuerit violator, per octo dies a divinis officiis auctoritate presencium se noverit ipso facto suspensum; quam suspensionem si non sustinuerit et observaverit reverenter, ex nunc prout ex tunc excommunicacionis sentenciam se noverit incurrisse. Quorum absolucionem nobis et officiali nostro presentibus reservamus.
11. Et hoc presens nostrum statutum post octabas beati Johannis Baptiste proxime affuturas et non prius optinere volumus roboris firmitatem.

In quorum testimonium has litteras valvis ecclesie nostre Traiectensis affigi fecimus ac sigilli nostril munimine roborari.

Actum, in synodo nostra Traiectensi, feria tertia post dominicam qua cantatur Cantate, anno Domini MCCCL



## 4. Statutes Given to Mariënberg

Found in a charter where bishop Jan van Arkel gives new statutes to the monastery Mariënberg. Document 170, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

### Transcription:

*Johannes dei gratia episcopus Traiectensis. vniuersis et singulis ad quos presentes littere pervenerint salutem in domino sempiternam.. Religiose persone.. prepositus priorissa et Conuentus ordinis sancti benedicti montis sancte marie in zallandia iuxta aquam nigram nostre dyocesis nobis conquerendo similem statum debilem de propria insinuacione uel lamentabili ostenderunt.*

*De bonis temporalibus propter mortalitatem anno domini m<sup>o</sup> ccc<sup>mo</sup> quinquagesimo excrescentem adeo destitutos. quod eorum possessiones vel agros quorum fructibus sustentabantur hactenus infructuosi et inculti remanent. nec fit per quem colere possent eosdem. vnde versimiliter formidatur congregationem prefati conuentus penuria temporalium in tam diram redegei paupertatem vt persone que ibidem sub regula domino hactenus famularunt foret euagari necesse. de eadem domicilia eorundem in tantum iam corruerunt quod scepta monasterii non possunt bene claudi. nec domus reperiuntur ibidem que ab ymbribus et pluuiis inhabitantes defendant.*

*Nos <... ..> compacientes affectu<?> super premissorum destitutionibus<?> tractatu consilii prohabito diligentis, de prefatorum prepositi priorisse et conuentus assensu et beneplacito omnia<?> generali infrascripta statuimus et imperpetuum firmiter observanda..*

*In primis statuimus ut numerus omnium monialium dicti conuentus viginti octo personas nequaquam excedat, quarum viginti ad minus resideant in monte sancte marie prenominate, et alie in Raelt, ita tamen ut puelle non professe uel eciam iuencule in Raelt non collocentur. sed ille dumtaxat de quarite maturitate et honestate fortis sit presumpcio, ne locus ille minus bene clausus deprenti occasionem scandali prebeat et ruine sit tamen in disponere prepositi et priorisse ut de consilio conventus minus octo monialibus in Raelt valeant collocare prout ipsis temporum qualitate inspecta videbitur expedire. Et si quod absit prepositus priorissa et conuentus ultra numerum prefatum assumpserint in moniales aut si iuenculas non professo in Raelt presumpserint collocare, extunc in proprietatem et prorissae excommunicationis necnon in conuentum interdicti <...> firmus in hijs scriptis. que <...> rate et firme permaneant donec in totum quod contra nostre presentis constitutionis tenorem ges<..> fiunt irritetur. et extunc demum absolucionis et relaxacionis benefic<..> a nobis uel intercessoribus nostris et non primis impetrare vaebunt.*

*Amplius statuimus ut sepedicti prepositus et priorissa necnon conuentus, fratres uel sorores laycos uel laycas omnino non recipiant ultra numerum pro cultura et seruiciis pecorum et aliorum officiorum que per tales excertendus est prescise<?> necessitatum ita ut inter omnes tales fratres uel sorores nullus permaneat ociosus. etiam plura officia que per vnum uel vnam excerceri possint viij. persone et non pluribus committantur. Nec liceat preposito priorisse uel conuentui aliquas tales in antea recipere personas non prius nos uel successores nostros uel nostros et successores nostrorum vicarios super huiusmodi*

*facienda recepcione requerant. et necessitate ac utilitate conuentus inspecta huiusmodi licencia vicissim et pro qualibus persona singulariter concedatur.*

*Ceterum statuimus ut annis singulis due moniales discrete et maturioris etatis per proprietatem priorissam et conuentum elegantur que una cum preposito recipiant et amministrant redditus et prouentus [25] conuentus memorati in quibuscumque rebus consistant sic tamen ut dicte moniales occasione amministraconis faciende extra scepta monasterii non vagentur. Et ipse due moniales sicut et <...> annis singulis de omnibus redditibus conuentus bonum et legalem reddere computum tenebuntur.*

In quorum omnium robur et testimonium sigillum nostrum presentibus est appensum. Et nos prepositus et prioressa et conubentus promittimus et nos premissa omnia et singula in perpetuum similiter observaturos. <...> sigillum conuentus nostri una cum sigillo Reuerendi in Christo patris ac domini nostri.. domini Johanni de arkel. episcopi traiectensis presentibus est appensum.. Datum in castro nostro Vollenho anno domini *m<sup>o</sup> ccc<sup>mo</sup>* quinquagesimo primo. in crstino beati thome apostoli[.]

### **Translation:**

Johannes bishop of Utrecht. To all and each to whom the present letters shall come, greeting in the Lord everlasting.. Religious persons.. Provost, prioress, and convent, of the Order of Saint Benedict) of the mountain of the Holy Marie in Zallandia by Zwartewater of our diocese, convincing us of their similar show weak state of their own lamentable insinuation [how they are].

They are very destitute as to their temporal goods, because of the increased growth in the mortality in the year of our lord 1350, because their possessions and fields by whose fruits they were maintained until now remain unfruitful and uncultivated. Nor is there anyone who could cultivate the same. Whence it is that the fears that the congregation of the aforementioned convent will be reduced to such dire poverty that it would be necessary that the persons who until now served the Lord there under the Rule would have to wander from the same [Rule]. Their buildings have already collapsed so far that the walls of the monastery cannot be closed well, nor can a building be found in that very place which might defend the inhabitants from downpours and rain.

We, (...) sympathising with feeling (...) with the destitutions of the aforementioned, having considered the counsel with of the beloved, about the assent and general pleasure of the provost, prioress and convent aforementioned, we have decreed that what is written below and that it has to be observed forever.

First of all we have decreed that the number of all nuns of the said convent will by no means exceed 28 persons, of whom twenty at least will reside in the mountain of Saint Mary aforementioned, and the others in Raelt, in such a way that non-professed madens or also young girls will not be placed in Raelt, but they of whom there be a strong presumption of (...) maturity and honesty, lest that less well closed place not give an occasion to scandal and ruin, nevertheless at the disposition of the counsel of the provost and prioress they may place less than eight nuns in Raelt, inasmuch as it will seem expedient to them in view of the quality of the times. And if, God forbid, the provost, prioress and convent will have allowed

more than the number of nuns aforementioned or if they have allowed young girls who have not been professed in Raelt, from then on we will decree (...) in these writings the propriety of the prioress's excommunication as well as the convent's interdict, which will remain due and firm until that which goes against our present constitution's tenor will be wholly exasperated and until the moment finally of absolution and relinquishment of the benefices by us or our intercessors and not in the first (...).

We have furthermore stated that the often named provost, prioress and convent, will under no circumstances receive lay brethren or sisters beyond the number that is necessary for agriculture and for the services of the cattle and of other offices which through suchlike has been assigned as necessary (...) for the accomplishment of their needs, in such a way that among all such brethren and sisters no one will remain without work. Also, to the many jobs which can be done by one [brother] or one [sister] eight persons and not more will be committed. Nor will it be allowed to the prioress or the convent to receive some such persons as mentioned before, not before we or our successors or our people and the successors of our lieutenants require to receive [persons] in this manner, and after the need of and use for the convent will have been inspected such license on the other hand may be granted for such people individually.

Furthermore, we have established that each years discrete nuns and of more mature years are to be chosen by provost, prioress, and convent for [dealing with] the property, which they will receive together with the provost and they [will] administrate the returns and crops of the mentioned convent, in whichever kinds they will consist, in such a way that the said nuns will not have to roam outside the monastery's enclosure when they have occasion to do the administration. And those two nuns (...) every year will be held to render a good and legitimate account about all returns of the convent

As force and testimony of all this our seal has been appended to the present [letter]. And we, the provost and prioress and convent promise, and we similarly [promise] to observe all and every one of the things that went before forever. (...) The seal of our convent together with the seal of our reverend father and lord in Christ, lord Johannes of Arkel, the bishop of Utrecht, has been appended at the present [letter]. Given in our castrum of Vollenho in the year 1351 on the day after that of the blessed apostle Thomas [22 December 1351].

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Charter where the vassal of Johannes, bishop of Utrecht, Rudolphus van der Maet gives to the dean, prioress, and the convent of the monastery of Mons Sancte Marie in Zallandia, the tithes of Velschedijnck, Mateveendijnck, Vesselijnck, and Hemmekync, and the patronage right in the churches of Nijensteden and Heme, 21 Aug 1326, document 16, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

Charter where Helmich van der Schuren and Hascke his wife, renounce all rights they have on a piece of land, located at the "*Belijerde maet*," for the benefit of the dean and convent at "*Swarten water*," 19 Oct 1340, document 21, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

Charter where Johannes, confirmed bishop of Utrecht, confirms the privileges given to the St. marinberg monastery by his predecessors, 1343, document 22, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

Charter where Wernerus de Brectlaer, judge in Hasselt, confirms that Lubbertus ten Velde and Beatrix his wife sold to Johannes, dean of Mons Sancte Marie in Zallandia, a yearly rent of one pound of pennies from the land inhabited by Wilhelmus van Wruchten, in Haseelt, 2 May 1344, document 23, inventory of 0188 Klooster Zwartewater, Historisch Centrum Overijssel, Zwolle, The Netherlands.

Necrology of the chapter, middle 14th century, document 394, inventory of 223 Kapittel van Oudmunster te Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

Cartulary put together in 1342 or shortly after, a copy of a cartulary from 1315 with additions, containing charters from 723-1330, preceded by a list of Utrecht bishops created in 1343 or shortly after, the *Memoriale de prerogativa Romani imperii* by Alexander von Roes, and the golden bull of emperor Carl IV, document 3, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

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Charter where bishop Jan van Arkel gives new statutes to the monastery Mariënberg by the Zwartewater in Salland, 22 Dec 1351, document 170, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

Charter where Bishop Johannes makes new regulations for the service in the chapter church of Steenwijk created by his predecessors, 2 May 1350, document 853, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

Charter where Guillelmus bishop of Tusculanus, chamberlain of the college of cardinals, acknowledges to have received from bishop Jan van Arkel a sum of 1150 golden florins, which his predecessor Nicholaus owed the college, and a sum of 54 golden florins 18 solidi and 3 denarii, which he owed the college, and relieves him from ecclesiastical punishments, 26 Nov 1350, document 859, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

Charter where Stephanus, archbishop of Arles, chamberlain of the pope, acknowledges to have received 1150 gold guilders from bishop Johannes for the *servicium commune* of his predecessor Nicolaus, and 219 gold guilders 1 solidus for a part of the *quatuor servicia familiarium*, and gives him an extension for the payment of the *complementum* of the two *servicia* to St. Michael (29 Sep), 27 Nov 1350, document 860, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

The Dom chapter complains to the bishop about various grievances and seeks their correction, 1350, document 863, inventory of 218-1 Bisschoppen van Utrecht, Het Utrechts Archief, Utrecht, The Netherlands.

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