

admission of the correlative claims of others to assert for themselves the same rights we claim for ourselves, there has been a desire on both sides to make our two systems work harmoniously and beneficially for Canada as a whole; and to this end a tendency for those under each legal system to conform themselves, to adapt their usage and customs to neutralize the effect of any differences in the law of their respective provinces.

Another reason is that insofar as is consistent with any mandatory provincial law, many types of commercial contracts have been made uniform throughout Canada and are accepted by merchants and businessmen, irrespective of the legal system under which they operate. In many cases, parties to contracts elect domicile for all purposes of interpretation and carrying out of contracts.

Another thing which has contributed to this harmonious co-existence is the substantial body of decisions bearing upon the conflict of laws in Canada which has developed in this country as a result of our having these two systems of law.

Another factor consists, as many of you no doubt have encountered, in the surprising similitude of solutions which are arrived at in practice, even through the use of basically different approaches of the Common Law and the Civil Law. It is surprising to realize on how many occasions, whatever the system applied, the results will coincide. In my own Department we transact business in all of the Provinces of Canada, and in this way have to deal with problems under both systems. I am told by the officers that they very often arrive at the same conclusion through the application of the Common Law or the Civil Code. This brings to mind the words of a former Batonnier of the Paris Bar, quoted before the Canadian Bar Association by the former Chief Justice of Canada, the Right Honourable Thibaudeau Rinfret, when he referred to

"l'unité essentielle du droit, sous l'apparente diversité des législations."

May I, in conclusion, express the hope that this Canadian experience will be of some interest as a practical example of the type of intellectual and practical adjustments that men of good will in all nations will have to make if they are going to get along harmoniously together in a world in which they are being brought into closer and closer contact as the years go by.

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