

Throughout his capitula from the *Lex Visigothorum*, Benedict almost invariably follows his sources more closely than his pseudo-apostolic colleagues. He knows the sequence of material in the Visigothic law directly, for on five occasions his borrowings fall into blocks of two or more sequential capitula. The decretal forgeries cite the same items that we find sequentially arranged in the False Capitularies, though never with any independent knowledge of the arrangement of the *Lex Visigothorum*<sup>49</sup>. The order that the pseudopopes know is only that of Benedictus Levita. Thus Ps.-Euticianus, J<sup>3</sup> †298, forbids *infames* from testifying against or accusing Christians, and then prohibits judges from hearing any cases *quae legibus non continentur*. These points come from disparate places in the *Lex Visigothorum*, namely 12.2.9 and 2.1.13; and yet they are adjoined to one another in the False

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ticianus J<sup>3</sup> †298; Ps.-Felix II, J<sup>3</sup> †505 c. VI (ed. HINSCHIUS, *Decretales* p. 211–212 and 486).

10. *Lex Visig.* 12.2.10in. (ed. ZEUMER, *MGH LL nat. Germ.* 1 p. 416 l. 17–417 l. 2); in BL 3.427 (ed. PERTZ, *MGH LL* 2, 2 p. 129). Twice in the False Decretals: Ps.-Pius I, J<sup>3</sup> †86; Ps.-Fabianus, J<sup>3</sup> †190 (ed. HINSCHIUS, *Decretales* p. 117 and 158).

11. *Lex Visig.* 12.3.8 rubr. (ed. ZEUMER, *MGH LL nat. Germ.* 1 p. 435 l. 23–24); in BL 2.130 (ed. SCHMITZ, *Book 2* [as n. 1] p. 26 l. 12–27 l. 3). Perhaps once in the False Decretals, namely at Ps.-Calixtus, J<sup>3</sup> †162 (ed. HINSCHIUS, *Decretales* p. 140), though there is no specific verbal resonance.

49) The first three of these five sequences are at BL 2.137–138, from *Lex Visig.* 8.1.10–11; BL 2.146–153 from *Lex Visig.* 2.4.4in., 2.4.5in., 2.5.1in., 2.5.2, 2.5.4, 3.4.18, 5.4.1, 5.7.7; and BL 2.159–161 from *Lex Visig.* 5.7.12, 7.2.7 and 8.1.2. They occur amid other items from the *Lex Visigothorum* and Gallican councils; SECKEL, *Studie VII Teil I* (as n. 7) p. 368–76. All three are related to and partially reprised in a much more complex fourth sequence at BL 2.343–356, where 2.343 is from *Lex Visig.* 2.1.10; 2.344 is from *Lex Visig.* 2.4.4 (and BL 2.146); 2.345a is from *Lex Visig.* 2.4.5 (and BL 2.147); 2.346 is from *Lex Visig.* 2.5.2 (and BL 2.149); 2.348 is from *Lex Visig.* 2.4.13; 2.349 is from *Lex Visig.* 2.5.4 (and BL 2.150); 2.350 is from *Lex Visig.* 3.4.18 (and BL 2.151); 2.351 is from *Lex Visig.* 7.2.8; 2.352 is from *Lex Visig.* 5.7.12 (and BL 2.159); 2.353 is from *Lex Visig.* 8.1.2 (and BL 2.161); 2.354 is from *Lex Visig.* 8.1.6; 2.355 is from *Lex Visig.* 8.1.10 (and BL 2.137); and finally 2.356 is from *Lex Visig.* 8.1.11 (and BL 2.138). For details, including minor textual manipulations and other inserted material cf. SECKEL, *Studie VII Schlussteil III* (as n. 7) p. 470–474. This leaves the fifth sequence at BL 3.427–428, from *Lex Visig.* 12.2.10 and 12.2.16. Three items from these sequential blocks (BL 2.147 or 2.345 from *Lex Visig.* 2.4.5; BL 2.161 or 2.353 from *Lex Visig.* 8.1.2; and BL 3.427 from *Lex Visig.* 12.2.10) find their way to the decretal forgeries, where they are for the most part cited in isolation and out of sequence. See note 48 just above, items 5, 8 and 10.