A Companion to the Theology of John Mair

Edited by

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Contents

Terms, Signs, Sacraments: The Correlation between Logic and Theology and the Philosophical Context of Book IV of Mair's Sentences Commentary[1]

Ueli Zahnd

The fourth book of John Mair's *Sentences* commentary was not only the first of the four books to be published, but also the first Mair commented on while giving his lectures: in his prefatory letter to John Eck at the beginning of the last edition of his commentary to Book I, Mair insinuates that he read Book IV before lecturing on Book I,[2] and there are cross-references in Books I through III which illustrate that, at the time of their redaction, Book IV was already completed.[3] In its original form, Mair lectured more than once on the fourth book, and he elaborated it into a second, much longer redaction before he

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1 A first draft of this chapter was presented at the *Sixteenth Century Society's Conference* in October 2010 in Montreal; parts of it elaborate on Chapters 23.2.2 and 24 of my *Wirksame Zeichen? Sakramentenlehre und Semiotik in der Scholastik des ausgehenden Mittelalters* (Tübingen: 2014).

2 Mair, *In primum Sent.* (1530), *epistola praefatoria*, fol. a1v: "Quamquam bonam aetatis illius partem in Aristotelica doctrina exponenda transegi, tamen (quod ingenue fateor) mos ille scribendi parum mihi placuit, cum viderem eum auditoribus meis nec gratum nec iucundum. Quando enim quartum sententiarum profitebar, auditores ad me numerosi confluebant; dum vero in primum sententiarum scripta conterranei mei Ioannis Duns, aut Anglicani Guilhelmi Ockam, aut Gregorii Ariminensi praelegerem, mira erat antequam opus ipsum perlegerem, auscultatorum paucitas." On this dedicatory letter to John Eck, see the historical introduction to the present volume by James K. Farge. John Eck, by the way, used to speak of Mair as the *amoeni ingenii doctor*, the "teacher with the beautiful mind," see, e.g., Eck's *In summulas Petri Hispani* (Augsburg: 1516), fols. 17va, 90va or 110vb.

3 For Book I, see Mair, *In primum Sent.* (1510), d. 17, q. 14, fol. 76ra: "de peccato possunt ibi aliqua tangi et de gratia de quibus in xvi distinctione quarti dictum est"; or Mair, *In primum Sent.* (1519), d. 42, q. un., fol. 99va: "ad hoc responsum est quaestione secunda quarti sententiarum." For Book II, see Mair, *In secundum Sent.* (1510), d. 1, q. un., fol. 1vb: "sed de hoc in quarto locuti sumus"; or Mair, *In secundum Sent.* (1510), d. 9, q. 2, fol. 20va: "sed de hoc in quarto nonnihil recitavimus." For Book III, see Mair, *In tertium Sent.* (1528), d. 37, q. 21, fol. 113vb: "hoc in quarto reprobavimus." In this regard it is misleading when Alexander Broadie, *A History of Scottish Philosophy* (Edinburgh: 2009), 51ff presents the first question of his Prologue to Book I as the one "Mair's theological search begins with".

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resolved to rework the other three books.[4] Hence, Book IV represents the starting point of Mair's career as an academic theologian, and at least from a formal point of view, it has remained his most important theological contribution: it is considerably longer than his commentaries on the Gospels or any of the other three books of the *Sentences* commentary, the longest of which it surpasses in its second redaction by almost 100 questions.[5] There is also external evidence for the importance of this fourth book: according to his letter to John Eck, Mair's first students were much more interested in his lectures on Book IV than in those on the other three books. Further, Book IV of the *Sentences* commentary is his only theological work that, after its initial publication in 1509, was reworked into four subsequent editions.[6]

Regarding content, however, the fourth book is concerned with topics that are not typically expected to be at the core of a masterpiece of scholastic theology. Following closely the structure of Lombard's *Sentences*, Mair focuses in this book on what Peter Lombard had subsumed under the title of *de signis*: the signs of God's road to salvation and its eschatological fulfillment, i.e. the seven sacraments and last things.[7] Mair does not restrain from entering into the realm of practical and moral theology, debating complex cases of sinful behavior and giving advice on appropriate punishments. In the second redaction of this fourth book, he asks no less than 50 questions in distinction 15 centered

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4   See the *Propositio ad auditores* Mair prepends to the second redaction of his commentary to Book IV. Mair, *In quartum Sent.* (1516), fol. Aa2v: "Caeterum quod secundo scribam non est (ut aliqui falso putant) me opus prius in quartum emissum castigare, licet non turpe ducam, ubi par est, canere palinodiam. Nam bis vel ter aliam editionem publice legi, et tamen nec ego, nec auditorum aliquis quicquam offendit quod non putaretur probabile. Nunc tamen ratus sum post lecturas crebriores me opus maturius completiusque edere posse. An id fecerim (cum quilibet sibi plus aequo afficiatur) aliorum sit iudicium."

5   In its first redaction, Book IV contains 163 questions; in its second redaction 270. For questions-lists—and the number of questions of the different redactions of the other three books—see Appendix B. For editions of the different redactions of Book IV, see the following footnote.

6   The different editions are Paris 1509 and 1512 (first redaction), and Paris 1516, 1519 and 1521 (second redaction); see Appendix A. For the preference of Mair's first students for Book IV see above, fn. 4.

7   The seven sacraments are treated in distinctions 1–42, last things in distinctions 43–50. Since Peter Lombard conforms the structure of his *Sentences* to the famous Augustinian distinction of *De doctrina christiana* I. 1 between things and signs (see Petrus Lombardus, *Sententiae* I, d. 1, c. 1, in *Sententiae in IV libris distinctae* (Spicilegium Bonaventurianum, 4–5) (Grottaferrata: 1971–1981), I:55; and Augustine, *De doctrina christiana* I. 2, (ed.) Joseph Martin in *Corpus Christianorum Series Latina* 32 (Turnhout: 1962), 3), Book IV constitutes the counterpart of the first three books. See Marcia L. Colish, *Peter Lombard* (Brill's Studies in Intellectual History 41) (Leiden: 1994), 528, and Philipp W. Rosemann, *Peter Lombard* (Great Medieval Thinkers) (Oxford: 2004), 144.

around satisfaction as a crucial part of penance, debating the moral status of alms as well as that of gambling or of taking profits (i.e., interest); and he treats in 25 questions the different aspects of taking vows addressed by Lombard in distinction 38.[8] More speculative and—from the perspective of classical scholasticism—more usual topics that were at the core of *Sentences* commentaries of the 13th and 14th century, however, do not attract the same attention in Mair's work: the problem of transubstantiation, for example, which was the only topic of Book IV that warranted treatment from the perspective of many 14th-century authors, gains less attention in Mair's commentary than questions of the Eucharist's appropriate administration.[9] Famous as a logician for his rationalistic and subtle approach, Mair apparently devised his initiation to theology in a modest and almost unspeculative way.

That he nevertheless conceived of this fourth book as the starting point of his theological oeuvre is underscored by the fact that he began the commentary with a prologue. *Sentences* commentaries usually contained a prologue at the beginning of Book I in which a scholar treated general problems concerning the scientific state and epistemic accessibility of theological knowledge—and, at the beginning of his own commentary to Book I, Mair would do so as well.[10] But since Book I had not been written yet, he obviously felt the need to

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8   Together with distinction 24 on ordination and its commitments, the two distinctions 15 and 38 present as well the sections of Book IV with the biggest increase of questions from the first to the second redaction: in the second redaction, distinction 38 has 19 questions more, and distinctions 15 and 24 have 16 questions more than in the first redaction.

9   This is in particular the case with Parisian commentaries of the 1370s such as those of Henry of Langenstein, Henry of Oyta and Peter of Candia. On the problem of transubstantiation in 14th century *Sentences* commentaries see Paul J. Bakker, "La raison et le miracle: les doctrines eucharistiques (c. 1250–c. 1400). Contribution à l'étude des rapports entre philosophie et théologie" (Ph.D. Dissertation, Radboud University Nijmegen, 1999); on late-14th-century *Sentences* commentaries see Paul J. Bakker and Christopher Schabel, "*Sentences* Commentaries of the Later Fourteenth Century," in *Mediaeval Commentaries on the Sentences of Peter Lombard, Volume 1, Current Research*, (ed.) G.R. Evans (Leiden: 2002), 425–464.

10   On *Sentences* prologues in general see the still valuable article by Martin Grabmann, "Romanus de Roma O.P. (+1273) und der Prolog seines Sentenzenkommentars. Ein Beitrag zur Geschichte der scholastischen *prologi* und *principia*," in Grabmann, *Mittelalterliches Geistesleben III* (Munich: 1956), 280–305; for a more recent bibliography see Christian Trottmann, "Sur les tout premiers prologues théologiques dominicains du XIIIe siècle," in *Les prologues médiévaux. Actes du Colloque international organisé par l'Academia Belgica et l'École française de Rome*, (ed.) Jacqueline Hamesse (Textes et études du Moyen Âge 15) (Turnhout: 2000), 515–533. On Mair's prologue in particular see Jeffrey C. Witt, "Acquired Faith and Mair's Theological Project," in this volume.

treat such a general question directly in Book IV and to clarify it before he could start theologizing at all. This question was the problem of knowing how to proceed when encountering a plurality of opinions on a certain theological or moral topic.[11] Should one simply follow the majority opinion, or should one decide on the basis of rational argumentation such as it was employed in logic or physics? But to what extent was one allowed to introduce secular sciences and their methods into theology? What, after all, was the acceptable relationship between logic and theology?

It is not surprising that the famous logician John Mair wanted to get these things straight prior to entering into theology. But, interestingly enough, it was not the first time in his career that he dealt with the problem of a plurality of opinions. In the very first paragraphs of his commentary on the *Summulae logicales* of Peter of Spain—first published in 1502 and continuously revised and included in the opening chapters of the logical manuals of his later career—Mair already addressed a similar question as a logician:[12] if logic was to be a science, it could not depend on mere opinion. But in ancient times as well as in Mair's own era, there were diverse and quarreling schools of logic, be it the Academics, Peripatetics, Stoics and Epicureans of late antiquity, or the Nominalists and Realists in 15th-century philosophy. How could it be, then, that logic was of any scientific use, if there were contradicting positions?[13]

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11   In the first redaction, Mair approaches this problem in one complex question: "Quid in contrarietate opinionum (potissimum mores tangentium) faciendum est. <Et> [om. 1509] an scientiae peregrinae inserendae sint in theologia. Et propterea quaeram hunc quaestionis titulum: cui parti adhaerendum est in materia opinionum <et an quis potest alias artes in theosophia inserere> [om. 1509]?" In the second redaction, he subdivides the problem into three independent questions: "An liceat theologo tractanti theologiam artes non theologicas tractare?" "quid in contrarietate opinionum potissimum mores tangentium faciendum sit?" and "an semper sit credendum maiori multitudini?".

12   The textual situation of Mair's logical writings is far more complicated than the one of his *Sentences* commentary. See the compilations in James K. Farge, *Biographical Register of Paris Doctors of Theology. 1500—1536* (Subsidia Mediaevalia 10) (Toronto: 1980), 308–311, and my article on John Mair in the *Biographisch-Bibliographisches Kirchenlexikon* 34 (2013): 874–882. The *Primus tractatus summularum*, which is in question here, was printed for the first time by Antoine Chappiel for Denis Roce (Paris: 1502) and subsequently incorporated in editions of Mair's complete commentaries on the *Summulae* (on these subsequent incorporations see already Hubert Elie, *Le traité «de l'infini» de Jean Mair. Nouvelle édition avec traduction et annotations* (Paris: 1937), xv). The respective first editions of the different redactions of these commentaries on the *Summulae* are Lyon: 1505; Paris: 1506; Paris: 1508; Paris: 1513; Paris: 1514; Paris: 1516; and Paris: 1528.

13   Mair, *Primus tractatus summularum* (Paris: 1502), fol. a2ra: "Queritur utrum logica sit scientia utilis. Et arguitur primo quod non: Logica non est scientia, ergo logica non est scientia

Mair's concern with the plurality of opinions was not only linked to his question about the relation between logic and theology, but also presented an obviously fundamental problem for his understanding of science as such.

In view of the academic context Mair was working in, these concerns are not surprising. Since the first quarter of the 15th century, the so called *Wegestreit* between Nominalists and Realists split the philosophical faculties of European universities into a sometimes confusing number of different *viae*, or different ways, of doing philosophy. By the turn to the 16th century, these debates began to influence the theological faculties as well.[14] At the core of the differences between Scotists, Thomists, Albertists, and Nominalists was the very question of knowing the extent to which theology was allowed to be influenced by the models and methods of the secular sciences: while thinkers of the *via moderna*

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utilis. Consequentia tenet a toto in modo ad suam partem negative. Assumptum arguitur: ipsa est opinionibus referta ut patet. Aliqui sunt reales, aliqui nominales, aliqui ab utrisque participantes. Et isti inter se <multifarie> [multifariam 1502] digladiantur. Et idem solet esse Athenis. Aliqui erant Peripatetici Aristotelem insequentes, aliqui Academici Platonem imitantes, aliqui Stoici Zenocrati et Aristipo adhaerentes, aliqui Epicurei Epicurum approbantes, et aliqui Gymnosophistae. Ergo et antiquitus <et> [om. 1502] in hac tempestate in logica volant opiniones." Mair was, of course, not the first one to link the diversity of philosophical currents of his time with the diversity of ancient philosophical schools. For examples referring to late medieval philosophy, see Zenon Kaluza, *Les querelles doctrinales à Paris. Nominalistes et realistes aux confins du XIVe et du XVe siècles* (Quodlibet. Ricerce e strumenti di filosofia medievale 2) (Bergamo: 1988), 16–20, and Maarten J.F.M. Hoenen, "*Modus loquendi platonicorum*. Johannes Gerson und seine Kritik an Platon und den Platonisten," in *The Platonic Tradition in the Middle Ages. A Doxographic Approach*, (eds.), Stephen E. Gersh and Maarten J. Hoenen (Berlin: 2002), 325–343. For a more general perspective see John Marenbon, *The Hellenistic Schools and Thinking about Pagan Philosophy in the Middle Ages. A Study of Second-Order Influence* (Freiburger mediävistische Vorträge 3) (Basel: 2012).

14   For recent accounts to the *Wegestreit* see Maarten J.F.M. Hoenen, "Via Antiqua and Via Moderna in the Fifteenth Century. Doctrinal, Institutional, and Church Political Factors in the *Wegestreit*," in *The Medieval Heritage in early Modern Metaphysics and Modal Theory, 1400–1700*, (eds.) Russell L. Friedman and Lauge O. Nielsen (Dordrecht: 2003), 9–26; and Pepijn Rutten, "*Duae opiniones probabiles*. Der Kölner Wegestreit und seine Verbreitung an den Universitäten des 15. Jahrhunderts," in *University, Council, City. Intellectual Culture on the Rhine (1300–1550)*, (eds.), Laurent Cesalli, Nadja Germann, and Maarten J.F.M. Hoenen (Rencontres de Philosophie Médiévale 13) (Turnhout: 2007), 113–134. For the quarrel's growing theological importance see the still valuable documents collected by Franz Ehrle, *Der Sentenzenkommentar Peters von Candia des Pisaner Papstes Alexanders V. Ein Beitrag zur Scheidung der Schulen in der Scholastik des 14. Jahrhunderts und zur Geschichte des Wegestreites* (Franziskanische Studien. Beihefte 9) (Münster: 1925), 281–342.

distrusted the capacity of human reasoning to attain theological truth, those of the *via antiqua* were more optimistic as long as reasoning followed the model of one of the great masters of the later 13th century (e.g., Albert the Great or Thomas Aquinas).[15] Competing philosophical and theological approaches arose and unsurprisingly produced a variety of methods, positions, and solutions.

But these intra-scholastic debates were not the only challenge an academic scholar of the early-16th century had to meet; late medieval scholasticism in general was contested by humanists who, as is well known, mocked not only the scholastics' internal quarrels and the traditionalist attitude that they adopted as a result, but also attacked the central bone of contention in the scholastic debate, going so far as to question the value of logic as such. Instead of adopting a syllogistic approach—which was still prevalent in many of the late scholastic *viae*—humanists promoted the value of rhetoric, developing their own set of methods, basing themselves on their own, mostly "classical" authorities and producing their own philosophical and theological positions.[16] At the beginning of the 16th century, the existence of alternative approaches to the quest for true knowledge was an undeniable and inescapable reality, and these approaches all differed on the value of logic to achieve truth.

In what follows, I would like to explore Mair's reaction to the challenge presented by the *Wegestreit* and its implications for 16th-century scholastic theology. Book IV of his commentary is a promising resource, not only because of its particular position in Mair's career, but also in view of its philosophical and theological content. In spite of the predominantly moral and practical problems it is dealing with, its overall topic, the *de signis*, is of crucial logical importance as well: just as the sacraments—the "holy signs" according to the prevalent

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15   See Maarten J.F.M. Hoenen, "Comment lire les grands maîtres? Gérard de Monte, Heymeric de Campo et la question de l'accord entre Albert le Grand et Thomas d'Aquin (1456)," *Revue Thomiste* 108 (2008): 105–130.

16   For examples, see Peter Mack, *Renaissance-Argument. Valla and Agricola in the Traditions of Rhetoric and Dialectic* (Leiden: 1993). More specifically for their approach to language and logic see Julián Pacho, "Dialektik und Begründung in der Sprachphilosophie der Renaissance," in *Verum et factum. Beiträge zur Geistesgeschichte und Philosophie der Renaissance zum 60. Geburtstag von Stephan Otto*, (ed.) Tamara Albertini (Frankfurt aM: 1993), 453–462; and now as well Ann Moss, "Language Can Change Minds," in *Language and Cultural Change. Aspects of the Study and Use of Language in the Later Middle Ages and the Renaissance*, (ed.) Lodi Nauta (Groningen Studies in Cultural Change 24) (Leuven: 2006), 187–203. On humanist criticism of the scholastic approach see Erika Rummel, *The Humanist-Scholastic Debate in the Renaissance and Reformation* (Cambridge: 1995); and Charles G. Nauert, "Humanism as Method. Roots of Conflict with the Scholastics," *Sixteenth Century Journal* 29 (1998): 427–438.

Augustinian conception—constitute the central theological entities examined in any analysis of Book IV, the fundamental entity of any logical analysis is the sign (*signum*) in its purest form: the propositional term. Accordingly, semiotic problems are to be found both in the opening chapters of medieval commentaries on Book IV of the Lombard's *Sentences* and in the beginning paragraphs of logical textbooks.[17] It is thus promising to compare Mair's semiotic approaches in these different genres of texts in order to reveal his manner of correlating logic and theology.[18] Hence, in the first section, this chapter is going to explore Mair's earliest semiotics as he develops it in his logical writings at the turn of the century. In a second section his prologue to the fourth book of the *Sentences* commentary will be analyzed, while in the third I will explore his general remarks regarding the constitution and function of sacramental signs. In a final and fourth section, I will return to Mair's logical writings, this time from a later point in his career, in order to see whether or not his initiation into theology had an effect on his logical approach. This procedure will permit not only an evaluation of the correlation between logic and theology in Mair's thinking, but also for its contextualization in the different currents of thought that prevailed at the turn of the 16th century.[19]

17   There is already a semiotic slant in the first chapters of Aristotle's *Perihermeneias* which, in its Boethian translation, became the standard textbook of medieval logic, see John Magee, *Boethius on signification and mind* (Philosophia Antiqua 52) (Leiden: 1989); and now as well Taki Suto, *Boethius on Mind, Grammar and Logic. A Study of Boethius' Commentaries on Peri hermeneias* (Philosophia Antiqua 127) (Leiden: 2012), 45–52. Accordingly, authors of medieval logical textbooks such as Petrus Hispanus (see his *Summulae* I. 3, in *Tractatus, called afterwards Summule logicales*, (ed.) L.M. de Rijk (Assen: 1972)), or Paulus Venetus (see his *Logica magna* I. 1, in *Paul of Venice: Logica Magna, Part I Fascicule I*, (ed.) and trans. Norman Kretzmann (Oxford: 1979), 2; and his *Logica parva* I, in *Paulus Venetus Logica Parva: First Critical Edition from the Manuscripts with Introduction and Commentary*, (ed.) Alan R. Perreiah (Leiden: 2002), 2) elaborated on this semiotic dimension. For Peter Lombard and his *Sentences*, see Book IV, d. 1, c. 3 and 4 (II:233).

18   Another interesting crossroad of logic and theology is Mair's doctrine of the infinite. He first discussed it in an independent logical tract, the *Propositum de infinito* (Paris: 1503), and later on included a revised version in his *Sentences* commentary on Book I, d. 44. The logical tract has been edited by Elie, *Le traité «de l'infini»*; see also Joël Biard, "La logique de l'infini chez Jean Mair," *Les Études philosophiques* 3 (1986): 329–348.

19   Given the importance Mair appears to attach to the *Wegestreit*, it is interesting to note that modern research on Mair is still indecisive about what *viae* he belonged to. There is a clear majority of scholars identifying him with late medieval Nominalism, the *via moderna* associated with scholastics who were seen as heirs to thinkers such as William of Ockham, John Buridan, Adam Wodeham, Gregory of Rimini, or Pierre d'Ailly. See in particular: Joël Biard, "Jean Mair et la théorie de la signification," *Journal de la Renaissance*

1   Signs and Terms in Mair's Early Logical Writings

A short glance at the titles of Mair's first publications reveals that semiotic questions were central to the topics he was dealing with when starting his career as an academic logician. Among his earliest works were expositions not only of the *Summulae logicales* of Peter of Spain—whose first tract began, as an essential part of any logical analysis, with the "signifying voice"—but also two independent works on terms and their divisions, the so called *Termini*.[20] Both versions of the *Termini* (the more extended *Primus liber terminorum* and the shorter *Secundus liber* as they would be called) were put, in later collective editions of Mair's logical works, at the very beginning:[21] apparently, Mair conceived of these *Termini* as giving some fundamental, preliminary clarifications,

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5 (2007): 267–280; but also Sigrid Müller, "Zwischen Spiritualität und Moral. Die Rolle der *caritas* in der moraltheologischen Reflexion der *via moderna*," *Archa Verbi* 3 (2006): 128–150, at 138–144; James F. Keenan, "The Casuistry of John Mair, Nominalist Professor of Paris," in *The Context of Casuistry*, (eds.) James F. Keenan and Thomas A. Shannon (Washington: 1995), 85–102; and John Durkan, "John Major. After 400 Years," *The Innes Review* 1 (1950): 131–139. It is mainly in view of Mair's early logical writings that such an attribution has been supported, but given the connections between logic and theology depicted above, one would expect that a similar affinity is to be found in his theology as well. There is however only one substantial study which has been devoted so far to an overview of Mair's theological doctrine, the two articles by Thomas F. Torrance published in 1969 and 1970 ("La philosophie et la théologie de Jean Mair ou Major, de Haddington (1469–1550)," *Archives de Philosophie* 32 (1969): 531–547, and 33 (1970): 261–293). Torrance explicitly challenges Mair's affiliation with Nominalism, disclosing a growing affinity with Thomas Aquinas (*ibid.*, 532f.). Mair's theological alignment with Scotus, finally, is stressed by Broadie, *History*, 60.

20   The longer version of these *Termini* was printed a first time in Paris in 1501 by Guy Marchant as *Liber terminorum magistri Johannis Maioris*; the shorter version, also in Paris, in 1502 by Denis Roce together with an abridgment of the *Parva logicalia* (as *Termini magistri Joannis maioris cum abbreviationibus et parvorum logicalium*). For the semiotic bias of the starting paragraphs of the *Summulae logicales* of Peter of Spain see below, fn. 26.

21   In order to distinguish between the two versions, I cite the shorter version in its first edition from 1502; for the more expanded version I refer to the third edition from 1503 which was published by Denis Roce (together with some additions by David Cranston) as *Termini magni magistri Joannis Maioris cum aliquibus additionibus*. Even though the *magni* of the title probably refers to *Joannis Maioris* and not to *Termini*, it is thus possible to distinguish this version as the *Termini magni*. Later, collective editions of Mair's logical works such as the *Acutissimi artium interpretis magistri Johannis Maioris in Petri Hyspani summulas commentaria* (first edition Lyon, François Fradin and Etienne Gueynard, 1505) or the *Inclitarum artium ac sacre pagine doctoris acutissimi magistri Johannis Majoirs* [...] *libri quos in artibus in collegio Montis acuti Parisius regentando compilavit* (first edition

preparing his subsequent teaching in logic by focusing on terms as the smallest entities that comprise a sound proposition.

In attaching this much importance to terms, Mair's early writings are instructive not only regarding his semiotic concerns, but also about his affiliation within the *Wegestreit*; since in choosing terms as his starting point, Mair adopted an approach that was typical for the *via moderna*—the Nominalist focus on terms being so prevalent that it even became usual over the course of the 15th century to speak not only of Nominalists or *moderni*, but also of terminists.[22] And there is, with regards to his first publications, further evidence of Mair's adherence to the *via moderna*; for example, in these early years he published tracts on insolubles, obligations and consequences, three subjects so closely associated with the "modern" approach that they were simply called the *tria modernorum*.[23] Finally, Mair published in these early years not only his own writings, but edited texts of authors who apparently were in accordance with his own philosophical approach; among these editions figured most prominently John Dorp's commentary on the *Summulae* of John Buridan,

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Paris, Denis Roce and Jean Barbier, 1506) print the longer version first, followed by the shorter version.

22   This is not to say that Realists were not interested in terms as well, as is obvious with Paul of Venice whose *Logica magna* as well as his *Logica parva* both start with an extensive discussion of terms *per se*: see above, fn. 17; on Paul's Realism see Francesco Bottin, "Paolo Veneto e il problema degli universali," in *Aristotelismo veneto e scienza moderna. Atti del 25° Anno Accademico del Centro per la storia della tradizione aristotelica nel Veneto*, (ed.) Luigi Olivieri (Saggi et testi 17) (Padua: 1983), 459–468. On *terministae* as a 15th-century designation of adherents of the *via moderna* see William J. Courtenay, "Terminism," in *Dictionary of the Middle Ages* 11 (1988): 686–687, and Michael Tavuzzi, "Moderni, Nominales and Terministæ in the Compendium Logicae Isagogicum of Chrysostomus Javelli O.P. (1470–1538)," in *Littera sensus sententia. Studi in onore de Clemente J. Vansteenkiste O.P.*, (ed.) A. Lobato (Studia Universitatis S. Thomae in Urbe 33) (Mailand: 1991), 537–592.

23   These three tracts were not exclusively treated by Nominalists, of course; see Maarten J.F.M. Hoenen, "Parva logicalia. Towards the History of a Puzzling Literary Genre," in *Mots médiévaux offerst à Ruedi Imbach*, (eds.) Iñigo Atucha, Dragos Calma and Catherine König-Pralong (Textes et études du Moyen Âge 57) (Turnhout: 2011), 517–526, and, for example, a compendium usually published under the name of the Cologne Thomist Lambertus de Monte: *Copulata omnium tractatuum Petri Hispani etiam syncategorematum et parvorum logicalium ac trium modernorum secundum doctrinam Thomae Aquinatis* (Cologne, Heinrich Quentell, 1490). On the three tracts in general see Earline J. Ashworth, "Changes in Logic Textbooks from 1500 to 1650. The New Aristotelianism," in *Aristotelismus und Renaissance. In memoriam Charles B. Schmitt*, (eds.) Eckhard Kessler, Charles H. Lohr, and Walter Sparn (Wolfenbütteler Forschungen 40) (Wiesbaden: 1988), 75–87, at 79.

Buridan and Dorp both being famous forerunners of the 15th-century *via moderna*.[24]

If the list of Mair's earliest publications already indicates his preference for the late medieval Nominalist approach, his semiotic assumptions presented in the two tracts on terms confirms it. Both versions begin with a definition of what a term is, explicitly classifying them in the genre of signs, and then they provide a vast number of divisions of different types of terms. In the longer version, Mair presents eight such divisions (subdivisions not included), and in the shorter version nine.[25] Despite this intricate partitioning of the concept of a "term," both tracts are written in a concise, scholastic language that presents only here and there a short reference to one of the classical scholastic sources such as Aristotle, Augustine, or Peter of Spain.

Among these authorities, it was the *Summulae logicales* of the mid-13th-century logician Peter of Spain that settled for generations of late medieval scholars the basics of semiotics. In order to understand the choices Mair would make in his logical commentaries, it will be useful to have a quick look at this textbook. In his *Summulae logicales*, Peter of Spain identified the difference between a signifying and a non-signifying vocal sound in the sound's ability to represent something to a hearer (i.e. *auditor*).[26] This difference, however, was less clear than it seems at first glance, since Peter neither specified the concept

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24   This *Commentum Johannis Dorp super textu summularum Johannis Buridani nuperrime castigatum a Johanne Maioris cum aliquibus additionibus eiusdem* was printed in Paris in 1504 by Jean Granjon, and reprinted in Lyon in 1510 by Etienne Gueynard. Another example is the *Medulla dialectices* of Hieronymus Pardo, a colleague of Mair who published this logical work after Pardo's early death in 1505. Later on in his career, Mair would also start to edit important theological works such as an abbreviation of the *Sentences* commentary of Adam Wodeham (Paris: Henricus Stephanus, 1512) and one version of the *Reportationes* of the Parisian lectures on the *Sentences* of Duns Scotus (known today as the *Reportatio* B, printed in Paris by Jean Granjon between 1517 and 1518).

25   The *Termini magni* graphically subsume these divisions in an *arbor terminorum* which, however, provides different divisions and subdivisions than those given in the text of the *Termini magni* (Paris: 1503), fol. f5v. For a better arranged picture, see the reassembled version in the *Inclitarium artium* (Lyon: 1508), fol. 26r. For Mair's classification of terms among signs, see below, fn. 34.

26   Petrus Hispanus, *Summulae logicales* I. 3 (de Rijk 1f.): "Vocum alia significativa, alia non significativa. Vox significativa est illa que auditui aliquid representat, ut 'homo', vel gemitus infirmorum. Vox non-significativa est illa que auditui nichil representat, ut 'buba'." There is a rather free English translation of the *Summulae*: Francis P. Dinnen, *Language in Dispute. An English Translation of Peter of Spain's "Tractatus" called afterwards "Summulae logicales"* (Amsterdam studies in the theory and history of linguistic science. Series 3: Studies in the history of the language sciences 39) (Amsterdam: 1990). For example,

of representation nor defined what it meant to represent "something." For even a meaningless sequence of noises, when received by a hearer, represents "some things," namely at least itself as a sound and the speaker who pronounced it. Did Peter of Spain thus imply that "something" meant "something other than itself and its speaker?" In his *Summulae*, he did not clarify these points. He was more interested in a closer examination of these signifying vocal sounds and evoked therefore a distinction which was as old as occidental thinking about language:[27] the distinction between natural and arbitrary signs. According to this distinction, a natural sign was defined as "that which represents the same thing to all men," and an "arbitrarily signifying vocal sound" was presented as "that which at the will of its *institutor* represents something."[28]

Once more, these simple explanations were ambiguous. The concept of an *institutor*—i.e. a person who imposed a meaning on a formerly meaningless sequence of noises—was common to medieval thinking about language and had its background in the story of Adam walking through the garden of Eden and giving the things their names.[29] But while Peter seemed to adhere to the idea of such a unique act of imposition which determined a sign's significa-tion for any further use, he spoke at the same time of arbitrary, or *ad placitum*

Dinnen translates *vox* by "expression" which is difficult to apply to a dog's barking (see below, fn. 28).

27   See Plato's *Cratylus* 383a–384e. More important for medieval semiotics was Augustine's formulation of the distinction at the beginning of Book II *De doctrina christiana* (Martin 32f.): "Signorum igitur alia sunt naturalia, alia data. Naturalia sunt, quae sine voluntate atque ullo appetitu significandi praeter se aliquid aliud ex se cognosci faciunt, sicuti est fumus significans ignem. [...] Data vero signa sunt, quae sibi quaeque viventia invicem dant ad demonstrandos, quantum possunt, motus animi sui vel sensa aut intellecta quae-libet." See Earline J. Ashworth, "Traditional Logic," in *The Cambridge History of Renaissance Philosophy*, (ed.) Charles B. Schmitt (Cambridge: 1988), 143–172, at 155–157.

28   Petrus Hispanus, *Summulae logicales* I. 3 (de Rijk 2): "Vocum significativum alia significa-tiva ad placitum, alia naturaliter. Vox significativa naturaliter est illa que apud omnes idem representat, ut gemitus infirmorum, latratus canum. Vox significativa ad placitum est illa que ad voluntatem instituentis aliquid representat, ut 'homo'." On Peter's examples see Irène Rosier, *La parole comme acte. Sur la grammaire et la sémantique au XIIIe siècle* (Paris: 1994), on the distinction see her "Variations médiévals sur l'opposition entre signi-fication 'ad placitum' et signification naturelle," in *Aristotle's Peri Hermeneias in the Latin Middle Ages. Essays on the Commentary Tradition*, (eds.) Henricus A. Braakhuis and C.H. Kneepkens (Artistarum Supplementa 10) (Groningen: 2003), 165–205.

29   See Genesis 2:19ff. and Gilbert Dahan, "Nommer les êtres. Exégèse et théories du langage dans les commentaires médiévaux de Genèse 2, 19–20," in *Sprachtheorien in Spätantike und Mittelalter*, (ed.) Sten Ebbesen (Tübingen: 1995), 55–74. At a later stage of his career, Mair would explicitly refer to this biblical background, see below, fn. 128.

signification. This last designation stressed much more the inconstancy of a sign, linking its meaning to a mere convention maintained by daily users. Who, therefore, defined a sign's meaning, and on whose arbitration did the signification depend? Did it depend on the intention of the very first *institutor*, or on that of the community of speakers re-instituting the sign with every actual use?

When, in the late Middle Ages, Peter's *Summulae* increasingly served as a textbook of logic, the commentary tradition that arose was split in view of these ambiguities. In the current of the 15th century it became apparent that the Thomists and the Scotists in particular were divided about the interpretation of these fundamental semiotic questions. The followers of Thomas Aquinas adopted a more static model of language in which the significational force of a word was due to the authoritative act of its first imposition by means of which its signification was intrinsically tied to the shape of a word.[30] But in this sense, everything could be treated as a sign since, at the very least, it represented itself.[31] The Scotists, on the other hand, promoted a more conventional approach in which the signification of a word depended on its actual use and on a mutual agreement between the interlocutors choosing to use a word this way and no other.[32] But since these Scotists declined any intrinsic tie between a word's form and its meaning, they also denied that a sign represented itself.

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[30] See, for example, the Cologne *Compendium* attributed to Lambertus de Monte, *Commentaria in summulas Petri Hispani* (Cologne: 1492), fol. b1rb: "Vox significativa ad placitum [...] imponitur ad significandum a voluntate primi instituentis et habentis autoritatem impositionis vocis, sicut fuerunt patriarche, prophete, et ceteri principes quibus est data autoritas." A direct link between the significational force of a sign and its first imposition is drawn by John Versor whose logical compendium was used by the Cologne Thomists, too: see John Versor, *Dicta super septem tractatus Summularum* (Nuremberg: 1495), fol. a6v: "Virtus significandi [...] sibi convenit per institutionem et ordinationem ad significandum. Per hoc enim quod ipsa imponitur ad aliquid significandum, et efficitur signum eius, accipit virtutem representandi formaliter illud significatum. Et hec virtus [...] datur ipsi voci quandoque per impositionem primi imponentis qui ordinat vocem ad unum significatum et non aliud; quandoque provenit per ordinationem quae fit ab instinctu nature qui inclinat animalia ad formandum voces suas effectus representantes."

[31] For this problem of self-referentiality in general see Stephan Meier-Oeser, *Die Spur des Zeichens. Das Zeichen und seine Funktion in der Philosophie des Mittelalters und der frühen Neuzeit* (Quellen und Studien zur Philosophie 44) (Berlin: 1997), 178–180; for Mair in particular see Biard, "Théorie de la signification," 277f.

[32] See, for example, John Magistri, *Summularum glosulae* I (Venice: 1490), fol. aa5rb–va: "Potest fieri impositio tribus modis. Uno modo per aliquam communitatem. Secundo modo per aliquem habentem auctoritatem in communitate vel politio. Tertio modo potest fieri ex quadam consuetudine." On Magistri, see Olga Weijers, *Le travail intellectuel*

For them, to be an ordinary sign meant to signify something other than itself (*aliquid aliud*), a position that found support in Augustine's definition of a sign given at the beginning of Book II of *De doctrina christiana*.[33]

The Nominalists finally, even though they agreed with the Scotists in principle, tried to differentiate, and this is what we find in John Mair as well. When, in the longer version of his *Termini*, Mair gave his definition of what a term is, he first remained as neutral as Peter of Spain when defining a vocal sound. Borrowing heavily from Pierre d'Ailly, another famous forerunner of 15th-century Nominalism, Mair determined that "a term is a sign that represents something, some things or a certain manner, for which something, for which things or for which manner it can be used in a proposition."[34] This somewhat circumstantial delineation of a term's possible references was necessary in order to include collective nouns (such as "people") and syncategorematic terms (such as "all," "if") into the definition's scope.[35] But Mair did not yet specify

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à la faculté des arts de Paris. Textes et maîtres (*ca. 1200–1500*), vol. V (Studia Artistarum 11) (Turnhout: 2003), 116.

33   Augustine, *De doctrina christiana* II.1.1 (Martin 32): "Signum est enim res praeter speciem, quam ingerit sensibus, aliud aliquid ex se faciens in cogitationem venire." See the similar definition in Augustine's *De dialectica* V, (ed.) Jan Pinborg (Dordrecht: 1975), and Robert A. Markus, "Signs, Communication and Communities in Augustine's *De doctrina christiana*," in *De doctrina christiana. A Classic of Western Culture*, (ed.) Diane W. Arnold (Notre Dame: 1995), 97–108.

34   Mair, *Termini magni* (Paris: 1503), fol. a2rb: "Terminus est signum aliquid, aliqua vel aliqualiter representans pro quo vel quibus vel taliter est ponibile in propositione." For Pierre d'Ailly see, *Conceptus*, in *Modi significandi und ihre Destruktionen*, (ed.) Ludger Kaczmarek (Materialien zur Geschichte der Sprachwissenschaft 1) (Münster: 1980), 81–101, at 93: "Vox significativa ad placitum est qua apprehensa ab auditu ex impositione quam actu habet nata est potentie cognitive eam vitaliter immutando instrumentaliter aliquid vel aliqua vel aliqualiter representare aliud a se et sibi simili a suo prolatore vel a suis partibus, nisi aliquid illorum significet ex impositione." For Mair's reliance on Pierre d'Ailly see Biard, "Théorie de la signification," 279, and also Henrik Lagerlund, "John Mair on Concepts," in *Le langage mental du moyen âge à l'âge classique*, (ed.) Joël Biard (Philosophes médiévaux 50) (Louvain: 2009), 205–220, at 211.

35   For a general account see Alain de Libera, "*Aliquid, aliqua, aliqualiter*. Signifiable complexement et théorie des tropes aux XIVe siècle," in *Chemins de la pensée médiévale. Études offertes à Zénon Kaluza*, (ed.) Paul J. Bakker (Textes et études du Moyen Âge 20) (Turnhout: 2002), 27–45; and Earline J. Ashworth, "The Doctrine of Signs in some Early Sixteenth-Century Spanish Logicians," in *Estudios de historia de la logica. Actas del II simposio de historia de la logica, Universidad de Navarra, Pamplona, 25–27 de mayo de 1987*, (eds.) Ignacio Angelelli and Angel d'Ors (Acta philosophica) (Pamplona: 1990), 13–38, at 15f. For Mair in particular see Broadie, *History*, 50f.

whether a term necessarily had to represent something other than itself, or whether it was sufficient that it represented itself. It was only in a subsequent paragraph—where Mair defined what it meant "to signify" and provided four different meanings of what a sign is—that he tackled this problem of self-referentiality:

> In a first way something is said to be a sign when it represents itself or something other than itself, regardless of whether it can be put into a proposition, and according to this way anything in the world is a sign. In a second way something is said to be a sign when it represents something other than itself, regardless of whether it can be put into a proposition for it or not, and according to this way a statue of Hercules is a sign, and in this way Saint Augustine conceives of it at the beginning of the second [book] *De doctrina christiana* […]. In a third way a sign is understood as that which signifies something other than itself and can be put into a proposition for it, such as this term "homo." In a fourth way a sign is understood as that which signifies itself or something other than itself, as long as it can be put into a proposition for it, such as "buf."[36]

Basing signs on the fundamental property of representing something, Mair used the two criteria of representing *aliquid aliud* and of being usable as part of a proposition to distinguish four classes of signs. In doing so, he was able to include self-representation into the general analysis of signs, but he gave no reason to doubt that, as soon as someone wanted to depart from the unspecific statement that everything is a sign (since it stands at least for itself) and wanted to distinguish signs and non-signs, one had to exclude self-referentiality and

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36   Mair, *Termini magni* (Paris: 1503), fol. b5rb: "Rursus advertendum est quod aliquid dicitur esse signum quadrupliciter et proportionabiliter de significare et representare dicatur. Primo modo aliquid dicitur esse signum quum representat se sive aliud a se, sive potest poni in propositione sive non, et hoc modo quelibet res mundi est signum. Secundo modo aliquid dicitur esse signum quum representat aliud a se, sive potest poni in propositione pro illo sive non, et hoc modo simulacrum Herculis dicitur esse signum, et isto modo capit beatus Augustinus in principio secundi *De doctrina christiana* ubi sic inquit: 'Signum enim est [res] preter speciem quam ingerit sensibus aliquid aliud a se faciens in cogitatione venire sicut est vestigio viso animal transisse iudicamus et fumo percepto ignem subesse cognoscimus et tuba sonante milites progredi vel regredi'. Tertio modo capitur signum pro illo quod significat aliud a se et potest poni in propositione pro illo, ut iste terminus 'homo'. Quarto modo capitur signum pro illo quod significat se sive aliud a se dum modo potest poni in propositione pro illo, ut 'buf'." For this fourfold concept of a sign see Meier-Oeser, *Spur des Zeichens*, 116.

had to demand that a sign represents something other than itself. Accordingly, in the shorter version of the *Termini* Mair limited himself to defining the signifying term as one that signifies "something other than itself, than parts of itself, than its speaker, and than things similar to itself, unless it has been imposed to signify one of these."[37]

The reason why he admitted self-representation in the longer version of the *Termini* becomes clear when Mair starts to discuss the distinction between naturally and *ad placitum* signifying signs. With regards to natural signification, Mair repeats that, in a certain sense, everything is a sign:

> To signify *naturaliter* means to represent by means of the nature of a thing regardless of [any additional] imposition [of meaning], [however] not in the sense that imposition is always excluded from natural signification as becomes clear with the term "being," but in the sense that, granted there would be no imposition, it none the less would signify.[38]

By means of its mere nature everything naturally represents something, such as the term "being" which even if it never would have been imposed to mean 'something that is' and were a meaningless sequence of letters, nevertheless would represent this meaningless sequence of letters and hence signify its very nature.[39] This is especially true for concepts, since they consist in nothing other than being representative of their meaning "such as the knowledge I have of John formally represents John."[40] Hence, in Mair's Nominalist regard

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37   Mair, *Termini magni* (Paris: 1503), fol. b1ra: "Terminus significativus est terminus significativus aliud a se, a suis partibus et a suo prolatore et a suo simili, vel impositus ad significandum aliquid istorum ut 'homo'." See again the definition provided by Pierre d'Ailly and cited above in fn. 34.

38   Mair, *Termini magni* (Paris: 1503), fol. b5rb–va: "Significare naturaliter est ex natura rei quacunque impositione se|mota representare, non ad hunc sensum quod a significatione naturaliter semper impositio secludatur ut patet de termino 'ens', sed sic scilicet quod dato quod non esset impositio non minus illud significaret."

39   The example of the term "being," however, is a special case since it signifies something even without imposition; it signifies something and hence something that is, which is exactly the imposed signification of the term "being." Regardless of its actual meaning, the sequence of the letters b, e, i, n and g represent what it is actually imposed to represent.

40   Mair, *Termini magni* (Paris: 1503), fol. b5va: "Significare naturaliter proprie est significare mediante se vel significare immediate vel formaliter representare ut noticia quam ego habeo de Iohanne formaliter Iohannem representat, id est quedam forma mediante qua anima mea cognoscit Iohannem quemadmodum albedo est quedam forma mediante qua paries est albus et talis noticia ab anima mea a Iohanne cognito producitur."

on the problem of self-representation, the two extremes of the Scotist denial and the Thomist endorsement of self-referentiality were reconcilable by means of the distinction between natural and imposed signification, the second kind of signification supervening to a thing by an *ad placitum* imposition.[41]

However, before looking at Mair's solution to the other semiotic ambiguity present in Peter of Spain's *Summulae* (the problem of knowing whose *beneplacitum* it was that defined a sign's meaning), a remark on one of Mair's examples is in order. His position that concepts are the most proper kind of natural signs rested upon a parallelization of spoken, written, and mental terms in which mental terms were identified with concepts.[42] If terms were a kind of sign and concepts a kind of term, then concepts would need to have a signification—but since concepts represented by their very nature the things they stood for, signification and representation of a concept had to be one and the same thing. This identification of concepts and mental terms, however, was no matter of course. Mair questioned it with a thought experiment which, again, had been prominently introduced into the discussion by Pierre d'Ailly:[43]

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41   A similar division between natural and imposed signification with regards to possible self-referentiality can be found in other Nominalist semiotics, too. See e.g.: Florentius Diel, *Exercitia librorum Perihermeneias* I.1 (Speyer: 1490), fol. a4v: "Significare naturaliter proprie est eandem rem apud omnes eiusdem rationis significare formaliter seipso, id est per seipsum absque aliquo superaddito. Et hoc convenit solis conceptibus anime in ordine ad eas res quarum ipsi sunt similitudines naturales, et a quibus sunt formati tales conceptus"; or, Pierre d'Ailly, *Conceptus* (Kazcmarek 88): "Significare naturaliter proprie est aliquid se ipso et non mediante alio aliquid potentie cognitive eam vitaliter immutando representare."

42   Mair, *Termini magni* (Paris: 1503), fol. a4rb–va: "Terminorum quidam vocalis, quidam scriptus et quidam mentalis […] Terminus mentalis est conceptus anime vel passio naturaliter significans, et vocatur nonnumquam actus intelligendi, noticia | rei apprehensiva, vitalis immutatio, effigies, simulachrum, cognitio." The terminology reminds one, of course, of the *passiones animae* in Boethius' translation of the first paragraphs of Aristotle's *Perihermeneias* (see above, fn. 17); for the *vitalis immutatio* see the next footnote.

43   See Pierre d'Ailly, *Conceptus* (Kazcmarek 88): "Si deus in lapide produceret actu|alem noticiam de homine, hoc est illa qualitatem que est actualis noticia hominis, non propter hoc diceretur lapis vitaliter immutari; nec illa qualitas esset vitalis immutatio lapidis, quia lapis non est vitaliter perceptivus talis noticie." I am going to present the thought experiment according to the shorter version of Mair's *Termini*, but it is also present in the longer version, see *Termini magni* (Paris: 1503), fol. a4va: "Si ad imaginationem noticia quam ego habeo de sorte poneretur in lapide, desineret esse noticia, quod patet quia dicitur noticia solum respectu illud quod potest denominari noscens." D'Ailly introduced the concept of *vitalis immutatio* (which he had borrowed from John of Ripa) in order to prevent a

"if God, by his absolute power, would take the concept I have of Socrates and would put it in a stone, then it would cease to be a concept but would still be a term. It would cease to be a concept since a stone cannot have active knowledge, but it would not cease to be a term since to be actually received is no constitutive property of a term as is evident with written terms in a closed book and with spoken terms floating in the air after having been spoken but not yet heard."[44] Mair was rather detailed about this difference between concepts and mental terms, but once he had settled it, he did not draw any further conclusions from it; apparently it was sufficient for him to demonstrate the possibility of such a distinction.

This method is telling for Mair's early approach in two regards. On the one hand, it testifies to a disposition for subtle and—as the humanists would put it—useless differentiations. On the other hand, it exemplifies that Mair was ready to resort for the justification of such distinctions to actually absurd thought experiments that were based on the concept of God's absolute power as distinguished from his ordained power.[45] While the first point might be symptomatic for a majority of late medieval logical approaches, the second has often been presented as *the* distinctive feature of late medieval Nominalism. Modern research has shown, it is true, that an identification of this distinction with Nominalist approaches is far too simple since it was already present in 13th-century theology and continued to be used in the late Middle Ages by thinkers of any scholastic profile. But still there is a certain preference

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stone from being able to have a concept. See Ludger Kaczmarek, "Vitalis immutatio. Erkundungen zur erkenntnispsychologischen Terminologie der Spätscholastik," in *Mathesis rationis*, (eds.) A. Heinekamp, Wolfgang Lenzen and M. Schneider (Münster, 1990), 189–206; and Biard, "Théorie de la signification," 273.

44   Mair, *Termini* (1502), fol. a3rb: "Si Deus caperet conceptum quem ego habeo de Sorte et poneret in lapide iam ille est terminus et non mentalis quia non est in mente nec vocalis nec scriptus ut palam est. Quod sit terminus patet quia est naturalis similitudo rei cuius ante erat. Ergo est terminus ut antea. Et confirmatur: si ille conceptus poneretur in anima in qua prius erat, inciperet esse terminus. Ergo aptitudo actualis representationis ad terminum sufficit, ut patet de termino scripto in libro clauso et vocali in media regione aeris."

45   For the distinction, its long history and complex historiography see William J. Courtenay, *Capacity and Volition. A History of the Distinction of Absolute and Ordained Power* (Bergamo: 1990). With respect to John Mair (but more the theologian than the logician); see J.H. Burns, "*Politia Regalis et Optima*. The Political Ideas of John Mair," *History of Political Thought* 2 (1981): 31–61; and Francis Oakley, "The Absolute and Ordained Power of God in Sixteenth- and Seventeenth-Century Theology," *Journal of the History of Ideas* 59 (1998): 437–461, at 450f.

for the distinction among authors typically associated with late medieval Nominalism,[46] and since there are many other indications of Mair's familiarity with the *via moderna* as mentioned before, his present use of the distinction to solve an apparently non-crucial problem rounds off the picture of his adherence to the late medieval Nominalist approach.

From the semiotic perspective, this adherence is finally confirmed regarding the second ambiguity in Peter of Spain's *Summulae*, the one concerning *ad placitum* signs and the question of knowing who determined their signification. Even though Mair did not deny that there is authoritative imposition of meaning—as it was paradigmatically reported of Adam naming the things—he nevertheless went beyond the Thomists' acceptance of this type of imposition and complemented it with the conventionalist model: together with other Nominalists and the Scotists who were prone to this second model, he admitted that there were signs which had their signification only due to common usage and custom.[47]

Hence, with regards to the methods he used, the doctrinal alternatives he chose, the authorities he relied on, and the subjects he treated, Mair presented himself as an advocate of the *doctrina solida nominalium*, as he called his favorite approach in the shorter version of the *Termini*,[48] providing a semiotic model which stressed that something had to transcend the representation of itself in order to be a sign, but that this additional signification pertained to it by virtue of its common use.

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46 See Courtenay, *Capacity and Volition*, 181.

47 Mair, *Termini magni* (Paris: 1503), fol. b5vb: "Significare est ex impositione vel consuetudine representare ut iste terminus homo in significando homines." In the following lines, Mair describes the authoritative imposition as *autentica* which, however, is not to be confused with the modern meaning of "authentic" as "proper" (in this case, Mair would have said *proprie* as he does elsewhere throughout the tract). It has to be understood in its judicial sense of "according to the original will." Later on, Mair corroborates his acceptance of *ad placitum* signification as depending on each individual's will with an assumption about mental terms: e.g. *Termini magni* (Paris: 1503), fol. b6rb: "Terminus mentalis significat ad placitum <naturaliter> [1503: antecedenter] quia ad placitum intellectus vel voluntatis est quod significet." See as well the shorter version of the *Termini* (Paris: 1502), fol. b3rb: "Significare ad placitum est ex impositione vel usu representare. Aliqui termini ex sola consuetudine sua significata important." On Mair's concept of imposition see as well Biard, "Théorie de la signification," 270.

48 Mair, *Termini* (Paris: 1502), fol. b2va: "Secundum reales terminus secunde intentionis non est secunda intentio, immo secunda intentio est relatio rationis comparata per actum nostri intellectus. Non vocatur ens reale apud eos, sed ens diminutum. Supponatis in hac doctrina solida nominalium omnia illa esse figmenta."

2   The Prologue to Book IV of the *Sentences* Commentary

Just as the early logician John Mair appeared as an assiduous champion of late medieval Nominalism, Mair the theologian did not give us reason to doubt his continuous predilection for the Nominalist approach when starting to comment on Lombard's *Sentences*. In a *Propositio ad auditores*, in which Mair described his commentary project as a whole,[49] he openly admitted that he attempted to apply Nominalist principles to the theological topics he was going to discuss—and he knew of good reasons to present such a commentary even though Lombard's *Sentences* had already been commented on innumerable times:

> So far, I have not seen a single Nominalist who has performed a work on the heart and soul of Book IV. This is what others reproach them for, claiming that the Nominalists are so entangled with logic and philosophy that they disregard theology; yet the theological topics are various that presuppose metaphysics. Therefore applying the principles of the Nominalists I will try to write for every single distinction of Book IV one or more questions which also the Realists will easily grasp if they are attentive. For the theology I will particularly engage in will be common to both *viae*.[50]

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49   This *Propositio* only appears as a preface to the second redaction of Book IV. But parts of it elaborate on topics that Mair already addressed in the prefatory letter to Alexander Stuart and in the preface (i.e., *Dialogus inter duos magistros*) of the 1509 edition of Book IV. These early texts do not provide, however, any remarks on Mair's Nominalist orientation.

50   Mair, "Propositio ad auditores," in *In quartum Sent.* (1516), fol. Aa2v: "Nominalium adhuc vidi neminem qui opus in quartum ad umbilicum calcemque perduxerit. Quod in eos tamquam probrosum alii retorquent dicentes nominales logicae et philosophiae sic implicari ut theosophiam negligant. Et tamen varia sunt theologica quae metaphysicam praesupponant. Conabor ergo nominalium principiis adhibitis in singulas distinctiones quarti unam quaestionem vel plures scribere quas et reales si advertant facile capient. Utrique enim viae theologia (circa quam praecipue versabor) erit communis." The passage has already been transcribed by Aeneas Mackay, "Memoir of John Major of Haddington," in John Major, *A History of Greater Britain as well as Scotland Compiled from the Ancient Authorities by John Major...(1521) Translated from the Original Latin*, trans. Archibald Constable (Publications of the Scottish History Society 10) (Edinburgh: 1892), 438; see as well Christopher J. Martin, "John Mair on Future Contingency," in *John Buridan and Beyond. Topics in the Language Sciences 1300–1700*, (eds.) Russell L. Friedman and Sten Ebbesen (Kopenhagen: 2004), 183–201, at 184 and following, with a somewhat imprecise English translation of this passage.

Even if this was an unambiguous commitment to the Nominalist approach, Mair seemingly intended to open a door for the Realists and to present a common *via*. It is interesting, however, that he did not promise to make any concessions to the Realists, but that he was willing to bring them in if only they were attentive enough to what he had to say. Hence, his opening was, at the same time, a subliminal polemic, and it becomes apparent that he continued, as a theologian, to defend his own camp of the *Wegestreit*.

When, in the prologue to Book IV,[51] Mair tackled the fundamental problem of this quarrel and asked the very question of knowing how to solve a problem in view of a plurality of opinions, he began with two preliminary remarks. The first simply stated that due to their sinful condition human beings were struck with ignorance—the existence of various and contradicting opinions was thus to be considered as an inevitable effect of the fall.[52] The only remedy Mair saw was that not everybody seemed to be equally struck, but that the "more ingenious, the more experienced and the good" could attempt to be "a guide of living and learning" for others.[53] Contrary to its appearance, this was simultaneously a conservative and an elitist argument since ingeniousness was, in Mair's late medieval way of thinking, a quality which long after a thought had been advanced had to crystallize over centuries in the continuous rumination and approbation of a doctrine—a process which eventually took place, was learned, and, in this regard, was "experienced" nowhere else than at the universities. The virtual "[head] of living and learning," or at least the "most experienced" representative of authoritative ingeniousness, was thus none other than the academic theologian—such as John Mair. It was him and those like him who had to take the lead in theological matters and not, as the text leaves us to infer, the humanists.

However, before opening the debate with the humanists, Mair presented his second preliminary remark in which traces of this somewhat elitist traditionalism reappeared. Mair attempted to delimit under what circumstances

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51   According to the approach described at the beginning of this chapter, I will mainly focus in what follows on the prologue's first redaction from the 1509/1512 editions.

52   Mair, *In quartum Sent.* (1509), prol., q. un., fol. 1ra (≈ (1516) prol. q. 2, fol. 2ra): "Pro solutione questionis notabis quod propter hominum ignorantiam tanta introducta est opinionum pluralitas post peccatum primi parentis, quod nostrum scire nichil est ad nostrum ignorare" (see Augustine, *Confessiones* XI. 4, (ed.) L. Verheijen in *Corpus Christianorum, Series Latina* 27 (Turnhout: 1981) 197, ll. 11–12: "Scientia nostra scientiae tuae comparata ignorantia est").

53   *Ibid.*: "Aliquid tamen remedii compertum est ut ingeniosiores, exercitatiores et boni sint sibi ipsis et aliis perpendiculum vivendi et docendi iuxta illud Iob 1[.14] 'Boves arabant et asinae pascebantur iuxta eos'."

"philosophy and foreign sciences" were legitimately introduced into theology, and he determined two permissible uses. A first one in cases where these sciences were necessary to understand theological topics since they were presupposed by a theological problem. In order to understand, for example, what an act of creation is, it was legitimate to ask whether creatures were capable of creating, just as "Augustine and the doctors usually ask here in Book IV."[54] According to this last remark, however, the necessity of scientific knowledge for an understanding of theological problems was not so much determined by the theological problem itself as by its traditional treatment—and these traditions were learned at universities. The second kind of permissible use of philosophy was in those cases where others had previously and illegitimately introduced human sciences into theology. In such cases the responsibly trained academic theologian could not avoid getting involved with these sciences in order to reveal the inappropriateness of their use in theology.[55] The use of philosophy was thus restricted either to traditional cases or to cases of rebuke.

Having settled these conditions, Mair proceeded in his prologue to present a few conclusions. Conclusions one and two endorsed the first kind of permissible use of foreign sciences in theological matters, stating not only that it was licit to adopt philosophy where it was necessarily presupposed by a theological problem, but also where it was conducive for the prestige of theology—since this was the way, according to Mair, in which the fathers and pillars of theology such as Augustine and Jerome had used the writings of Cicero, Virgil, and the like.[56] Once more Mair's argument was traditionalist, however while enforcing

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54   Mair, *In quartum Sent.* (1509), prol. q. un., fol. 1ra–b (≈ (1516), prol. q. 1, fol. 1ra): "Secundo notandum est quod stat doctorem theologum inserere philosophiam | vel scientias peregrinas duobus modis in theologia. Uno modo scientias necessarias ad intelligenda theologalia ut puta in hoc quarto quia beatus Augustinus et doctores passim hic petunt an creatura possit creare." On this problem of creation which Mair effectively addresses in his commentary to the first distinction of Book IV, see Marilyn McCord Adams, "Can Creatures Create?" *Philosophia* 34 (2006): 101–128.

55   Mair, *In quartum Sent.* (1509), prol. q. un, fol. 1rb (≈ (1506) prol. q. 1, fol. 1ra): "Aliqua sunt impertinentia cognitioni theologie. Interim contingit illa recensere prolixe vel succin[c]te impugnare, vel recitare opiniones de lana caprina, ut an beatitudo sit in essentia anime vel in eius potentiis, et ceteris id genus questionibus." See also *ibid.* (1509), fol. 2vb: "Logica est ianitrix sorbone. Ergo non debet intrare scolam, sed sedere in porta, nisi per accidens ad querendum bacchalarium. Sic theologus per accidens utitur ianitrice et eam introducit cum negatur discursus evidens in schola, vel aliud logicale incidens in argumento. De per se non citat logicam in medium."

56   Mair, *In quartum Sent.* (1509), prol. q. un., fol. 1rb (≈ (1516), prol. q. 1, fol. 1ra): "Non obscenum est introducere philosophiam et ceteras scientias sine quibus theologia non potest

the traditional aspect in this respect, he finally had to discuss an obvious counterargument: even if the church fathers relied on classical philosophy in a way similar to scholastic approaches, neither the church fathers nor the classical philosophers ever used a *style* that was similar to what the scholastics did with their conclusions, propositions, and corollaries. Hence, at least the scholastic style was a curious alteration and would have had to be dismissed when consequently applying Mair's criteria.[57] In the end, Mair entered the debate with the humanists. Having aligned the commentary within the camps of the *Wegestreit*, he now confronted his opponents from outside of the university and started to address the humanist critique of scholastic style. He even corroborated this criticism by citing an author who was not only a famous representative of early French Humanism, but also was an authority of the late scholastic academic culture: the former chancellor of the University of Paris, Jean Gerson.[58]

In his attempt to reform the University's curricula, Gerson had repeatedly fought for a decent approach to theology that excluded purely logical, physical, and metaphysical speculations, and he had explicitly blamed British scholastics for their neglect of the differences and dividing lines between the moral

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bene capi. Hec conclusio probatione non eget. Si aliquid est necessarium, medium ad illud est necessarium. Theologia doctori theologo est necessaria, igitur. Et esto quod tanguntur talia in ceteris facultatibus non tamen fortassis sufficienter, hic breviter tangenda sunt. Secunda conclusio: non illaudabile est extraneas scientias ad theologiam non modo necessarias, sed ad decorem theologie conducentes introducere. Probatur. Facta venerabilium patrum et basium in doctrina theologica sunt imitanda. Sed sic est quod beatus H[i]eronimus, Augustinus et alii doctores Marci Tullii, Vergilii, philosophorum et poetarum introduxerunt scripta. Patet legenti."

57   Mair, *In quartum Sent.* (1509), prol. q. un., fol. 2rb (≈ (1516), prol. q. 1, fol. 1rb–va): "Contra primam conclusionem et secundam arguitur simul quia ex probatione secunde conclusionis licet per facta patrum scientias peregrinas inserere. Contra sequitur quod ille modus scribendi in theologia perarguitur sic. Conclusiones, propositiones et correlaria non valerent. Consequens est inconveniens et contra processum omnium neothericorum; et patet consequentia quia beatus Augustinus et Hieronymus non ita scripserunt, ymo nec Aristoteles, Plato et alij philosophi. Ergo inanis est illa modernorum curiositas, vel antiqui intricate scripserunt."

58   On Gerson's humanism see in particular Gilbert Ouy, "Humanism and Nationalism in France at the Turn of the Fifteenth Century," in *The Birth of Identities. Denmark and Europe in the Middle Ages*, (ed.) Brian P. McGuire (Kopenhagen: 1996), 107–125; on Mair's reception of Gerson in this prologue to Book IV see also my "*Utilitas* als anti-spekulatives Motiv. Zur Rezeption eines Gerson'schen Anliegens im ausgehenden Mittelalter," *Quaestio*, forthcoming. On Mair's humanism see the still useful remarks by Colin M. MacDonald, "John Major and Humanism," *Scottish Historical Review* 13 (1916): 149–158, and J.H. Burns, "New Light on John Major," *The Innes Review* 5 (1954): 83–100, at 88.

and the speculative disciplines, adducing a saying of Seneca that "they do not know necessary things since they have taught needless things."[59] For Mair, the Scottish theologian who was trying to solve the question of knowing to what extent the use of logic was allowed in theology, this Gersonian criticism was both a support and a challenge since it appeared to be far more radical than what Mair himself was about to defend. Hence, Mair was not ready to fully agree with the former chancellor, but tried to excuse at least parts of the usual scholastic method. Being convinced of its benefits,[60] Mair resorted to a rather surprising argument for a defense of the "new" style of medieval scholasticism:

> Is it not that in our era Amerigo Vespucci has found new lands unknown in earlier times to Ptolemy, Pliny, and the other cosmographs? This cannot happen in a similar way in the other sciences if no one ever learned to write more clearly than the ancients.[61]

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59   Mair, *In quartum Sent.* (1509), prol. q. un., fol. 2rb (≈ (1516), prol. q. 1, fol. 1va): "Johannes Gerson venerabilis cancellarius parisiensis in secunda lectione supra Marcum circa medium deflet quia in arguendo logica, phisica, vel metaphisica involvatur. Et sequitur 'illud frequenter contingit in anglia, et proh dolor, nisi provideatur, convalescet in gallia' […]. Et in prima epistola ad collegium Navarre ferme similem sententiam introducit, et propterea verificatur illa Senece sententia: 'Necessaria nesciunt quia supervacanea didicerunt'." Gerson's reproach of an English origin of the presumed theological decadence has to be seen in the context of the Hundred Years War. See Gilbert Ouy, "Gerson et l'Angleterre. A propos d'un texte polémique retrouvé du Chancelier de Paris contre l'Université d'Oxford," in *Humanism in France at the end of the Middle Ages and in the early Renaissance. Symposium held by the School of French of the Univ. of Warwick at Warwick in April 1969*, (ed.) Anthony Levi (Manchester: 1970), 43–81. Mair refers to Gerson's *De duplici logica*, in *Ouvres complètes*, (ed.) P. Glorieux (Paris: 1960–1968), III. 91, 62, and his letter *Aux membres du Collège de Navarre* (Glorieux II. 5, 31–33). Gerson's reference to Seneca is not a literal citation; for possible sources see Louis B. Pascoe, *Jean Gerson. Principles of Church Reform* (Studies in Medieval and Reformation Thought 7) (Leiden: 1973), 100 with fn. 50.

60   Mair, *In quartum Sent.* (1509), prol. q. un., fol. 2va (≈ (1516) prol. q. 1, fol. 1va): "Utile est plures a pluribus fieri diverso stilo, non diversa fide […]. More nature que ab imperfecto ad perfectum, vel a perfecto ad magis perfectum procedit, sic scientie successu temporis incrementum acceperunt."

61   Mair, *In quartum Sent.* (1509), prol. q. un., fol. 2va (≈ (1516) prol. q. 1, fol. 1va): "Nunquid in hac tempestate Americus Vespusius terras rerperit Ptolomeo, Plinio et reliquis cosmographis ante hec secula incognitas? Qua re non potest ita contingere in aliis si nullus sciverit scribere lucidius antiquis." For this passage, see Durkan, "John Major," 135, and Keenan, "Casuistry," 87.

The undeniable fact of the recent discovery of a new world was turned into an argument against the humanist focus on old Latin and ancient sources, and hence into an appraisal of scholastic style! In Mair's view, the necessary traditionalism did not coincide with a rigid return *ad fontes*, and therefore he even went a step further since, regarding theology, he did not approve of those who, according to humanist classicism, claimed that a theologian's only authority was the Bible.[62] All the sudden, his traditionalism met his elitism again: since, as he explained, if the Bible was the sole authority, there would be no need for theological specialists and universities, and given the inconceivability of this conclusion, the premise could not be true.[63] For Mair, the academic scholastic tradition was a necessary complement to the biblical foundations of Christianity.

In the second redaction of Book IV, this elitist trait was reinforced. An additional third conclusion stated that a theologian had to know things that neither appear in nor follow from the content of the Bible, a conclusion Mair illustrated with cases of moral decision-making that lacked a precedent in Scripture.[64] Therefore, theologians had to be acquainted with other writings and sciences than the Bible and a biblical theology alone. The very need of highly specialized theologians was thus due to a certain insufficiency of Scripture;[65] and at the same time, it was their specialization and their acquaintance with the Christian tradition that permitted academic theologians to decide in which

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62   We are still ten years before such a biblicism would become the central slogan of Luther and the German Reformation! For the reference in Mair's commentary see the next footnote.

63   Mair, *In quartum Sent.* (1509), prol., q. un., fol. 2va (≈ (1516) prol. q. 1, fol. 1va): "Non approbo horum sententiam qui dicunt theologos auctoritatibus solum uti biblie. Quia si sic, existens extra universitatem esset facile theologus. Hac via parisiense studium non nactum es[se]t celebrem famam."

64   Mair, *In quartum Sent.* (1516), prol., q. 1, fol. 1rb: "Necessarium est theologo multorum que in biblia non continentur nec ex contentis omnibus in biblia sequuntur habere notitiam. Et ex consequenti necessarium est aliarum disciplinarum habere peritiam. Probatur hec conclusio: sunt multi contractus et casus quorum resolutio ex sola biblia haberi nequit, quibus ad moralem philosophiam, ius pontificium, theologorum scripta est refugium. Ergo habere necessarium est, quia ad theologum spectat de fide, spe, charitate et que salutem anime contingunt dare rationem."

65   Mair, *In quartum Sent.* (1516), prol., q. 1, fol. 1vb: "Contra tertiam conclusionem arguitur: ex ea sequitur quod theologia non docet sufficienter de omnibus necessarijs ad salutem si theologum multa alia habere oporteat. Quod est inconveniens. Respondetur: Deus dedit multitudini hominum ingenia bona ad intelligendum et theologiam ad eos iuvandos. Et sic licet non sola biblia tradat omnia necessaria ad salutem, cum hominum labore omnia ad salutem necessaria possunt haberi."

situations the use of secular sciences was licit—even if, as Mair polemically concluded, their use might appear too subtle to those not specialized enough to recognize the depth of a problem. "Leave the judgment to the academic theologian," Mair exclaimed in the second redaction,[66] and he said this with an obvious glance at the humanist mockeries of scholastic subtleties. He even corroborated this claim with nothing less than classical citations, fighting his opponents with their own means: *quod medicorum est promittunt medici, tractant fabrilia fabri.*[67]

This rejection of any interference of untrained people in specialized discussions was a common argument in the broader context of the humanist-scholastic debate of Mair's era. From the perspective of uncompromising scholastics, most of the humanists had obtained, if anything, a *magister artium*—the lowest degree of the scholastic academic system—and they were thus simple grammarians without any competence to judge the subtlety and utility of methods and approaches of the higher sciences such as theology.[68] On the one hand, Mair seemed to share this rigid scholastic elitism. However, on the other hand, he also turned out to be aware of the relevance of parts of the humanist criticism, since he had started this whole discussion with an attempt to reduce the excrescences of scholastic subtleties![69] Hence, what he

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66   Mair, *In quartum Sent.* (1516), prol., q. 1, fol. 1rb: "Non omnes arbusta iuvant humilesque mirice: non me fugit quando illa que non capit rudis reputat inania et sophismata. Quis nimis positive insistit non sufficientem speculationem querendo, quis vero excessivam et inutilem venatur, iudex sit doctor theologus qui inter octo annos et supra post gradum adeptum tanquam ambidexter Aioth circa utrisque versatus est." The hexameter at the beginning of the citation is from Virgil, *Eclogues* 4, 2; "Aioth," an older spelling of "Ehud," refers to *Judges* 3.

67   Horace, *Epistulae* II. 1, 116: "Physicians practice what belongs to physicians and workers handle the tools they have been trained to use" (translation according to *The Routledge Dictionary of Latin Quotations: the Illiterati's Guide to Latin Maxims, Mottoes, Proverbs and Sayings*, (ed.) Jon R. Stone (New York: 2005), 310). For a further classical citation see the previous footnote. Hopefully it will become apparent during this chapter that these citations were more than a "strategy of dissimulation," a charge that has been leveled against other early modern scholastics referring to classical and humanist sources. See Sven K. Knebel, "Scientia de anima. Die Seele in der Scholastik," in *Die Seele. Ihre Geschichte im Abendland*, (eds.) Gerd Jüttemann, Michael Sonntag and Christoph Wulf (Weinheim: 1991), 123–142, at 133, fn. 24.

68   This is why Erasmus fought so hard for the acceptance of his theological doctorate in Louvain and Paris. On this see Erika Rummel, *The Humanist-Scholastic Debate in the Renaissance and Reformation* (Cambridge: 1995), esp. 83–91.

69   Therefore, he complements his criticism of a purely biblical approach with the following limitation: "Ex altera parte hos non approbo qui prolixe in theologia questiones inutiles

obviously was resolved to do with regards to the humanist-scholastic debate was to present a *via media* just as he had promised to devise a common *via* regarding the parties of the *Wegestreit*. He concluded in the first redaction of his prologue that one had to attempt to hold to the middle position: *tenere medium tentandum est*.[70] Hence, on the one hand, the elitist part of his approach was directed against an extreme position that Mair feared was being promoted by humanists: namely the position of denying the need of any theological specialization. The traditionalist part of his approach, on the other, was directed against the scholastics and their overly sophisticated theological style, a style that resulted, according to Mair, from the lack of a responsible separation of logic and theology.[71]

For those who were actually studying and teaching theology the remaining conclusions of Mair's prologue gave the moral consequences of this combination of a logical reservation and an elitist traditionalism that led to Mair's *via media*. According to the *via media*, a theologian was in need of traditional models. Traditional models, however, did not always lead to the same solution, since contrary to Pico della Mirandola's assumption—as Mair noted in the second redaction—there were opposing opinions between Plato and Aristotle, Thomas Aquinas and Duns Scotus.[72] Theologians were thus not to be blamed

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[ex] artibus inferunt ad longum opiniones frivolas verborum prodigalitate impugnant, tantum aque in vinum infundunt, ut totum aqueum et insipidum gustui videatur secundum proverbium Varonis: veritas nimis altercando amittitur. [...] Contra quos bene dicit Gerson" (*In quartum Sent.* (1509), prol. q. un., fol. 2va ≈ (1516), prol., q. 1, fol. 1va–b). The cited proverb is not from Varro, but from Pubilius Syrus, *Sententiae* 475.

70   Mair, *In quartum Sent.* (1509), prol., q. un., fol. 2vb.

71   Mair, *In quartum Sent.* (1509), prol., q. un., fol. 2vb: "Logica est ianitrix Sorbone. Ergo non debet intrare scolam sed sedere in porta nisi per accidens ad querendum bacchalarium. Sic theologus per accidens utitur ianitrice et eam introducit cum negatur discursus evidens in schola, vel aliud logicale incidens in argumento. De per se non citat logicam in medium."

72   Mair*, In quartum Sent.* (1516), prol., q. 2, fol. 2rb–vb: "Licet parvum sit peccatum aut nullum in impertinentibus fidei et bonis moribus hanc positionem vel illam imitari, quilibet liber debet eam opinionem amplecti que est rationi conformior. [...|...] Contra [...]: nulla sunt opiniones contraria [...]. Si sic maxime esset inter Aristote[lem] et Platonem, Avicennam et Averrhoim, Scotum et beatum Thomam, sed hoc non: dominus Joannes Picus nisus est facere eos omnes convenire ut patet in prologo sue Apologie. Respondetur negando antecedens: bene volo quod Joannes Picus putavit illud fieri posse viso quod audiverat loqui quod Themistius et Joannes Grammaticus greci ita putarunt, et Boetius inter nostros latinos et plures alij id putarunt ut dicit beatus Augustinus in academicis; sed nullus eorum hoc adhuc peregit." See Pico della Mirandola, *Apologia concordiae comitis* (Naples: 1487), prol., fol. 2v. The conclusion at the beginning of this footnote appears

for choosing between one or the other solution, as long as these choices were well founded and did not contradict fundamental catholic doctrine.[73] Mair, the Nominalist theologian, even excused the Thomists and Scotists for their obedient adherence to the doctrines of their great masters: for it was better to have a good and time-tested model than to get lost while trying to find one's way alone.[74] Once more, he substantiated this concession with references to classical authors, intimating on the one hand that he knew what the humanists were talking about.[75] With regards to the scholastics, on the other hand, he restricted his concession with the demand that scholars only claimed the probability, and not the truth, of the positions they defended—but if a scholastic was ready to consider this, he was even allowed, from Mair's point of view, to not follow a position held by a majority of authorities.[76]

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already in the first redaction of Mair's commentary (*In quartum Sent.* (1509), prol., q. un., fol. 1va).

73 See conclusions four to six in particular: "Quarta conclusio: licet assentiens opposito propositionis catholice cuius oppositum tenetur explicite scire peccet, tamen assentiens contradictorio propositionis cuius contradictoriam non tenetur scire explicite non peccet. [...] Quinta conclusio: sicut non peccamus tenendo hanc opinionem vel illam circa ma|teriam fidem concernentem dummodo non constat nobis sufficienter propter arduitatem utra pars est vera, sic non semper in materia morum securior pars est acceptanda firmiter sic quod oppositum non sit probabile. [...] Sexta conclusio: licet ceteris paribus quilibet debet sequi eam opinionem quam multi experti tenent citius quam pauci, tamen insequendo hanc opinionem vel istam ubi equales apparentie sunt post sufficientem inquisitionem nullum est peccatum" (*In quartum Sent.* (1509), prol., q. un., fol. 1va–b; see conclusions two, four and five of (1516) prol., q. 2, fol. 2va–b).

74 Mair, *In quartum Sent.* (1509), prol., q. un., fol. 1va (≈ (1516), prol., q. 2, fol. 2ra): "Irrationabile non est quod thomiste beatum Thomam, scotiste doctorem subtilem et reliqui suos duces insectentur more patrum; sic contingit in rebus maioribus."" See *ibid.*, fol. 3ra: "Hoc boni habent: unius doctrinam in radice callent, ubi alii transeunt (instar murem super farinam legentes) nisi bene se regant sciunt in omni aliquid et in toto nichil. Quocirca in toto satius est unius theologi profundi doctrinam bene capere."

75 In the first redaction (*In quartum Sent.* (1509), prol., q. un., fol. 3ra), Mair referred to Horace, *Epistulae* I, 1.14: "nullius addictus iurare in verba magistri"; Cicero, *De officiis* I. 2: "utrique Socratici et Platonici volumus esse"; and Virgil, *Eclogues* 8, 63 "dicite, Pierides, non omnia possumus omnes." In the second redaction, only this last citation remains (*In quartum Sent.* (1516), prol., q. 2, fol. 2ra). However, this verse seems to have been rather important for Mair since he cites it already in the prefatory letter to this second edition (*Ad auditores propositio* in *In quartum Sent.* (1516), fol. Aa2v). For a more general, but not at all complete collection of classical and humanist references in Mair's works, see MacDonald, "Major an Humanism," 152–154.

76 Mair, *In quartum Sent.* (1509), prol., q. un., fol. 3ra: "Satius est dicere 'multi docti viri sic existimant' vel 'est verisimile' vel aliquid tale." The prologue's whole third question of the

Now, given this combination of a logical reservation and elitist traditionalism and given these methodological criteria and moral consequences, what did this mean when applied to an actual theological problem? How did this traditionalism, which promoted the scholastic style but tried to curtail the use of secular sciences in theology, affect Mair's own doctrinal choices when confronted with the content of Book IV of Lombard's *Sentences*? What was the shape of his *via media* between Nominalists and Realists as well as between Scholastics and Humanists? The next section of this chapter is going to analyze Mair's application of this theoretical position to a specific theological topic of Book IV: the general doctrine of sacraments and sacramental efficacy.

3   Mair's Theology of the Sacraments in General

Prior to discussing the properties and particularities of the seven sacraments, Peter Lombard had collected in the first distinction of Book IV some general remarks on the sacraments in common and on the differences between the sacraments of the Old and the New Testament. By and by the emerging commentary tradition focused on a few selected points of Lombard's presentation such as the definition of what a sacrament is, but introduced as well new topics that were seen to be relevant for a general understanding of the sacraments.[77] Among these topics was the question of sacramental efficacy and, by extension, the question of whether creatures can create. Since sacramental grace was a spiritual entity that could not be caused by corporeal things such as baptismal water, its coming into existence had to be seen as an emergence out of nothing—*ex nihilo*—and thus as an act of creation.[78] But to what extent were creatures, such as the priest who administered a sacrament, capable of performing such an act? The usual answer shared by an overwhelming majority of

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second redaction deals with the problem "an semper sit credendum maiori multitudini" (see conclusion six of the first redaction, cited above in fn. 73); and Mair concludes again with an elitist slant: "Non est prestanda semper maiori multitudini maior fides quam pauciori. Patet: plus credendum est viginti literatis viris in materijs ancipitis | quam centum mille plebeis qui literas paucas vel nullas noverunt" (*In quartum Sent.* (1516), prol., q. 3, fol. 4va–b).

77   For this development see Ueli Zahnd, "Zwischen Verteidigung, Vermittlung und Adaption. Sentenzenkommentare des ausgehenden Mittelalters und die Frage nach der Wirksamkeit der Sakramente," in *Vermitteln—Übersetzen—Begegnen. Transferphänomene im europäischen Mittelalter und der Frühen Neuzeit. Interdisziplinäre Annäherungen*, (eds.) Balázs Nemesch and Achim Rabus (Nova Mediaevalia 8) (Göttingen, 2011), 33–86.

78   See McCord Adams, "Can Creatures Create?".

scholastics was that creation pertained to God alone and that nothing created by God was able to create something else. Mair, touching on the problem in the first question of distinction one and staying true to his traditionalist principles, stated that he was going to follow the common opinion "because of the authorities and the common opinion of the Doctors from which I do not mean to deviate for any reason."[79]

Things got more complicated, however, with regards to a sacrament's definition, a problem Mair tackled in the second question of distinction one. Usually this was the place for scholastics to generally discuss the conditions of the validity of definitions and their different types,[80] but this time Mair deviated from the common way of the doctors. For Mair, questions pertaining to a general theory of definitions were a purely logical matter and therefore he did not want to discuss them in his *Sentences* commentary.[81] Obviously, his principle

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79 Mair, *In quartum Sent.* (1509), d. 1, q. 1, fol. 7va (≈ (1516) fol. 7vb): "Istis tamen non obstantibus teneo partem negativam quaestionis propter auctoritates et communem opinionem doctorum a qua gratis abeundum non arbitror." However, Mair was well aware of the fact that some eminent authors such as Peter Lombard himself, but also Avicenna with regards to creation, and William of Ockham with regards to its opposite, annihilation, were ready to accept at least the theoretical possibility of its performance by creatures, see *ibid.*, fol. 7ra (≈ fol. 7ra–b): "De proposita quaestione multe sunt opiniones. Avicenna dicebat creaturam posse creare, ut patet de cathena aurea nono sue methaphisice. Theologi multi partem negativam tenent, et isti inter se digladiantur aliquibus dicentibus quod deus potest potentiam creandi impartiri creature, sed creatura hoc non habet ex se. Huius opinionis visus est esse Magister sententiarum distinctione quinta huius quarti. Alii tenent quod nec principaliter nec instrumentaliter potest creare. Alii quod potest annihilare, non autem creare." This last sentence only appears in the second redaction, but Mair nevertheless discusses and rejects Ockham already in his first redaction; see, e.g., (1509), fol. 7rb. For Ockham see his *Reportatio* IV, 8, dubium 7, in *Opera theologica*, (eds.) Gedeon Gál et al. (St Bonaventure, NY: 1967–1986), VII:143 and 148–150. See also Paul J. Bakker, "La raison et le miracle."

80 See, e.g., Thomas Aquinas, *Scriptum* IV, d. 1, q. 1, a. 1 in *Scriptum super libros Sententiarum magistri Petri Lombard Episcopi Parisiensis*, (eds.) P. Mandonnet and M.F. Moos (Paris: 1929–1947), IV:9–16; Iohannes Duns Scotus, *Ordinatio* IV, d. 1, p. 2, q. 1, n. 181–191 in *Opera omnia*, (eds.) C. Balić, et al. (Vatican City: 1950–), XI:63–66; Thomas of Strasbourg, *Scriptum in quartum* (Venice: 1564), d. 1, q. 2, a. 1, fol. 59ra–vb; and Gabriel Biel, *Collectorium* IV, d. 1, p. 1, q. 1, a. 3, dub. 1 in *Collectorium circa quattuor libros Sententiarum*, (eds.) Wilfrid Werbeck and Udo Hofmann (Tübingen: 1973–1992), IV:28.

81 Mair, *In quartum Sent.* (1509), d. 1, q. 1, fol. 7va (≈ (1516), fol. 7vb): "Doctores communiter hic determinant de diffinitione, sed quia materia est logicalia, decorum non censui insistere." A similar statement was given by Gabriel Biel, *Collectorium* IV, d. 1, p. 1, q. 1, a. 3, dub. 1 (Werbeck IV:28): "Illa materia magis est logicalis quam theologicalis, nec refert ad efficaciam sacramenti, an sacramentum definiatur logice vel metahpysice." Nevertheless, Biel continues to discuss what category of definitions a definition of the sacraments may belong to.

of excluding unnecessary logical matters was as present as his traditionalism, and, as we shall see, the logical reservation prevailed. However, since refraining from a theoretical discussion about definitions in general did not mean refraining from defining the sacraments, Mair began the second question with a presentation of possible definitions. But instead of providing his own approach, Mair started with an account of what he identified as the position of the Realists: just as he had promised in his prefatory letter, Mair seemed to try to open a door for his opponents of the *Wegestreit*.[82]

According to Mair, the Realists did not provide a "real" definition (as opposed to a "nominal" definition) of a sacrament since they conceived of sacraments as no real thing but as a purely mental relation similar to second intentions.[83] Now, with regards to actual Realist definitions of a sacrament, this presentation was not completely wrong, but it was odd. It is true that Thomas Aquinas already conceived of the sacraments as a relational entity and compared their virtue to an "intentional mode"; and it is also true that Scotus or Thomas of Strasbourg denied the possibility of a real definition of a sacrament.[84] Nevertheless, they did not argue as such as Mair insinuated, and they were far from forming a unified Realist camp in their understanding of what a sacrament is.[85] Why did Mair devise such a presumed Realist position? There seems to be only one reasonable explanation, an explanation that is based on Mair's final statement about this "Realist" approach and that will find a complement in his

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82   See above, fn. 50.

83   Mair, *In quartum Sent.* (1509), d. 1, q. 1, fol. 8vb (≈ (1516), fol. 9va): "Secundum magistros realium sacramentum est relatio rationis causata per actum instituentis ipsius Dei sign[um] sensibilis quo concurrit ad suum signatum et unum purum nichil quemadmodum est quelibet secunda intentio per eos, et tunc consequenter dicendum est quod non potest diffiniri diffinitione quid rei."

84   See Thomas Aquinas, *Scriptum* IV, d. 1, q. 1, a. 3, ad 1, and a. 4, qc. 2 (Moos IV:25 and 35); Duns Scotus, *Ordinatio* IV, d. 1, p. 2, q. 1, n. 181 and 206, (Balić XI:63 and 72); Thomas of Strasbourg, *Scriptum in quartum* (Venice: 1564), d. 1, q. 2, a. 1, fol. 59rb. Among these scholastics only Scotus explicitly speaks of second intentions, see *ibid.*, n. 204 (Balić XI:71): "Ex his praedictis patet secundus articulus, quod sacramentum (supposito quod eiusmodi sit ratio nominis quae supra posita est) potest simpliciter et per se definiri, eo modo quo intentiones secundae sunt per se definibiles."

85   While Thomas focused on the aspect of similarity between sacraments and the signified grace (*Scriptum* IV, d. 1, q. 1, a. 1, qc. 1, resp. (Moos IV:11f.)), the crucial aspect of Scotus' definition of a sacrament was the *signum efficax* (*Ordinatio* IV, d. 1, p. 2, q. 1, n. 192 (Balić XI:66)), and Thomas of Strasbourg concentrated on the definition provided by Peter Lombard (*Scriptum in quartum* (Venice: 1564), d. 1, q. 2, a. 1, fol. 59va). On Aquinas and Scotus see Irène Rosier-Catach, *La parole efficace. Signe, rituel, sacré* (Paris: 2004), 51–57; on Thomas of Strasbourg, see Zahnd, "Sentenzenkommentare," 65.

discussion of sacramental causality.[86] Mair concluded his presentation of the Realist definition by simply stating that he did not like "this mode of relations: I do not accept absolute or relative things other than those signified by terms."[87] Now, this statement was not so much about the presumed sacramental definition as it was challenging a certain understanding of the mode of existence of general and relative concepts. Apparently, Mair suddenly began to respond to a specific Realist solution to the problem of universals. This was a decisive turn, since in doing so, Mair insinuated that in order to defend the Realist's definition of the sacraments, one also had to share their position about universals. Realist presuppositions had to be introduced that were not theological, but logical and metaphysical. Hence, with Mair's presumed Realist definition of the sacraments a theological problem was related to a whole complex of Realist logic, such that, according to this presentation, the Realists and their definition of sacraments were in violation of Mair's principle of logical reservation. According to this principle, therefore, their position was unacceptable. In view of the fact that "the Realists" never argued like this, this was as smart a move as it was a vicious one, and it made clear that Mair intended to be anything but lenient toward his opponents of the *Wegestreit*.

At the same time, Mair was critical of the Nominalist camp also. In his discussion of sacramental definitions he explicitly stated that:

> The sensible [dimension of a sacrament], which Ockham omitted [from its definition], has to be retained. His reason is, as he says, that even though now the sacraments are sensible, they still could be insensible, and a definition has to be convertible with the defined by means of whatsoever copula. This [argument] has been expanded by Pierre d'Ailly, but it is invalid.[88]

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86   See below, page 442.

87   Mair, *In quartum Sent.* (1509), d. 1, q. 1, fol. 8vb (≈ (1516), fol. 9ra): "Non placet mihi ille modus relationum: non pono res absolutas nec relativas nisi quia per terminos significatas. Eadem res puta Sortes significatur per terminum de predicamento substantie et relationis. Et tunc dicitur quod tediosum est dare in singulis sacramentis que entia sunt postquam sacramenta dicuntur, constare ex materia et forma que equivoce capiuntur hic et in philosophia naturali, et materia non uniformiter in penitentia et matrimonio accipitur."

88   Mair, *In quartum Sent.* (1509), d. 1, q. 1, fol. 8vb: "Ponitur sensibile quod Okam relinquit. Et causa est, inquit, quia licet sacramenta sint nunc sensibilia, tamen possunt esse insensibilia, et diffinitio debet converti cum diffinito mediante quacumque copula. Hoc grandefacit Aliacensis, sed non valet." In the second redaction, Mair eliminates these explicit references to Ockham and d'Ailly, but simply states: "dictum illorum relinquentium illum terminum 'sensibile' in diffinitione nihil valet" (*In quartum Sent.* (1516), fol. 9rb).

Ockham and Pierre d'Ailly both argued that, despite their actual form, sacraments did not necessarily have to be perceptible to the senses since God could have defined any intelligible thing to constitute a sacrament.[89] Thus they both conceived of the sacraments as arbitrarily instituted entities; however, neither Ockham nor Pierre d'Ailly ever argued against a sacrament's sensitivity by stating that "a definition has to be convertible with the defined by means of some sort of copula." This last argument had only been introduced into the discussion by a much younger theologian, namely the Tübingen Nominalist Gabriel Biel, and Biel already had explicitly referred to Ockham and Pierre d'Ailly as those who omitted the sensible dimension.[90] Hence, although Mair, at least at the moment, did not mention Biel by name, it was apparently he who stood in the background when Mair started to question the Nominalist definition of a sacrament.[91]

Accordingly, it was primarily Biel's "convertibility" argument that Mair criticized, while he did not question the arbitrariness of a sacrament's imposition and rather casually rejected the omission of the sensible aspect that also concerned Ockham and d'Ailly.[92] With regards to the "convertibility" argument, however, Mair stated on the one hand that such a convertibility of definitions only concerned existing things belonging to a definition's scope, but not everything one could think of; hence the argument was logically invalid.[93] On the

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89   See William of Ockham, *Reportatio* IV, q. 1 (OTh VII:5): "In definitione exprimente quid nominis sacramenti non ponitur sensibile, quia significare effectum Dei gratuitum est eius definitio sufficiens. Et haec potest esse communis spiritualibus et sensibilibus, licet de facto tantum conveniat sensibilibus." See also Pierre d'Ailly, *Quaestiones super libros sententiarum* (Strasbourg: 1490), IV, q. 1, a. 3, fol. z5va.

90   See Gabriel Biel, *Collectorium* IV, d. 1, p. 1, q. 1, a. 1, n. 2 (Werbeck IV:9f.): "De ratione sacramenti non est, quod sit signum sensibile. [...|...] Si dicatur quod illae definitiones dantur de sacramentis secundum quod sunt instituta a Christo, non secundum quod possunt institui, contra: Definitio debet esse convertibilis cum definito, ideo praedicabilis de eo et subiicibilis universaliter respectu cuiuscumque copulae et in quocumque casu possibili. [...] Propter hanc rationem Guilelmus Occam in suo quarto q. 1 ponit aliam breviorem definitionem sacramenti, quam etiam commendat Petrus de Alliaco."

91   Biel seems already to have been present at the very beginning of this second question to distinction one, see above, fn. 81. But only in the third question, he will explicitly be mentioned, see below, fn. 115.

92   Mair argued that, if you omit any sensible dimension, then contrition would have to be regarded as a sacrament for its own: "per eum contritio esset sacramentum nisi aliud superaddat" (*In quartum Sent.* (1509) d. 1, q. 1, fol. 8vb ≈ (1516), fol. 9rb).

93   Mair, *In quartum Sent.* (1509), d. 1, q. 1, fol. 8vb: "In istis mutabilibus non requiritur convertibilitas nisi secundum quod nunc inter diffinitionem et diffinitum. Diffinitio universalis non convenit cuilibet, quod aliqui ex successione temporis universale vocant; et ita

other hand, it was impertinent, since, as Mair specified, there was "nothing more ridiculous in theology than to get entangled in these kinds of tendrils" while trying to apply conditions of metaphysical definitions to things that depended on one's will.[94] Like the presumed Realist dependence on the theory of universals, the convertibility argument was nothing but a superfluous introduction of logical speculations into the theological discussion of sacramental definitions. Hence Biel not only proved to be a bad logician, but also as bad a theologian as the Realists.

Mair, however, was now ready to provide his own definition of a sacrament, which included the sensitive aspect, but neither stressed the relational dimension nor presupposed any superfluous logical theories. For Mair, a sacrament was "a sensible sign at the reception of which God communicates grace by virtue to someone disposed."[95] This definition is interesting both for what it says and for what it omits. Compared to the traditional definition Peter Lombard had given—namely that a sacrament is "that which is so great a sign of the grace of God and the form of invisible grace, that it bears its image and exists as its cause"[96]—Mair eliminated any intrinsic causality of the sacraments and attributed its action to God alone. In addition, he passed over the dimension of similarity between grace and the sacramental sign which the Lombard had evoked by calling the sacraments "images." Obviously, Mair neither wanted to attribute any intrinsic force to the sacraments, nor did he want to reduce their arbitrary character besides the limitation on perceptible things. But this is where we suddenly meet his logical semiotics; just as he conceived of the logical sign as an arbitrarily imposed thing that lacked any intrinsic force to evoke

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diffiniendo propositiones de modo loquendi consueto et in multis aliis." There is no equivalent of this remark in the second redaction.

94 *Ibid.*, fol. 9ra: "Nihil est magis ridiculum in theologia quam in illis labrustis figere pedem. Aliqui falso re[a]ntur conditiones diffinitionum methaphisicarum debere quadrare cum his que a consuetudine vel voluntate dependent." In the second redaction, this is turned into a theorem: "Ex diffinitionibus ad placitum dependentibus (quemadmodum sunt sacramenta respectu Dei) diffinitionum metaphysicarum proprietates non sunt petende" (*In quartum Sent.* (1516), fol. 9rb).

95 Mair, *In quartum Sent.* (1509), d. 1, q. 2, fol. 9rb–va (≈ (1516), fol. 9va): "Ex omnibus patet quod sacramentum nove legis bene diffinitur per hoc complexum: Sacramentum est signum sensibile ad cuius acceptione in disposito virtute operis operati a Deo confertur gra|tia."

96 Peter Lombard, *Sententiae* IV, d. 1, c. 4 (II:233): "Sacramentum enim proprie dicitur quod ita signum est gratiae Dei et invisibilis gratiae forma, ut ipsius imaginem gerat et causa existat." On this definition see Rosier-Catach, *Parole efficace*, 96–98, and Damien van den Eynde, *Les définitions des sacrements pendant la première période de la théologie scolastique (1050–1240)* (Rome: 1950).

its signification, sacraments were arbitrarily imposed signs that did not cause by themselves the grace they signified.[97] But was this not a similar violation of Mair's own principles, since he diverted from the Lombard's traditional definition and aligned his own understanding of the sacraments with his conception of the logical sign?

When, in the third question of distinction one, Mair discussed the problem of sacramental efficacy, he pointed out that since the very beginning it was not him who had left the traditional path:

> For the solution of the question you will note that the positions are divided: the old doctors prior to Alexander of Hales held that the sacraments do not possess any activity but are causes *sine quibus non*. But Alexander of Hales in the fourth part [of his *Summa*] who was followed by blessed Thomas and his school hold that the sacraments have a causality in the proper sense.[98]

According to Mair, those who broke with the tradition were the defenders of an intrinsic sacramental causality, and hence his own reformulation of the Lombard's sacramental definition was only a pedagogical move in order to protect his students from a misinterpretation of the word "cause" that figured in it.[99] Once more, however, Mair did not immediately reject the solution of

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97   See above, page 258.

98   Mair, *In quartum Sent.* (1509), d. 1, q. 2, fol. 9va (≈ (1516), fol. 9va): "Pro solutione questionis notabis partitam esse positionem. Doctores antiqui ante Alexandrum de Hales tenuerunt sacramenta nullam activitatem habere, sed esse causas sine qua non. Alexander de Hales in quarta parte questione octava membro tertio articulo quinto quem sequitur beatus Thomas et eius schola tenent sacramenta habere causalitatem proprie dictam." Even though historically questionable, this was a common case against the defenders of sacramental causality, see Zahnd, "Sentenzenkommentare," 40. Mair's model seems to be Durandus of St. Pourçain, a 14th century scholastic whom he also uses later on in his presentation of the defenders of sacramental causality (see Durandus of St. Pourçain, *In sententias* IV (Venice: 1517), d. 1, q. 4, n. 12 and n. 19, fols. 289va and 290rb and the next footnote). Durandus, however, only accuses Thomas Aquinas to be the *adinventor* of a new explanation.

99   Mair, *In quartum Sent.* (1509), d. 1, q. 2, fol. 9va (≈ (1506), fol. 9va): "Relinquo illam clausulam quam ponit magister 'ut eius imaginem gerat et causa existat'. Ultima particula aliquos existimare fecit (ut ex subiecta materia elucescet) quod sacramenta causalitatem aliquam habent ad caracterem et ad ornatum." Later on, he explains with regards to this *clausula*: "Non reperitur hoc positum in diffinitione sacramenti ante magistrum, qui se exponens dicit in littera quod homo non querit salutem in sacramentis quasi ab eis" (*Ibid.*, q. 3, fol. 10rb ≈ fol. 10rb; see Peter Lombard, *Sententiae* IV, d. 1, c. 5 (IV:235). This very

Thomas Aquinas and his followers, but seemed to bring in his opponents: even if he considered them to be innovators and even if he thought, in addition, that their arguments did not conclude in their entirety, he tried to solve the problem of sacramental efficacy from their perspective "given the fact that two eminent doctors together with their followers defended this view."[100]

Again, however, the arguments Mair brought forward in order to defend a real sacramental causality were strange and appeared neither in the *Summa Halensis* nor in Thomas' writings nor in any work of one of his followers. One of the problems the defenders of sacramental causality had to deal with was the localization of the effective sacramental force they had to assume, since the complex of words, material elements, and actions a sacrament was composed of, did not form an essential unity to bear such a force. Yet, in favor of sacramental causality Mair argued that it was not improbable to assume that such a complex of distinct things was the bearer of a unique force since this is something we also see in the case of numbers: a number, although distinct from the numerated things, was borne by all the numerated things together.[101] Combined with a few further examples, this illustrated how someone could conceive of a force inhering in the different parts of a sacrament. Nevertheless, none of the real ambassadors of sacramental causality ever argued like this. We are thus confronted once more with a set of applicable, but unusual arguments, and once more, Mair apparently had the problem of universals in mind. At the end of his defense of sacramental causality, he openly admitted that for those of the *secta realium* it was easier to support the intrinsic activity of the sacraments,[102] and as a matter of fact, no Nominalist would have accepted

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argument already had been promoted by Durandus, see his *In sententias* IV (Venice: 1517), d. 1, q. 4, n. 25, fol 290va.

100   Mair, *In quartum Sent.* (1509), d. 1, q. 2, fol. 9vb (≈ (1516), fol. 9vb): "Non puto has rationes radicitus posse dissolvi. Esto quod duo sollempnes doctores hanc positionem posuerunt cum eorum sequacibus, utrumque tamen respondere conabimur."

101   *Ibid.*, fol. 9va–b (≈ fol. 9vb): "Si inhereat verbis et aque in baptismo hoc videtur extraneum quod unum accidens inhereat duobus subiectis specie distin|ctis non facientibus aliquid unum. [...] Dicitur quod iste influxus in baptismo inheret verbis et aque copulatim. Et non est improbabile consequenter quod ministro, verbis et aque inhereat, tenendo quod numerus formalis distinguitur a rebus numeratis. [...] Sicut non datur locus adequatus in quo est numerus formalis, ita non datur locus adequatus in quo est illud accidens. Sed copulatim est in multis eo modo quo ei competit esse in loco." For another example Mair adduces here in favor of the defenders of sacramental causality, see Zahnd, "*Utilitas* als anti-spekulatives Motiv."

102   *Ibid.*, fol. 10ra (≈ fol. 9vb): "Ecce quomodo datur via evadendi, et facilius est eis de secta realium abire sine inconvenienti reputato quam nominalibus. Pro me multa que dicebam

Mair's illustration with numbers and numbered things since no Nominalist conceived of them to be distinct. Again, Mair the Nominalist did nothing but think of arguments which depended on Realist presuppositions, and this allowed him once more to say that sacramental causality was plausible only for those who shared these presuppositions. As in the case of the definition of a sacrament,[103] Mair's way of defending the Realists insinuated that one had to introduce into theology a multitude of logical theories in order to be able to assert sacramental causality. One had to inappropriately rely on logic.

With regards to his own position on the question of sacramental efficacy, this ruse served his purposes even better than regarding the problem of a sacrament's definition. Since defending a model that was close to his conception of the logical sign, this procedure nevertheless allowed for a compliance with the principle of logical reservation. For, even though he might have aligned his understanding of the sacraments with a semiotic model originating in logic, what the Realists did was far worse. Thus Mair could freely present his solution of sacramental efficacy and defend their state as *causae sine quibus non*: as preconditions of grace without any intrinsic effect, but leaving all activity proper to the communication of grace to God.[104] In defending this less logically overcharged solution, Mair could not only claim to be in accordance with the theologians prior to Alexander of Hales, but also to be continuing the solution that had been defended by Durandus of St. Pourçain, William of Ockham, Pierre d'Ailly, and Gabriel Biel since they all conceived of the sacraments as *causae sine quibus non*.[105]

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solvendo puto commenta, nec opinor quantitatem discretam distingui a rebus numeratis, nec pono secundas intentiones distinctas a terminis, nec relationes distinctas a fundamentis. Propterea teneo antiquam opinionem cum aliis neot[e]ricis."

103   See above, page 433.

104   Mair, *In quartum Sent.* (1509), d. 1, q. 2, fol. 10ra (≈ (1516), fol. 10ra): "Nec per causalitatem sacramenta nove legis a sacramentis veteris distinguntur, sed per maiorem gratiam et apertionem ianue, et sic baptismus est solum causa sine qua non caracteris et gratie, et ita in aliis sacramentis." On the introduction of this type of causality into the discussion of sacramental causality see William J. Courtenay, "The King and the Leaden Coin. The Economic Background of 'sine qua non' causality," *Traditio* 28 (1972): 185–209; but see also Christopher Schabel, *Theology at Paris, 1316–1345. Peter Auriol and the Problem of Divine Foreknowledge and Future Contingents* (Ashgate Studies in Medieval Philosophy) (Aldershot: 2000), 29f, and Hester G. Gelber, *It Could Have Been Otherwise. Contingency and Necessity in Dominican Theology at Oxford, 1300–1350* (Studien und Texte zur Geistesgeschichte des Mittelalters 81) (Leiden: 2004), 186f.

105   See Durandus of St. Pourçain, *In Sententias* IV (Venice: 1517), d. 1, q. 4, n. 19, 290rb; William of Ockham, *Reportatio* IV, q. 1 (OTh VII:19); Pierre d'Ailly, *Quaestiones super libros*

With regards, however, to these forerunners and exponents of late medieval Nominalism, Mair was no less critical than he was of the Realist camp. When Ockham omitted in his definition of the sacraments any sensible character, he underscored the arbitrariness between a sign and its signified in a way that invited his followers to similarly question the relation between cause and effect; in his treatment of sacramental causality, Ockham had distinguished between accidental, *sine quibus non*, and natural causes, and he considered the second as much as the third genre to be real causes.[106] A cause, for him, was that at whose being another being follows,[107] and this led Pierre d'Ailly in his treatment of sacramental causality to deny at least hypothetically any difference between natural and *sine quibus non* causes. Since we never can be sure whether an effect has been caused by the thing itself that usually causes this effect, or by a divine intervention which suspended the natural effect, even natural causes are merely contingent and hence identical to *sine quibus non* causes.[108] D'Ailly introduced this argument in order to question the particular

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Sententiarum IV (Strasbourg: 1490), q. 1, a. 1, fol. z1vb; Gabriel Biel, *Collectorium* IV, d. 1, p. 1, q. 1, a. 1, n. 3 (WerbeckIV:16). For Pierre d'Ailly in particular, see William J. Courtenay, "Covenant and Causality in Pierre d'Ailly," *Speculum* 46 (1971): 94–119.

106 For the distinction between accidental and *sine qua non* causes see Ockham's *Reportatio* IV, q. 1 (OTh VII:8f.): "Causa per accidens est illa qua amota, nihilominus | ponitur effectus. Exemplum de albo quod est causa per accidens aedificandi. Sed amotis sacramentis non sequitur aliquid in anima, nec confertur gratia." For the distinction between natural and *sine qua non* causes see the next footnote.

107 *Ibid.*, 12: "Causa, cum sit illud ad cuius esse sequitur aliud, dupliciter potest accipi. Uno modo quando ex natura rei ad praesentiam et esse unius sequitur naturaliter esse alterius. Alio modo quando ad esse unius sequitur esse alterius ex sola voluntate alterius." See Aurélien Robert, "L'explication causale selon Guillaume d'Ockham," *Quaestio* 2 (2002): 241–265, at 249, and Zahnd, *Wirksame Zeichen*, 493–503.

108 Pierre d'Ailly, *Quaestiones super Sententiarum* IV (Strasbourg: 1490), q. 1, a. 1, fol. z2ra: "Ignis est propria causa caloris, et tamen non necessario sed mere contingenter ad ignem sequitur calor, sicut patuit de igne trium puerorum in fornace. Similiter calor etiam igne presente potest produci igne nihil causante, sicut patet si Deus se solo produceret calorem suspendendo actionem ignis presentis. Igitur ad hoc quod aliquid sit proprie causa alterius sufficit quod ipso posito ponatur illud, et ipso non posito non ponatur." A similar argument already had been brought forward by Peter Auriol in his discussion of sacramental efficacy, see his *Commentaria super sententiarum libros* IV (Rome: 1605), d. 1, q. 1, a. 4, 17bA–B: "Non enim omnis causa est illa, a qua profluit effectus, nam [est etiam illa] a sine non profluit effectus. Quapropter ratio causae per se non est accipienda penes hoc, quod ab ipsa profluit effectus, vel causa quae facit aliquid circa causam, quo facto ab ipsa profluit effectus; sicut illud quod per se facit aliquid circa ens, quo facto effectus effluit ab illo efficiente, illud dicitur causa per se." See Lauge O. Nielsen, "Signification, Likeness,

state of sacramental causality, but while he finally rejected the argument due to a logical difference between natural and *sine quibus non* causes,[109] Gabriel Biel subsequently maintained it and denied the existence of any such thing as natural causes:

> The fact that fire or heat is a cause of heating is due to the fact that God has determined that at the presence of heat he wants to produce heat in another subject. And therefore heat has its being-a-cause of heating from no other virtue in itself, but only from the fact that God has determined that he wants to regularly produce heat at its presence—and not [to produce it] without its presence. And if he were not determined like this, the same heat which then would exist without any modification of itself, would [still] be heat, but would not be a cause of heating.[110]

Arguing with God's freedom to intervene in the world in a manner that was close to Mair's earlier logical argument with respect to the concept in a stone, Biel not only promoted the possibility that God sometimes replaced real causality, but attributed every cause-effect-relation to God alone. Hence, for Biel, there was no physical or logical distinction between natural and *sine quibus non* causes at all, but at most a terminological distinction between those cause-effect-relations God had determined from the beginning of the world and

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and Causality. The Sacraments as Signs by Divine imposition in John Duns Scotus, Durand of St. Pourçain, and Peter Auriol," in *Vestigia, Imagines, Verba. Semiotics and Logic in Medieval Theological Texts (XIIth-XIVth century)*, (ed.) Constantino Marmo (Semiotic and Cognitive Studies 4) (Turnhout: 1997), 223–253, at 237.

109   Pierre d'Ailly, *Quaestiones super Sententiarum* IV (Strasbourg: 1490), q. 1, a. 1, fol. z2rb: "Aliqua est causa efficiens secunda ad cuius positionem sequitur effectus non solum ex voluntate Dei, sed ex natura rei. Et sola talis causa secunda est causa proprie dicta. Requiritur et sufficit quod posita ipsa ponatur effectus, scilicet ex virtute ipsius cause et non solum ex voluntate Dei. Sic autem non est de sacramentis": the only difference between a real cause and a *sine qua non* cause is that, with real causes, we never can be sure whether it was this cause or God who has caused an effect, while, with *sine quibus non causes*, we are sure that it always was God and never the cause itself who has caused the effect.

110   Gabriel Biel, *Collectorium* IV, d. 1, p. 1, q. 1, a. 1, n. 3 (Werbeck IV:16): "Quod ignis sive calor est causa caloris, ex eo est, quia determinavit se Deus, quod ad praesentiam caloris vult producere calorem in alio subiecto. Nec sic calor habet esse causam caloris per aliquam aliam virtutem sibi inexistentem, sed solum ex eo, quod Deus ita se determinavit, quod ad eius praesentiam—et non sine eius praesentia—regulariter vult producere calorem. Et si non sic determinasset, calor idem, qui nunc sine omni sua mutatione esset, esset calor et non esset causa caloris."

those he subsequently allowed to occur.[111] Sacraments, therefore, were causes just like any other thing that was considered to cause something, and Biel did not feel thus like being in disagreement either with the defenders of a real sacramental causality or with the defenders of *sine qua non* causality—even though he admitted that, terminologically, he expressed things a bit differently from other scholastics.[112]

Now, when Mair promoted his position that there was no intrinsic sacramental causality, but that the sacraments were *causae sine quibus non*, he obviously adhered to a distinction of different types of causes. Unsurprisingly, in doing so, he once more opposed Gabriel Biel, this time mentioning him by name:

> A certain man of our time named Gabriel says that he wants to propose a mode [of arguing] which he offers to his readers in the first question of the fourth [book of his *Sentences* commentary], and he says that he indeed differs from other [scholars] regarding terminology, but that, regarding the facts, he differs only slightly. This mode [of arguing] is that there are no real causes[113] due to the nature of a thing, but only due to God's will. Hence, God can make it such that heat cools and coldness heats—not by antiperistasis,[114] but by direct action. What he says is futile.[115]

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111 *Ibid.*, (Werbeck IV:17): "Ad salvandum tamen illud dictum et differentiam causarum potest dici quod Deus in prima rerum conditione determinavit se ad producendum effectus regulariter ad aliquarum rerum et quorumcumque eiusdem speciei praesentiam et non sine eis. Et illis convenit esse causam ex sua natura, id est ex ea natura in qua constitutae sunt in earum creatione. Quandoque autem non determinavit se ad producendum effectum ad praesentiam aliquarum rerum non ex creatione sive ab earum constitutione, sed pro certo tempore post creationem earum. Et illae non dicuntur causae proprie vel ex sua natura."

112 *Ibid.*, a. 3, dub. 3 (Werbeck IV:33): "Pono quendam modum, quem examinandum offero lectori, nihil asserendo, qui mihi videtur valde probabilis et in sententia non discordare a sententia aliorum, etsi parum in verbis distat."

113 In fact, they do not speak of "real," but of "second" causes since everybody agrees in medieval debates about causality that the only first and real cause is God.

114 *Antiperistasis* is a principle of Aristotelian physics (see *Physics* VIII 267a) that assumes that physical properties of an object massively augment when they are to much exposed to objects with an opposed property. The principle was used to explain why caves are cold during summer and warm in wintertime, and why flashes occur in icy clouds, see Kirstine B. Meyer, "Zur Geschichte der Antiperistasis," *Ostwalds Annalen der Naturphilosophie* 3 (1904): 413–441.

115 Mair, *In quartum Sent.* (1509), d. 1, q. 2, fol. 10va (≈ (1516), fol. 10va): "Homo huius etatis quidam dictus Gabriel dicit quod vult ponere unum modum, quem lectori offert prima quaestione quarti, et dicit quod licet verbaliter ab alijs distat, parvum tamen in re. Modus

Mair gave two reasons why Biel's argument was futile. First, the fact that Biel intended to be in accordance with other scholastics regarding content, while consciously using a different vocabulary, was an inane labor for Mair.[116] Even if Mair did not get more explicit about this, it is obvious that such a procedure opposed his traditionalism and threatened to provoke unnecessary terminological confusion. It is true, of course, that Mair had admitted in view of Amerigo Vespucci's discovery of a new world that sometimes things had to be regarded in a different way in order to further the progress of knowledge. However, since at present they were dealing with a theological problem, methodical or terminological innovation was only appropriate when abiding by the principles Mair had devised. But regarding the existence of a real causality there was no ambiguity among theological authorities.[117] Thus Mair's second point against Biel was that he not only introduced a new vocabulary where inappropriate, but also that he discussed a metaphysical problem where there was nothing to discuss:

> Even if it is not self-evident to me, I nevertheless have a sufficient certainty that heat by its very own nature heats, but a sacrament does not cause grace. Every heat always causes heat when applied to a recipient; hence if once or rarely this is prohibited, one has to attribute it to a miracle. But this is not how it is with the sacraments: not every water is sufficient for imposition of grace and [this does] not always [happen]. And this has to suffice for me [in order to say] that heat produces heat and whiteness does not produce whiteness. But if God since the beginning of

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est ille quod nulla est causa secunda ex natura rei, sed ex voluntate Dei. Ita Deus potest facere calorem frigefacere et frigus calefacere, non per antiperistasim, sed actione directa. Nichil hic loquitur."

116 *Ibid.*: "Si in sententia cum aliis convenit et solo verbo differt, inaniter laborat quod offerendum est lectori." But even Biel's claim of using an unheard terminology is historically wrong, and Biel must have known this as Mair states with a reference to Gregory of Rimini "and others Biel had at hand": "Gregorius et aliqui alii illud idem habent dicere quos pre manibus habebat" (*ibid.*). Besides Pierre d'Ailly, one of these "others" may have been Nicolas of Autrecourt, see Nicolas Grellard, "Le statut de la causalité chez Nicolas d'Autrecourt," *Quaestio* 2 (2002): 267–289, and Courtenay, "Pierre d'Ailly," 113 for the similarities between Autrecourt and d'Ailly. For Gregory of Rimini of whom no treatment of the problem of sacramental efficacy has survived, see his *Lectura* I, d. 38, q. 2 in *Lectura super primum et secundum Sententiarum*, (eds.) D. Trapp et al. (Spätmittelalter und Reformation Texte und Untersuchungen 6–11) (Berlin: 1979–1984), III:306.

117 Mair, *In quartum Sent.* (1519), d. 1, q. 2, fol. 10vb: "Concesso consequente negant omnem causalitatem a causis secundis, quam tamen sancti post philosophos eis tribuunt."

> time would produce whiteness at the presence of whiteness and I would
> not know about this, I would say on the contrary that whiteness [also]
> produces whiteness.[118]

This was nothing less than an appeal to common sense. Taking the risk of being
fundamentally mistaken, Mair refused to speculate about the metaphysical
state of causality and thus defended the distinct type of *sine qua non* causality
to which the sacraments belonged.[119]

Regarding this treatment of the problem of sacramental efficacy, there
are three points worth noting. First, in comparison with other late medieval
approaches to the problem, Mair still belonged to the Nominalist tradition
since, with regards to the sacraments, only their forerunners and defenders
explicitly spoke of *sine qua non* causality. Even if the Scotists were rather close
to the Nominalists (just as they were in logical semiotics) and also refused to
attribute to the sacraments an intrinsic causality, they nevertheless preferred
to speak of a sacramental pact, while the Thomists resorted to instrumental
causality in order to be able to attribute a real activity to the sacraments.
Nevertheless, and this is my second point, Mair was incited by his principles to
be critical against every school of thought, and hence the *via media* he had
devised in his prologue not only was followed when he actually dealt with a
theological problem, but rather it led him to dissociate from representatives of
the tradition he so ardently had defended as a logician. But even though,
thirdly, his principles favored traditionalism and a reduction of metaphysical
speculation, Mair's approach was anything but a toothless reproduction of tra-
ditional dogma. Mair continued to provide arguments and proofs—his detec-
tions of the logical superfluities of his adversaries were full of intellectual

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118   *Ibid.*, fol. 10va: "Licet non sit michi evidens, habeo tamen certitudinem sufficientem, quod
      calor suapte natura calefacit, et sacramentum non causat gratiam. Omnis calor et semper
      passo applicato causat calorem, ergo si semel vel raro sit impedimentum, oportet ascribere
      miraculo. Non est sic de sacramentis: Non quelibet aqua sufficit ad <positionem> [peniten-
      tiam] gratie, et semper. Et hoc debet michi sufficere quod calor calorem producit, et albedo
      non albedinem producit. Si Deus ab eterno ad presentiam albedinis produceret albedinem, et
      <mihi> [nisi] non constaret de opposito dicerem quod <albedo> [alio] producit albedinem."

119   Indeed, Mair continued in the present distinction to discuss some further arguments
      against real causality, but finally he draw once more the same conclusion: "potes tamen
      sic dicere: illo posito ponitur illud et hoc semper, hoc est eternaliter, si non sit impedi-
      mentum, [et] ipso non posito non ponitur illud quolibet alio posito, nec apparet ratio
      quare debeant negari causalitates ab hoc. [...] Dixi 'eternaliter' ad excludenda sacra-
      menta: prius erat aqua et similia materialia, et non causabant gratiam" (*In quartum Sent.*
      (1509), d. 1, q. 2, fol. 11ra ≈ (1516), fol. 11ra).

ruse—and while he disapproved of excessive subtlety, he still adhered to a rationality he commissioned to the defense of common sense. Hence, the question arises: to what extent did this restrained rationality of Mair the theologian also affect Mair the logician?

4   The Late Logician

Although he enrolled as a theologian, Mair continued to teach philosophy and he subsequently published revised versions of his logical manuals. These revisions, however, were more than simple emendations or elaborations of earlier versions. It is true that there are textual dependencies between the individual editions that provide evidence of a continuous evolution of one and the same work. However a comparison of early and late editions of these manuals reveals doctrinal and stylistic changes that are significant.[120] With regards to a few characteristics described in section one of this chapter, we may reexamine some of the changes concerning Mair's style, the authorities he relied on, and the semiotic doctrine he defended, in order to evaluate the impact of his theology on his logic.

Stylistically, Mair appeared to reduce the complexity of his earliest approach. For instance, in his *Termini* published at the turn of the 16th century, Mair devised two different tracts on some eight or nine possible divisions of terms which were prefixed to his earliest logical manuals. As late as 1516, the first tract was reduced to a short introductory paragraph of the second tract, which itself only provided six *partitiones terminorum*.[121] As late as 1521, Mair merged the two tracts into a single and rudimentary tract that extended to no more than two folios and included only five laconically explained divisions of terms. In the 1528 edition of his *Quaestiones logicales*, there was no longer any such thing as a *Liber terminorum* or a *partitio terminorum*.[122] Now as we have seen, Mair's early

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120   For similar changes in the logical work of Domingo de Soto, see Earline J. Ashworth, "Traditional Logic," 163, and idem, "Changes in Logic Textbooks," 82.

121   The edition still keeps the titles of the two tracts and provides thus, on fol. 1rb already, the heading *Sequitur alius terminorum tractatus* (*Summulae Maioris in collegio montis acuti ab eodem composite*, (ed.) Paris 1516). Among the divisions that drop out are those between signifying and non-signifying terms, naturally and *ad placitum* signifying terms, complex and simple terms, and between terms of first and second imposition.

122   *Introductorium in Aristotelicam dialecticen, totamque logicem M. Ioannis Maioris* (Paris: 1521), fols. 2r–4r. The divisions that drop out in addition to the 1516 edition are those between mental, vocal and written and between transcendental and non-transcendental terms. On the other hand, this 1521 edition re-includes the division between signifying

Termini not only shared the typical approach of late medieval Nominalists, but also concurred with the many sophisticated divisions common to late medieval scholasticism in general. Mair's successive reduction and final omission of the tract may thus point to an alienation both of the approaches of late medieval scholasticism in general and of Nominalism in particular. With regards to Mair's Nominalism it becomes obvious that many other typically Nominalist features present in his early semiotics also disappeared. While in the 1516 edition of his logical manual there was still a base text Mair commented on that heavily depended on Pierre d'Ailly's *Conceptus*, in the 1521 edition this base text was omitted.[123] In a similar way, the *tria modernorum*, the typically Nominalist tracts on insolubles, obligations and consequences, successively dropped out of Mair's manuals: the 1516 version still treated insolubles and obligations, the 1521 edition only obligations, and the *Quaestiones* from 1528 none of the three.[124] Finally, one looks in vain already in the 1516 edition for a treatment of the argument about a concept in a stone, and there were, to my knowledge, no other examples in the later editions that comparably argued with God's absolute power.

Obviously, Mair tried to generally reduce an all too apparent Nominalist bias in his later logic. To a similar extent this can be said about his general dependence on late medieval scholasticism. While even the 1521 introduction to logic still depended on Peter of Spain's *Summulae*—the prevalent medieval aggregation of Aristotelian and late antique logical texts—the 1528 *Quaestiones* were directly based on Aristotle's *Categories* and *Perihermeneias* as well as on Porphyry's *Praedicabilia*. The humanist *ad fontes* methodology seemed to have finally caught John Mair. While in the early version of his logical tracts, Mair only referred to the typical scholastic authorities such as Aristotle, Augustine, or the forerunners of the 15th-century *via moderna*, the 1516 edition of his logical manual constantly referred to classical and Renaissance authors: on the very first folio of this edition, Mair already cited Quintilian, Lucian, Cicero, Virgil, and Martial.[125] When he arrived at the question about the scientific state of

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and non-signifying terms as cited below, fn. 127. For the content of the *Quaestiones logicales* (Paris: 1528), see the next paragraph.

123   For Mair's earlier dependencies on Pierre d'Ailly see above, fn. 34.

124   For these tracts, see above p. 249 and fn. 23. The 1516 edition still particularly mentions the two tracts on the title page (*Summule Maioris…quibus de novo addidit tractatus duos insolubilium et obligationum*), but there is no such special treat of the remaining tract in the 1521 edition. For the general phenomenon of the disappearance of these tracts see Ashworth, "Traditional Logic," 165f.

125   *Summule Maioris* (Paris: 1516), fol. 1ra–vb. The references are to Quintilian, *Institutio* VII.3.1; Lucian, *Pharsalia* VII.680; Virgil, *Aeneis* I.209; Cicero, *De officiis* I.7; and Martial, *Epigrammata* 2.77.

logic, given the many contradicting opinions, Mair countered by saying: "your rhetoricians Valla, Perotti, and Mancinelli [also] have contradicting opinions."[126] Aware of his students' interest in humanist approaches to philosophy, Mair apparently was driven to deal with their style and slightly adjusted his own methods.

This is not to say that Mair became a humanist. Even the 1528 edition was a question commentary, the most typical genre of late medieval scholasticism, and Mair continued to deal with topics humanists would consider as irrelevant. With regards to his semiotics, most of the problems he dealt with at the beginning of the century were still present in the later revisions of his logical writings. However once more, his explanations were simplified and relieved from the standard Nominalist accounts. In its definition of a sign, the 1516 edition still repeated word by word the fourfold definition of the first *Termini*-version, including self-referentiality as well as the *aliud a se* determination.[127] In the 1521 edition, however, the two aspects were split: Mair defined "signification" as a subtype of "representation" leaving it open whether the signifying thing represented itself or something else, and only when determining the "significational term" he specified that such a term had to represent an *aliud a se* as opposed to the "non-significational term."[128] The same is true for the

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126   *Summule Maioris* (Paris: 1516), fol. 9rb: "Nonne vides inter postremos tuos rhetores Vallam, Perottum et Mancinellum in eloquentia contrarias opiniones, et tamen omnes culte et apparenter tradunt sua dicta." On the little known Antonio Mancinelli (1452–1505) see Mario E. Cosenza, *Biographical and Bibliographical Dictionary of the Italian Humanists and of the World of Classical Scholarship in Italy, 1300–1800. Synopsis and Bibliography* (Boston: 1962), 1070f.

127   *Introductorium in Aristotelicam dialecticen* (Paris: 1521), fol. 3r: "Significare est potentiae cognitivae aliquid repraesentare. Licet repraesentare et significare convertibiliter se habeant, quia tamen repraesentare est notius, in definitione ponitur." And *ibid.*, fol. 3v: "Terminorum quidam [est] significativus qui aliud a se significat. Opposito modo terminus non significativus definitur." See already the *Summule* (Paris: 1516), fol. 2ra. On Mair's conception of the relation between signification and representation see Biard, "Théorie de la signification," 276f.

128   Besides authoritative imposition Mair mentions in the *Summule* an imposition the community of speakers does not remember anymore where it comes from: "Significare ad placitum est ex impositione formali vel eequivalenter representare, ut quando Adam voces imposuit vel alius auctoritatem habens super communitatem. Vel impositio eius recipitur a tota communitate, et hoc potest dividi, quia vel ille habet auctoritatem imponendi a tota communitate tacite, vel tota communitas suscipit exemplum primi [...|...]. Aliomodo communitas suscipit talem impositionem nec refert qua via habet initium, sive irrisorie, sive aliter dummodo multitudo suscipiat" (fol. 2rb–va). In his explanation to the definition of *ad placitum* signification (*significare ad placitum*

problem of knowing who determined the signification of an arbitrary sign. Mair primarily stressed the fact that *ad placitum* signification meant to signify by imposition, and only then he specified in parenthetic remarks that besides authoritatively imposed signs there could also be arbitrary signs which signify by mere convention.[129]

With these incidental specifications, Mair remained, indeed, in alignment with the Nominalist approach[130] and still defended a doctrine of signs that was consistent not only with his early logic, but also with his conceptions of the sacraments as arbitrarily imposed signs without any intrinsic force. But in these later logical works, he proved to be almost as unspecific about the pivotal questions of late scholastic semiotics as his base text, the *Summulae logicales* of Peter of Spain. Hence, his later presentation was far less confrontational than his first approaches and thus could be approved by Scotists and even Thomists. Therefore, while on a stylistic level the changes in his logical manuals mainly seemed to be a concession to the humanist approach in vogue, they nevertheless, in content, turned out to be a conciliating attempt between the parties of the *Wegestreit*. The problem of a plurality of opinions that was so crucial for Mair finally led him to devise a consensual approach even in logic.[131]

[...] *est per impositionem*) Mair adds in the 1521 edition: "est ex hominum institutione, aut ex consuetudine representare" (*Introductorium in Aristotelicam dialecticen* (Paris: 1521), fol. 3r).

129   In the 1516 edition, the conventional aspect only appears in a reference to the different legal systems of Athens and Sparta. See *Summulae* (Paris: 1516), fol. 1rb: "est sicut in legibus apud Athenienses que scripte erant leges; solis consuetudinibus Lacedemonii vivebant. Sic multi termini ex impositione et multi a consuetudine populi significant." For the 1521 edition, see the previous fn.; on the problem of conventional signification, see above, page 258.

130   However, even in purely philosophical works the late John Mair had no reservations of explicitly rejecting the usual Nominalist approach. See e.g. his commentary on *De anima* II, q. 2: "hoc nominales communius sequuntur, mihi autem hec via non placet," or q. 9: "nominales plerique sophisticis cavillis ex logice meandris desumptis hic infu[n]dant." This commentary is incorporated into Mair's *Octo libri physicorum cum naturali philosophia atque metaphysica* (Paris: 1526), s2vb–s6rb.

131   This consensual approach increasingly affected Mair's theology too. A striking indication of this is the fact that in the last edition of Book IV of his *Sentences* commentary, the one from 1521, he replaces the names of formerly explicitly cited scholastics with anonymous formulations such as *aliqui* or *quidam*, and this in particular where he disapproves of a distinguished position. See e.g. his reference to Alexander of Hales and Thomas Aquinas, cited above in fn. 98, which reads *In quartum Sent.* (1521), d. 1, q. 3, fol. 9rb: "Quidam doctor [...] quem sequitur alius et eius schola tenet..."

5   Conclusion

In his prologue to the fourth book of the *Sentences*, John Mair presented a program that severely restricted the use of secular sciences in theological matters and promoted a fundamentally traditional approach. This program was devised as a means to deal with a plurality of opinions, but it turned out to meet as well the challenges of humanist criticism of scholastic style. While Mair agreed with the humanist demand to reduce inane speculations, he nevertheless defended traditional scholastic methodology as a necessary complement to a simple *ad fontes*: the scholastic's innovation of style (with regards to classical and patristic approaches) had proven its many benefits, not the least of which was, from Mair's perspective, the formation of an academic elite. Thus Mair designed a *via media* that both tried to conciliate humanist and scholastic approaches, and to mediate between a simple traditionalism and untamed theological speculation.

Applying this program to the doctrine of sacraments, Mair was led, however, to criticize not only his theological opponents, but also the forerunners and representatives of his own Nominalist tradition. With regards to his semiotics, it becomes apparent that this also affected his approach to logic. While he ardently defended the Nominalist tradition in his first logical writings of the turn of the century, once he started to work as a theologian he more and more resorted in his logical semiotics to the *via media* he had devised in theology. He not only simplified his accounts with regards to style and circumstantiality,[132] but he also reduced the confrontational aspects of the doctrine he defended. Even though there was no fundamental doctrinal or stylistic break in Mair's semiotics with regards both to his theology and his logic, the application of his theological principles appears to have shown him the deficiencies of his own school of thought and the legitimacy of at least some of the humanist demands. Once he started to teach theology, Mair elaborated both his theology and his logic into a consensual, if not a common sense approach.[133]

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132   On this, see MacDonald, "Major and Humanism," 157.

133   Mair himself was proud of being able to defend both sides of a problematic matter as he made report about him one of the interlocutors of his *Dialogus de materia theologo tractanda* that prefaced the first edition of his *Sentences* commentary to Book I (1510), fol. a3v: "In materia enim problematica utramvis partem, ut nosti, tueri sciret [Maior] si vellet." This dialogue has recently been edited and translated by Alexander Broadie, "John Mair's *Dialogus de materia theologo tractanda*. Introduction, Text and Translation," in *Christian Humanism. Essays in Honour of Arjo Vanderjagt*, (ed.) Alasdair A. MacDonald (Studies in Medieval and Reformation Traditions 142) (Leiden: 2009), 419–430, at 425. However, this remark stresses Mair's general ability to defend two contrarian scholastic positions rather

This shift from an early Nominalist to a more consensual approach due to his occupation with theology might help to explain the somewhat contradictory judgments in modern research on Mair's position in the intellectual landscape of the early 16th century.[134] Depending on what period of his career one looks at, Mair can be seen in alignment with a specific current of thought. One thing, moreover, is apparent: even though Mair shied away from simply defending Nominalism and started to acknowledge other approaches, it is not appropriate to call him an eclectic.[135] His maneuvering between the different currents of thought of his time was no random selection of fancy doctrines, but was driven by his own well formulated principles: principles he used to elaborate a specific *via media*. The commentary to the fourth book of the *Sentences* with its focus on moral problems and questions of practical theology confronted him for the first time with the deficiencies of excessive scholastic speculation. In the particular intellectual context of the early 16th century, Mair's commentary to Book IV appears thus to have served as the catalyst for the elaboration of his particular *via media*.

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than suggesting that Mair could have been, if only he wanted, a humanist as much as a scholastic, as Rummel notes in *The Humanist-Scholastic Debate*, 50.

134   See above, fn. 19.

135   This has been done by several modern authors, from MacDonald, "Major and Humanism," 154, to Biard, "Théorie de la signification," 269. On the other hand, Mair's independence has been stressed by Christopher Schabel, "Divine Foreknowledge and Human Freedom. Auriol, Pomponazzi, and Luther on 'Scholastic Subtleties'," in *The Medieval Heritage in early Modern Metaphysics and Modal Theory, 1400–1700*, (eds.) Russell L. Friedman and Lauge O. Nielsen (Dordrecht: 2003), 165–180, at 170. See as well Broadie, *History*, 56, and Torrance, "La philosophie et la théologie II," 279.