
called the Senate, and a lower house, called the House of Commons, elected by universal adult suffrage. The independence of the judiciary is safeguarded through the constitutional provision that superior court judges cannot be removed from office unless both Houses of Parliament and the Governor General agree.

The Executive

The Crown

A Canadian scholar has described the Crown as "that institution which is possessed of the sum total of executive rights and powers, exercised by the sovereign, by the individual or collective action of his or her ministers, or by subordinate authorities...the supreme executive authority which may become manifest through a number of outlets". The British North America Act states that "the Executive Government and authority of and over Canada is hereby declared to continue and be vested in the Queen". However, as we have seen, it was intended by the Fathers of Confederation that Canada should have "...a constitution similar in principle to that of the United Kingdom...", and thus that the vital unwritten portion of the constitution -- the practice of responsible cabinet government and the common-law definitions of the scope of executive authority -- should obtain in Canada. Thus the Government of Canada remains vested in the Queen but is in practice carried on, almost without exception, through the authorization of her constitutional advisers, the Cabinet -- who are, of course, always accountable to Parliament.

A few Canadian prerogative powers -- that is, certain of the remainders of discretionary authority legally left in the hands of the Crown -- are dealt with by the Queen personally, such as the granting of honours and awards and the formal appointment and recall of ambassadors and ministers plenipotentiary. Most such acts are, however, performed on her behalf by the Governor General and, in either case, the prerogative power is exercised on the advice of the Government of Canada, in accordance with established principles of responsible government.

Apart from her constitutional position as head of state of some of the Commonwealth countries, the Queen is also head of the Commonwealth and symbolizes the association of the member countries. Until 1953, the title of the Queen was the same throughout the Commonwealth. However, constitutional developments in some member countries meant that the title was somewhat out of accord with the facts, and in December 1952 it was decided by the prime ministers of the Commonwealth countries, meeting in London, to establish new forms of title
