

and declared that, in Canada, basic rights and freedoms have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex. The Rule of Law means equality of all without regard to race or colour under Law. Can the Commonwealth stand for less?

"Changes must take place to meet changing conditions in a living, ever-growing Commonwealth. There may be new members that achieve equality of status that will find it difficult to discharge the burden and responsibilities of independent nationhood.

"Conferences of Commonwealth Prime Ministers are noted for their informality. Soon, however, the number of Commonwealth member nations may be increased from 11 to 18. As the size of the gathering increases, will it be possible to conduct the deliberations as frankly and profitably as hitherto?

#### MEMBERSHIP PROBLEMS

"Would it be feasible to have membership determined by population? Would small countries be satisfied to have a lesser Commonwealth status than have the more populated or powerful? Should there be a rotation of membership as in the Security Council? Could there be regional groupings within the Commonwealth and representation of such regional groupings in turn at the Prime Ministers' Conference?

"I doubt very much that the authors of those great acts of statesmanship, the Balfour Declaration of 1926 and the Statute of Westminster of 1931, could have foreseen the nature of today's Commonwealth. They undertook an act of faith and that faith has been justified.

"In the intervening years, the members of the Commonwealth have overcome as they arose many problems that have faced the association. Some of those problems have been acute ones; yet, in the past twenty years, the Commonwealth has survived a world-wide war and far-reaching political and economic changes. It has more than survived; it has become stronger.

#### ADAPTABILITY AND TOLERANCE

"As the Commonwealth, we will have to adapt our institutions and our relationships; we will all have to be tolerant of differences. We will have to face the fact that the varied individual circumstances of the member nations of the Commonwealth may well mean that they will be compelled to adopt a variety of policies to deal with those circumstances.

"Democratic procedures may perforce take rather different forms in different countries. Laws may not be uniform, foreign policies have to be adapted by each member nation to the realities of geography, history and economics.

"The essential spirit of the Commonwealth must be preserved for it is the spirit that counts. To ensure that the spirit of the Commonwealth remains strong, we must constantly be seeking opportunities to co-operate with

our fellow members in every practical way. We must seize every occasion to strengthen the bonds between us in all spheres of human activity without formal organization. We must constantly try to increase mutual understanding. There are a number of fields in which these principles can be applied.

#### EDUCATIONAL INTERCHANGE

"The governments of the Commonwealth have recently undertaken through the Commonwealth Scholarship Scheme to exchange approximately one thousand students annually between institutions of higher learning in the various Commonwealth countries. I hope that these exchanges will be steadily increased in the years to come, and that through them we will establish an ever-widening circle of men and women holding influential positions in their own countries who are familiar with other parts of the Commonwealth and who share in some degree a common culture.

"This matter of scholarships is only one example. An increasingly important factor in the Commonwealth relationship is economic and technical assistance from the more highly developed members to those that are less developed economically. If this form of economic co-operation can be intensified as a sincere joint effort to raise standards of living and to improve the material well-being of the less privileged members of our Commonwealth family, it can make a very great contribution to the strengthening of the Commonwealth relationship.

"This brings me to ask a question as to whether an additional step forward should not be taken by this Conference.

#### A COMMONWEALTH LAW INSTITUTE

"Would it be desirable for the lawyers of the Commonwealth to consider the establishment of a Commonwealth Law Institute to do for the varied range of legal developmental problems of the Commonwealth what the American Law Institute has done for the past two generations for the private law of the several states in the American Union? The American Law Institute was created by the bench, the bar and the law schools of the United States. In view of the many jurisdictions and the diversity of rules that followed it was found to be necessary to restate agreed principles in many branches of private law. These restatements became in effect a fresh starting point in contracts, in torts, in property and in other aspects of American private law.

"It seems to me that there will be a growing need for a particular kind of legal knowledge which would be of value to all, and particularly to the new member nations of the Commonwealth. Such questions as the operation of the federal system, with which Canada and Australia have had so much experience; the inter-mixture of the civil and the common law with which South Africa, Ceylon and Quebec and Scotland have had a long and deep experience

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