

REVIEWS AND NOTICES

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Le Conflit des Lois en Matière de Contrats dans le Droit des Etats — Unis d'Amérique et le Droit Anglais Comparés au Droit Français. Par JEAN P. BARBEY, Docteur en Droit, Diplômé de l'Institut de Droit Comparé. Paris: Librairie Arthur Rousseau. 1938. Pp. xix, 359.

This is a volume of the series of publications of the Institute of Comparative Law of the University of Paris, under the general editorial direction of Professor Henri Lévy-Ullman, and is preceded by an extract from his 1937 - 1938 lecture course, to be published later, dealing with *Les Fondements de la Doctrine Universaliste en Matière de Conflit des Lois*.

The distinguished author is a Doctor of Laws of Harvard University where he studied under Professor Beale. Of all French students of the Conflict of Laws he is perhaps the best fitted, by his work in America and in France, and by his knowledge of both languages, to present accurately and completely a comparative examination of the three systems of law in question.

As he points out, genuine conflicts of law began among the merchants of the prosperous city states of Italy in the Middle Ages; today, contracts are the very heart of business on an international scale. It is for the jurist to find a basis of agreement and similarity for the enforcing and the interpretation of contracts, a basis founded in principle and in science if possible. When questions of capacity, form and interpretation arise, the peculiarities of distinct national systems of law may collide. Among theorists of all national schools there is little agreement. Doctor Barbey has sought to escape the controversies of the schools, to face facts objectively, to emphasize points of similarity, and to offer a practical solution in the interest of scientific progress where differences are pressed upon too thin a foundation of theory.

More need scarcely be said for the benefit of those who are interested, for they will already have grasped the purport and range of this excellent and useful book. But it may be permitted to add that a notable contribution to legal science might be made by the Canadian University which founds a Chair of Comparative Law within the field of Conflict of Laws.

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