Quodlibetal fragment containing text from Henry of Ghent's *Quodlibeta*
Paris (?)   s. XIV

Latin quodlibets on a parchment leaf measuring 305 x 216 mm, written in double-column format, with running headers in red and black "Religio 12," likely noting the topic and section in a larger collection. The recto and verso are easily identified by the presence of ascending question numbers (295 and 296 on recto and 297 and 298 on verso), and the catchword ("penam") on the bottom of the verso identifies this leaf as the final one in a gathering. Written in black ink in Littera Parisiensis (a French Gothic university script), with red capitals and alternating red and blue paraph marks, the leaf also shows corrections throughout in lighter ink, in the form of interline additions, marginal additions, and cancellation by subpunction. Number of lines per column and page is inconsistent: the recto has 46 lines in column a and 47 in column b, while both columns on the verso have 52 lines. There are two small holes in the bottom margin, which likely occurred when the parchment was stretched and prepared, and a small strip of parchment is skillfully grafted to conform to standardized dimensions.

Three of the four numbered questions on this leaf contain text from Quodlibet III of Henry of Ghent's *Quodlibeta*. Thirteenth and fourteenth-century quodlibetal disputations (and the texts that represent them) are part of the university curriculum, especially in Paris: a philosophical or theological question is posed, followed by contradictions, subquestions, and unifying answers. The precise relationship of this fragment to Henry of Ghent's work has yet to be determined, but this leaf seems to contain a summarized or redacted version of his longer text, or quotes him liberally. Question 295 takes text from question 20 of Henry's Quodlibet III, 297 from his question 21, and 298 from his question 22. However, question 296 begins with question 7 of Thomas Aquinas's *Summa Theologica* and seems to have a less direct relationship to Henry of Ghent's *Quodlibeta* than others on this leaf.

PARTIAL TRANSCRIPTION

[recto, col. b21-40]

Ut(ru)m ob(edie)n(t)ia sit p(er)f(e)ccior i(n) q(ua) uouet(u)r ob(edie)n(t)ia g(e)n(er)a   295
-lis q(uam) illa i(n) qua uouet(u)r s(ecundum) d(e)t(erm)i(n)ata p(re)cepta
r(egul)e. ar(gumentat)u(r) q(uàm) s(e)c(undum). q(uia) n(on) mi(nus) p(er)tin(et) ad p(er)fecc(ion)em religio(n)is
obe(dientia)꞉ q(uam) paup(er)tis s(ed) p(er)fec(c)ior e(st) rel(igio) i(n) q(ua) uouet(u)r ab-
renu(ntiati)o o(mn)ium t(em)p(or)aliu(m) i(n) p(ro)p(r)i(o) (et) i(n) (commun)i. q(uàm) u(b)i n(on). (er)go. (et) c(etera).
¶ (Contra) q(uia) tu(n)c n(u)lla e(ss)et rel(igio) p(er)f(e)cca q(uia) i(n) q(ua)l(ibet) sit p(ro)fe-
ssio ob(edie)n(t)ie s(ecundum) c(er)ta(m) r(egul)a(m). ¶ R(escript)o. vot(um) obe(dienti)e ad h(oc) or
di(n)atu(r) ut ho(mo) s(u)bicie(ri)s se ho(min)i meli(us) regulat(u)r. q(uàm) p(er) se
ip(su)m. et q(uia) se s(e)c(undum) s(u)bic(iere) p(ro)p(te)r d(eu)m i(de)o e(st) s(u)b regimi(n)e
di(min)o s(ecundum) ph(ilosophus). i(n) pol(iticis). Vn(de) e(contrari)o fatui(tat)i(s) e(st) ut p(r)ud(e)ntior
se s(u)biciat regimi(ni) mi(nus) fap(tuita)tis. S(ed) q(uia) c(u)il(ibet) r(ati)o(n)a(bilite)r
p(re)su(men)d(um) e(st) q(uam) i(n) mag(na) (con)g(r)ega(tio)ne p(er)itior se i(n)ue(n)iat(u)r
q(u)i toti (con)g(r)ega(tio)ni I p(re)f(ic)atu(r)꞉ i(de)o secu(r)um e(st) se co(m)m(i)tt(er)e re-
ligio(n)is regi(mini) ad obed(ientiam). (et) q(ua) r(ati)o(n)e ad a(l)i(qui)d ead(em) r(ati)o(n)e
ad o(mnia). Cu(m) ig(itur) uotu(m) ob(edie)n(t)ie sit p(er)f(e)cco(n)is (et) q(uan)to

obe(dientia) e(st) u(niversa)lior ta(n)to p(er)f(e)ccior⁔ i(de)o p(er)f(e)ccior e(st) rel(igione)
i(n) q(ua) uoue(t)u(r) ob(edie)n(t)ia u(niversa)lis i(n) o(mn)ib(us) q(uàm) p(er)ti(nue)ris. ¶ Ad
ar(gumentu)m. l(icet) i(n) q(ua)l(ibet) re(ligio)ne sit a(l)iq(ua) t(an)ta r(egul)a⁔ n(on) t(ame)n se(quit)u(r) q(u)in r(egula)
(con)tineat a̧(l)i̧q(ua) ob(edie)n(t)ia u(niversa)lem q(u)o ad o(mnia) licita. (et) q(u)o ad
h(oc) e(st) p(er)f(ec)ca.

[verso, from col. b25-52]

Utru(m) tra(n)sg(r)edie(n)s statu(ta) rel(igionis). c(ir)c(a) ea q(ue) d(e) se e-　　　　　　297
sse(n)t licita n(is)i e(ss)ent p(ro)hibita p(e)ccet mor(tali)t(er)
Ar(gumentat)u(r) q(uam) s(e)c(undum). q(uia) q(u)i pot(esta)ti resistit di(uine) ordi(n)a(tio)ni resist(i)t
(et) da(m)pna(tio)nem s(ib)i acq(u)irit. (er)go. (et) c(etera). ¶ (Contra). q(uia) t(un)c secu(r)i-
or e(ss)et stat(us) s(e)c(u)la(r)iu(m) q(uàm) m(u)ltor(um) rel(igiosorum). q(u)i tot h(abe)nt
sta(tu)ta. q(uam). q(ue). n(e)c(ess)e e(st) ho(m)i(n)em sepe t(ra)nsg(r)edi. ¶ R(es)p(onsi)o
Tale sta(tu)tu(m) a(u)t po(nitu)r cu(m) obli(gatio)ne exp(re)ssio(n)is ad a(nima)tam
c(er)ta(m) p(o)e(n)am (et) c(u)lpa(m)⁔ u(e)l al(iqua)n(do) ad sola(m) p(o)e(n)a(m)⁔ ut d(icen)do
q(u)i (contra) h(oc) fec(er)it te(n)at(u)r ad tale(m) p(o)e(n)a(m) (et) c(u)lpa(m). (et) t(un)c t(ra)ns-
g(r)edie(n)s illa(m) p(o)e(n)a(m) u(e)l c(u)lpa(m) i(n)c(ur)rit. si a(utem) sta(tu)t(um) i(llu)d po(nit)u(r)
ab(solu)te s(e)c(undum) obli(ga)c(i)o sta(tu)ti i(n)t(er)p(retan)da e(st) ex iure n(atura)li (et) r(ati)o(n)e.
(et) s(e)c(undum) n(on) p(e)ccat mor(tali)t(er) i(n) i(n)diff(er)ent(us) q(uia) n(on) e(st) maior o̧
obli(gati)o p(re)cepta hu(m)a(n)i q(uàm) d(iu)ini⁔ i(n) p(re)ceptis a(utem) di(uini)s
ne(gati)uis ab(solu)te po(n)itis b(e)n(e) i(n)t(e)ll(igitu)r a(l)i(ui)d p(ro)h(ib)it(io) c(uius) t(ra)ns-
gressio no(n) mor(tali)t(er). Au(gustinus). s(upe)r i(llu)d leu(itici) .19. n(on) facietis
f(ur)tu(m). n(on) me(n)tie(mi)nj. l(e)d(a)t q(uam) me(n)da(ciu)m q(u)o ne(m)o led(itur) q(uam) t(ame)n e(st)
ue(n)iale p(ro)h(ibetu)r illo p(re)cepto. Vn(de) c(um) no(n) sit maior
obligat(i)o p(re)cepti hu(m)a(n)i q(uam) d(iu)ini sta(tu)t(um) hu(m)anu(m) d(e) ill(ud)
q(ue) s(unt) d(e) se i(n) d(eu)m u(e)l ue(na)lia n(on) obligat(io) ad mor(ta)le nisi
statu e c(ontra) i(n)t(e)nd(er)et eos ad h(oc) obli(ga)re q(ue) q(u)i d(e) obli(gati)o d(ebet) e(ss)e
nota s(u)bd(i)tis p(er) for(ma)m exp(r)essa(m). sta(tu)ti poss(et) tam(en)
t(ra)nsg(r)edi c(um) tali libi(di)ne i(llu)d q(uam) d(e) se e(st) ue(nia)le. q(uam) mor(tali)t(em)
p(e)ccaret. ¶ Ad .(primu)m. n(on) o(portet) q(uam) resiste(m) die(m) ordi[n]a(tione)m sit
sit s(u)p(er) mor(ta)le i(n) tali g(e)n(er)e p(ro)hibi(to)nis. n(is)i r(ati)o(n)e (con)t(e)mpt(us)
ut d(i)c(tu)m e(st). (et) t(un)c i(n) h(oc) ca(s)u da(m)p(natio)nem s(ib)i acq(u)irit.

Utr(um) sin(e) p(e)cc(at)o p(ossi)t a(liqu)is t(ra)nsg(r)edi sta(tu)ta pu(r)e p(o)e(n)alia　　298
rel(igionis). sol(uen)do p(o)e(n)a taxata(m). Ar(gumentat)u(r) q(uam) s(e)c(undum) q(uia) h(uiusmod)i sta(tu)tis
u(ide)n(tu)r si(mi)lia sta(tu)tis p(r)in(ci)pu(m) q(ue) q(u)is t(ra)nsg(r)edie(n)s (et) solue(n)s

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