Not much is known as yet about the origin and early development of the logical genre *De obligationibus*.²

This may help to explain the fact that some people have argued that the *Obligationes* treatise which is attributed to William of Sherwood is not as early as William of Sherwood, that on the contrary it dates no earlier than the very end of the thirteenth century and that it may be an early work by Walter Burley.³

These arguments have been linked with other doubts about the correctness of the dates given for the four short anonymous treatises on obligations that were edited by de Rijk: the *Tractatus Emmeranus de falsi positione*, the *Tractatus Emmeranus de impossibili positione*,⁴ the *Obligationes Parisienses*,⁵ and the *Tractatus Sorbonnensis de petitionibus contrariorum*.⁶ Indeed, de Rijk takes the *Obligationes Parisienses* to be from the beginning of the thirteenth century on the basis of a comparison with the treatise attributed to William of Sherwood.⁷ Such considerations may suggest that, leaving aside short treatises on separate points relating to obligational matters, such as the *Tractatus Emmerani*, the longer, more-structured *Obligationes* treatises, such as the one attributed to William of Sherwood, originated no earlier than

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² For a very useful survey of the material connected with the genre of the *Obligationes* see Ashworth 1994, who presents catalogues of the treatises, the manuscripts and the editions and also includes a bibliography of modern literature on this subject.

³ For more information on this view, see Spade & Stump 1983, *passim*; and Stump 1982, 316-7; cf. also Stump 1989 (a revised reprint of Stump 1980), 177.

⁴ For both these treatises, see de Rijk 1974.

⁵ See de Rijk 1975.

⁶ See de Rijk 1976.

⁷ See Stump 1982, 317 and Spade & Stump 1983, 13, n. 20; in fact the *Tractatus Emmerani* were also dated by de Rijk on the basis of a comparison with the treatise attributed to Sherwood: cf. de Rijk 1974, 98 and 101-102.
the end of the thirteenth century and certainly not in the first half of that century.\(^8\)

Although these suppositions have been rejected by some authors\(^9\)—and rightly so in my view—there are those who have continued to refuse to acknowledge Sherwood’s authorship;\(^10\) others still leave the question open and prefer to speak of the putative Sherwood treatise.\(^11\)

Given this rather ambivalent situation, which not only affects our views on the development of the theory of obligations in the thirteenth century but also has a bearing on our views on the development of other subjects relating to the logica modernorum, it would be useful to obtain evidence from an independent “witness”, a text which can be dated with reasonable certainty. The present contribution aims precisely at presenting such a text, which provides proof that the genre of the Obligationes already existed in a fully-fledged form ca. 1230-1250. The relevant text can be found in ms Paris, Bibliothèque Nationale, latin, 11.412.

Ff. 25-105v of this manuscript\(^12\) form a separate part, and may even have formed a separate manuscript at one time; it seems to consist of a collection of courses on logic for students’ personal use, judging in particular by the material in ff. 102v-105, which consists of a selection of philosophical definitions and distinctions that could have been used to prepare for exams.\(^13\)

The contents of this part of the manuscript are as follows:

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\(^8\) See Spade & Stump 1983, 10-1 and 19. Their views also affect related matters, such as the development of the theory of consequences. Cf. ibid., 19, where they state that there is certainly nothing in Sherwood’s time like the relatively sophisticated treatment of consequences in the treatise attributed to him.

\(^9\) See d’Ors 1990, 149-54, who argues that the differences between the treatise attributed to Sherwood and the treatise by Burley are so great that they cannot possibly be the works of one and the same author and who further points out that the logical doctrines contained in the first treatise were already in existence in the time of the Parvipontani. See also Martin 1993, 362, who also refers to the second point made by d’Ors and refers to the discussion of the positio vicaria; whereas in the treatise attributed to Sherwood the position that nothing moves is labelled as that of a nominalis, Burley presents it as the position of Zeno, thus providing an example that would make sense to his contemporaries.


\(^11\) See e.g. Knuuttila 1993, 124 and 127.

\(^12\) An extensive description of this manuscript has already been given in Hauréau 1891, t. II, 30-48; see further de Rijk 1967, Vol. II/1, 81-4.

\(^13\) The notion that ff. 25-105\(^v\) form a separate part may be gathered from, among other things, the special numeration of the quires of which this part of the manuscript consists.