

a pseudonym but a real person, who compiled the capitularies in good faith on orders from Otgar-as-Pseudo-Isidore. Any parallels between the decretal forgeries and Benedictus Levita he put down to Benedict's unwitting use of notes and other leavings of the forgery operation in the Mainz archives⁴. Wasserschleben, then, preferred to place the False Capitularies after the False Decretals. He also argued that the short version of the False Decretals – the so-called A2 recension – had priority over the longer forms. In no other way could he account for the coincidence between the contents of the short version and the decretals collection described in the fictitious prefatory exchange between Pope Damasus (J³ †569) and Aurelius of Carthage⁵.

Wasserschleben wrote on the eve of a great sea-change in scholarship. The next generation of German legal historians pioneered a radically different way of thinking about Pseudo-Isidore. Led by Paul Hinschius, who edited the False Decretals in 1863, these scholars saw

dorischen Dekretalen, in: ZRG Kan. 64 (1978) p. 1–72; Nicolás Alvarez DE LAS ASTURIAS, On the so-called second version of the Hispana Gallica Augustodunensis, in: ZRG Kan. 93 (2007) p. 34–44; Eric KNIBBS, The Interpolated Hispana and the Origins of Pseudo-Isidore, in: ZRG Kan. 99 (2013) p. 1–71. No edition exists but there is the helpful transcription of Annette GRABOWSKY, <http://www.benedictus.mgh.de/quellen/chga/>, whose separate links to each Hispana item contain an item number (for example, http://www.benedictus.mgh.de/quellen/chga/chga_019t.htm is item 19: Carthage I), which will be used in subsequent citations.

4) WASSERSCHLEBEN, Beiträge zur Geschichte (as n. 2) p. 52–60; IDEM, Die pseudoisidorische Frage (as n. 2) p. 280–286.

5) WASSERSCHLEBEN, Pseudoisidor (1860) (as n. 2); Die pseudoisidorische Frage (as n. 2) p. 274–279; Vaterland der falschen Dekretalen (as n. 2) p. 235–237. In the exchange (ed. HINSCHIUS, Decretales [as n. 1] p. 20–21), Ps.-Aurelius requests of Damasus *statuta, quae repperire poteritis post finem beati principis apostolorum Petri usque ad vestrae sanctitatis principium*, and Ps.-Damasus responds as if the requested decretals were attached. The A2 recension provides precisely this implied collection of decretals from Ps.-Clemens through Ps.-Damasus. For the different recensions of the False Decretals cf. FUHRMANN, Pseudo-Isidorian Forgeries (as n. 1) p. 155–157; and, more fundamentally, HINSCHIUS, Decretales (as n. 1) p. XVII–XLI (on A1); XLI–LII (A2); LVII–LX (B), LX–LXVII (A/B); and LXVII–LXXXII (C). As Fuhrmann explains, Hinschius erred greatly in underestimating the importance of the A/B recension; otherwise his definitions have been reassessed only occasionally. For the C recension cf. now Steffen PATZOLD, Gefälschtes Recht aus dem Frühmittelalter. Untersuchungen zur Herstellung und Überlieferung der pseudoisidorischen Dekretalen (Schriften der Philosophisch-Historischen Klasse der Heidelberger Akademie der Wissenschaften 55, 2015). Also Eric KNIBBS, Pseudo-Isidore in the A1 Recension, in: Fälschung als Mittel der Politik? Pseudoisidor im Licht der neuen Forschung, ed. Karl UBL / Daniel ZIEMANN (MGH Studien und Texte 57, 2015) p. 81–96.