

provincial legislature was empowered to amend the constitution of the province except as regards the office of lieutenant-governor. An amendment to the British North America Act passed in 1949 provided authority for the Parliament of Canada to legislate with respect to constitutional matters, and it may now amend the Constitution of Canada except as regards the legislative authority of the provinces, the rights and privileges of provincial legislatures or governments, schools, the use of the English or French language, and the duration of the House of Commons.

### Canada's Status in the Commonwealth of Nations

The several stages in the development of the status of Canada have been authoritatively described in the reports of successive Imperial Conferences, including that held at London in 1926, which defined the group of self-governing communities consisting of the United Kingdom and the Dominions as "autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations". That Conference also recognized that, as a consequence of this equality of status, the Governor General of a Dominion "is the representative of the Crown, holding in all essential respects the same position in relation to the administration of public affairs in the Dominion as is held by His Majesty the King in Great Britain", and that "it is the right of the Government of each Dominion to advise the Crown in all matters relating to its own affairs". Simultaneously with this change in the constitutional relation between the several parts of the British Commonwealth of Nations, there developed, as a complementary aspect of nationhood, the assumption by the several Dominions of further responsibilities and rights of sovereign states in their relations with other members of the community of nations. Membership in the League of Nations and, more recently, in the United Nations, the exercise of treaty-making powers and the establishment of separate diplomatic representation in a number of foreign countries have characterized this phase in the growth of Canada. More explicit recognition of the implications of the principles of equality of status was accorded in the Statute of Westminster of 1931, which provided for the removal of the remaining limitations on the legislative autonomy of the Commonwealth nations.

Thus Canada, under the Crown, has equality of status with Britain and the other Commonwealth Nations in both domestic and foreign affairs; its Government advises the Crown on all matters relating to Canada. Canada has membership in the United Nations; makes its own treaties; appoints its own ambassadors and other representatives abroad; levies its own taxes; makes its own laws, which are executed by a Government dependent on the will of a majority of the people; and maintains its own military, naval and air forces. In short, Canada has achieved the full status of democratic nationhood within the Commonwealth of Nations.

## II The Government of Canada

### 1. The Federal Government

#### The Executive

##### The Crown

The British North America Act provides that "the Executive Government and authority of and over Canada is hereby declared to continue and be vested in the Queen". The functions of the Crown, which are substantially the same as those of the Queen in relation to the Government of Britain, are generally discharged by the Governor General. A few Canadian prerogative powers, such as the granting of honours and awards and the appointment of ambassadors and ministers plenipotentiary, are dealt with by the Queen personally; most 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