

The third form is a philosophic code as advocated by Bentham, the adoption of a purely ideal system of laws founded on reason and natural justice. This, however, is not feasible, for no people are likely to abandon the reasonably good body of law evolved in their country for the scheme of a philosopher however excellent. No code of the English law or any of its branches has been of the third class.

Ilbert, in his "Legislative Methods and Forms," says:—"We know that enacted law is most useful if confined to the statement of general principles, and that the more it descends into details the more likely it is to commit blunders, to hamper action, and to cramp development."

In the early stages there was some codification of the English law such as "The Mirror" professing to be an abridgment of the English law from King Arthur to Edward I., commended by Lord Coke as more illustrative of our whole legal history for the period from the Anglo-Saxon monarchy to the Great Charter than any other extant. "Leges Henrici I" professes to be a Code of the entire kingdom. Hallam attributes them to a compiler in the reign of Stephen; they may have been later. I have already referred to Glanville, Bracton and Fleta.

Over three hundred years ago, Sir Francis Bacon wrote:—"Of the laws of England: I have commended them before for the matter, but surely they ask much amendment for the form; which to reduce and perfect I hold to be one of the greatest doweries that can be conferred upon this Kingdom." Lord Westbury said in the House of Lords in 1863:—"The wisdom and excellence of Lord Bacon's proposal for the compiling and amendment of the law of England have been admitted from age to age, and the fact that nothing has been done to give effect to it, we must attribute to the singular inertia that characterises the English legislature." And in 1869, in an address to the Juridical Society, Lord Westbury spoke as follows:—"So far as the condition of our law was concerned, we stood completely alone in the civilized world. There was not a nation in Europe which had not made in that respect greater progress. It was the