SECTION FOUR

BEYOND ANGLO-SAXON ENGLAND
The usefulness of the *Leges Henrici Primi* (henceforth *LHP*)\(^2\) has never been doubted; it has consistently been viewed as the most important and wide-ranging legal tract of its time. Its most recent editor, L. J. Downer, claimed that the writer’s “aims appear to have been far more imposing, if one may judge from the structure of the *Leges*. The plan was to produce a treatise which would embrace quite widely the law of his day.”\(^3\) Alongside assumptions about the lofty aims of the author, however, there also has arisen a marked sense of disappointment with the quality of the execution of those aims. It has become a commonplace that the author was more or less an incompetent, who at times had difficulty in making his views clear in writing, and who was wholly incapable of organising his thoughts.\(^4\) It has also been suggested that the *LHP* was archaizing, and not wholly in tune with contemporary law.\(^5\) If indeed the *LHP* was the fruit of a plan for a comprehensive analysis of English law, it has been regarded as a misshapen and cankered one, albeit a welcome windfall.

Modern readings of the *LHP* depend, of course, on the work of Felix Liebermann, and of his modern reviser, L. J. Downer, who made available scholarly editions of the *LHP*. Like all editions, theirs was not simply a printing of the text, but was based upon a particular understanding of it; Liebermann, and Downer following him, believed that the transmission of the text was rather simple, and that the tract was

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1 I am grateful to Richard Sharpe for comments on a draft of this paper.
2 References are to the standard edition Downer, *Leges Henrici Primi*; the text is cited by chapter and clause number, Downer’s introduction and notes by page number.
3 Downer, *Leges Henrici Primi*, p. 3.