

External Affairs
Supplementary Paper

No. 56/4

PEACEFUL CO-EXISTENCE IN CANADIAN LAW, THE
CIVIL CODE AND THE COMMON LAW

An address by the Minister of Justice and Attorney General of Canada, Mr. Stuart S. Garson, Conference of Ministers of Justice, Attorneys General and Supreme Court Judge of the Inter-American Bar Association Conference, Dallas, Texas, April 1956.

CONFERENCE OF MINISTERS OF JUSTICE, ATTORNEYS GENERAL
AND SUPREME COURT JUDGES OF THE INTER-AMERICAN BAR
ASSOCIATION CONFERENCE, DALLAS, TEXAS,
MONDAY, APRIL 16, 1956.

First, may I express my deeply sincere appreciation for the great honour which you have conferred upon my country and myself by asking me to act as the North American Chairman of this Conference of Ministers of Justice, Attorneys General and Supreme Court Judges of North and South America. When the President of the Inter-American Bar Association, Mr. Robert G. Storey, greatly honoured me with an invitation to attend this Conference, I was delighted to accept. The citizens of the United States of America and of Canada get along famously together and it is not surprising that they should; for a good many of them are blood relatives. For example, my wife, who herself is a native of the U.S.A., and I have almost as many relatives in the United States as in Canada. Indeed, in colonial days, my own maternal ancestors were citizens of the United States. They probably would still have been... if they had not remained Loyalists during the American Revolution. Following its successful conclusion they, animated by a continuing loyalty to their King - not perhaps untinged with prudence - retired to the then northern forest wilderness of the British North America, which since has become today's self-governing Dominion of Canada. If this exodus had not taken place, perhaps an American descendant of theirs, of the eighth or ninth generation, might be here today as a host in place of me as a Canadian guest.

It is not only in relation to the United States that as a lawyer I feel at home here today. To the south of our two countries, are Mexico and all those countries of Central and South America whose legal codes, mostly through Spanish, Portuguese and French media, partake fundamentally of the great Romanesque legal system. Our Quebec Civil Code partakes of the same system through the medium of the laws of 17th Century France. It is only last November that the Honourable Doctor Patrick Kerwin, Chief Justice of the Supreme Court of Canada, had the privilege of attending in Caracas, Venezuela, at the invitation of that country, the Centenary ceremonies of the Bello Code of Chile. We in Canada were glad in this way to have our tribute paid to this outstanding achievement of a jurist born in Venezuela, whose work has had such an important influence upon so many