

CASTEL & WALKER

CANADIAN CONFLICT OF LAWS

SIXTH EDITION

VOLUME 1

Janet Walker

C.D., B.A. (Hons), M.A. (York), LL.B. (Osgoode), D.Phil. (Oxon)
of the Ontario Bar
Associate Dean
Osgoode Hall Law School of York University

Founding Author

Jean-Gabriel Castel

O.C., O.O., Q.C., L.S.M., Chevalier de la Légion d'honneur
J.D. (Michigan), S.J.D. (Harvard), D. *hon. causa* (Aix)
of the Ontario Bar



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PREFACE TO THE SIXTH EDITION

Canadian developments in the field of conflict of laws over the last thirty years have reached the point where it may no longer be wise for the legal profession only to rely on British textbooks such as *Dacey & Morris* or *Cheshire* as it has been the practice in the past on a number of occasions. The recent wealth of legislative enactments and case law dealing with conflict of laws, the special problems of a federal system such as the one existing in Canada, as well as the habits of the people of a country which is in large part made up of immigrants require solutions that are truly Canadian.

So wrote Professor Jean-Gabriel Castel, the founding author of *Canadian Conflict of Laws* in the preface to the first edition, which was published in 1975. In the thirty years since that time, the pace of change in the law has only accelerated, the special challenges of the Canadian federal system have only become more complex, and the importance of the subject for Canadians, as one the most diverse and mobile populations of the world, has only increased.

In that sense, plus ça change, plus c'est la même chose. However, in another sense, the last thirty years have marked a very significant change. During that time, the leadership that Jean-Gabriel Castel has brought to the conflict of laws in Canada has been nothing short of monumental. His fine articulation of the law served to place this work among the leading common law treatises in the subject; and his comprehensive reflection of the statutes and caselaw encouraged courts and counsel alike to rely upon it to an extent rarely encountered among academic works.

It was a great honour in 1999 to be invited to join Professor Castel as his co-author in preparing and updating the fifth edition of *Canadian Conflict of Laws*, which appeared for the first time in loose-leaf form. Having come to appreciate the challenges associated with this stewardship, it is humbling now to assume responsibility for it as sole author. Still, Professor Castel's balanced approach to basic principles, his careful attention to detail, and his keen interest in current developments will continue to inspire me in the years ahead just as they informed the work during its first thirty years.

Janet Walker
January 2005

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