

*ad imperatorem Karolum et episcopos*<sup>41</sup>. In the third and final stage (column 4), Ps.-Fabianus appropriates the passage from BL 3.446, complete with all of Benedictus Levita's redactions, and contributes still more of his own. As his letter is addressed *omnibus orientalibus episcopis et cunctis fidelibus*, the plural verbs remain appropriate<sup>42</sup>. Here it is notable only that Ps.-Fabianus works untroubled by the corruptions *postordinavit* (for *praeordinavit*) and *que* (for *qui*), which appear to be widely attested in the manuscript tradition of the False Capitularies<sup>43</sup>. Isidorus Mercator, who must have known internal drafts rather than the capitularies as they have come down to us, had an early text with slightly different features<sup>44</sup>.

Paris lat. 11611 has made analysis in this instance especially secure. That Ps.-Fabianus receives BL 3.446, however, would have been clear even if the source codex had not survived<sup>45</sup>. Cases like these, in which the False Decretals use sources only as we find them in the False Capitularies, while contributing further textual manipulations, are numerous. In his 1863 edition, Hinschius adduces other cases in which the False Decretals use sources as the False Capitularies have interpolated them, often introducing further changes. He finds cases where Benedictus Levita provides a capitulum conflated from multiple sources, and where the False Decretals know the same underlying sources conflated in the same way. He shows the False Decretals drawing first on the rubric and then on the corresponding capitulum provided by Benedictus Levita, blending both into the same continuous discussion. Most importantly, he discovers in some areas an argumentative pro-

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41) Identically in PERTZ, ed. MGH LL 2, 2 (as n. 1) p. 131; and Paris lat. 4634, fol. 141v.

42) Ed. HINSCHIUS, *Decretales* (as n. 1) p. 160.

43) This can be seen by consulting the transcripts provided by SCHMITZ et al. at <http://www.benedictus.mgh.de/handschriften/handschriften.htm>.

44) Relatively few codices, many of them late or incomplete, transmit the False Capitularies, while for the False Decretals we have abundant early copies, some of them from centres associated with the forgery operation itself. For more on the manuscript tradition of the capitulary forgeries cf. Emil SECKEL, *Benedictus Levita Decurtatus et excerptus. Eine Studie zu den Handschriften der falschen Kapitularien*, in: *Festschrift der Berliner Juristenfakultät für Heinrich Brunner* (1914) p. 377–464, digitized at <http://www.benedictus.mgh.de/studien/seckel/decurtatus.htm>.

45) As indeed it was clear to Paul Hinschius in 1863: cf. his apparatus at IDEM, *Decretales* (as n. 1) p. 163, where he lists „Ben. III. 446 et Procli ep. ad Domn.“ as the source for Ps.-Fabianus c. XVI.