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The Governor General of Canada

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The Governor General of Canada

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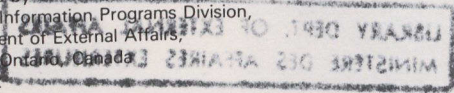
The Governor General of Canada is the representative of the Queen in Canada. The office is a constitutional one, and the Governor General is appointed by the Queen on the advice of the Prime Minister. The Governor General's duties are defined in the Constitution Act, 1871, and the Constitution Act, 1982. The Governor General is the highest office in the Canadian system of government, and is responsible for the administration of the country. The Governor General is also the head of the Order of Canada, and the Order of the Queen's Service.

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The Governor General
of Canada

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Canada is a constitutional monarchy whose monarch is not in permanent residence. Queen Elizabeth II lives in Britain. Her Majesty's title as Queen of Canada is not the same as her title in her other realms, and the fact that the same person is the monarch of several countries in no way implies that any of them is subservient to any other; all are equal in law and practice.

In Canada the Queen's personal representative is the governor general, whose salary and expenses are paid exclusively by Canada. The office has evolved from colonial days, when he genuinely governed, to its present status, which is analogous to that of the constitutional monarch he represents. The governor general is the head of state; in the Queen's absence, he performs all the formal and ceremonial functions which the Queen would perform if she were present, and he remains aloof from the partisan politics that are a necessary accompaniment of the government of a liberal democracy.

The landmark that defined the modern status of the governor general was the Imperial Conference of 1926. Before that, the governor general was not only the representative of the monarch but also, in law, the agent of the government of the United Kingdom. His functions as a representative of British interests had been declining since Canada was created in 1867, but,

even so, for a quarter of a century after 1926 the governor general continued to be appointed, though on Canadian advice, from among citizens of the United Kingdom who had British titles. Since 1952, the governor general has been appointed from among Canadians, and a convention has developed whereby the office is filled alternately by bilingual persons from English- and French-speaking backgrounds. Most, so far, have come to the position from distinguished careers in Canada.

Constitutional duties

The governor general's constitutional duties derive both from custom and the British North America Act, which says in part: "The Executive Government and Authority of and over Canada is hereby declared to continue and be vested in the Queen"; and "There shall be One Parliament for Canada, consisting of the Queen, an Upper House styled the Senate, and the House of Commons". As the representative of the Crown, the governor general is thus part of both the executive and legislative branches of the government and has important roles to play in both, for major executive and legislative acts are not legal without his participation.

Thus, though he acts on the advice of the prime minister, the governor general summons, prorogues and

dissolves Parliament and reads the opening and closing speeches of each session, gives assent to all legislation and signs many other state documents, including orders-in-council (i.e. orders made by the Cabinet under law or the prerogative powers that have been transferred over the centuries from the monarch to his advisers), commissions, pardons, etc. Members of the Privy Council (i.e. those called to be Her Majesty's confidential advisers, the active group among whom consists of the prime minister and Cabinet) are sworn before him, and he accepts the letters of credence of ambassadors appointed to Canada and receives high commissioners of Commonwealth countries on their arrival in Canada, as well as other diplomats. He is Canada's most important official host, both in Ottawa and when travelling. He is the Chancellor and Principal Companion of the Order of Canada, and conducts investitures into that order, among others; and he is commander-in-chief of the Armed Forces, and as such signs officers' commissions.

Ceremonial functions

These formal duties (and the list above is incomplete) are sometimes difficult to distinguish from the governor general's ceremonial functions. The investiture of a new member into the Order of Canada, for example, may take him

anywhere in the country, and the governor general's journey to the site will be a widely-publicized event. He is expected to travel in any case, to carry the image of the national government to every part of the country, to acquaint himself with Canada's widely-varied regions so that a national perspective on public issues is gained, and often to participate in activities connected with the various organizations the head of state is expected to approve or patronize.

As a head of state, the governor general represents the Crown in Canada. He may also, however, travel abroad as a representative of the Crown of Canada. During such absences, and often while the governor general is in Canada, his duties are performed by one of the deputies specified in the Letters Patent of 1947, a justice of the Supreme Court of Canada. The governor general himself, rarely attends in person to give royal assent to legislation.

Relation with prime minister

As a head of state aloof from politics, the governor general, like the monarch, is entitled to be kept fully informed on important governmental matters; he may (depending on the kind of personal relation he has with the prime minister) be consulted; and he has the right to caution his chief

adviser, who, of course, need not heed any warning. The governor general's value in this respect can hardly be calculated, and naturally varies with the two individuals involved; in one sense, there are limitations on how useful a governor general can be to a prime minister, for, unlike the monarch, he does not hold a hereditary office for life but an appointive one for a tenure of five to seven years, and may, in fact, if there has been a recent change of government, have been recommended for the office by the prime minister's chief opponent. Nonetheless, there is no doubt that some prime ministers have found the governor general a faithful confidant, while the office generally contributes in countless intangible ways to the maintenance of indefinable beliefs about national unity and the integrity of government.

There are occasions, increasingly rare in Canadian history, when a governor general intervenes directly in the governmental process. His only major duty that would nowadays be likely to require his participation is that based on the convention that there must always be a prime minister. Obtaining a prime minister is almost always a routine matter, for every political party has its designated leader, and if the governing party is defeated in the House of Commons, the governor general may turn to the leader of

an opposition party. If, however, a prime minister dies, the task of finding his successor may not be so routine. It is also possible that, if a general election returned to the House of Commons three or four parties with almost equal representation, finding a prime minister who could command the support of a majority of the House would not be simple.

No such eventuality has yet developed, and no governor general in this century has encountered difficulty in obtaining a prime minister. Although it is equally rare for a governor general to refuse to accept a prime minister's advice, it did happen in 1926, precipitating a crisis in which most constitutional authorities agree the governor general followed a correct course. The governor general is an impartial head of state, a symbol of the nation. His latent powers continue to exist, like a safety-valve that is never used as long as everything is working well.

APPENDIX

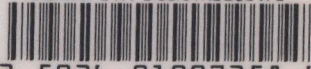
GOVERNORS GENERAL OF CANADA

| | Date assumed office |
|--------------------------------|---------------------------|
| Viscount Monck | 1867 |
| Lord Lisgar (Sir John Young) | 1869 |
| The Earl of Dufferin | 1872 |
| The Marquess of Lorne | 1878 |
| The Marquess of Lansdowne | 1883 |
| Lord Stanley of Preston | 1888 |
| The Earl of Aberdeen | 1893 |
| The Earl of Minto | 1898 |
| Earl Grey | 1904 |
| The Duke of Connaught | 1911 |
| The Duke of Devonshire | 1916 |
| Lord Byng of Vimy | 1921 |
| Viscount Willingdon | 1926 |
| The Earl of Bessborough | 1931 |
| Lord Tweedsmuir | 1935 |
| The Earl of Athlone | 1940 |
| Viscount Alexander | 1946 |
| Vincent Massey | 1952 |
| General Georges Philias Vanier | 1959 |
| Roland Michener | 1967 |
| Jules Léger | 1974 |
| Edward Richard Schreyer | 1979 |



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