



The Statute of Westminster 1931

***“Canada’s Legislative
Independence”***

REMEMBER! Canada's unwritten constitution includes the idea of **Responsible Government**, which means that The King must follow the advice of his elected ministers (i.e. the prime minister).

*There are a few instances where The King can act without advice (i.e. appointing a prime minister), but these are very rare.

Before 1931 there was one, imperial, Crown for all of the dominions and territories of the British Empire.



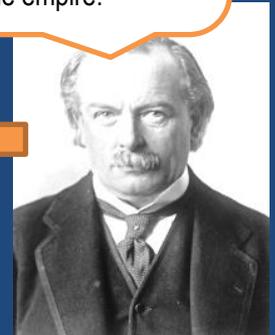
Even though the Dominion of Canada could make laws for itself, the British Parliament still had control over the country's **external** affairs (i.e. declaring war)

This is why when Britain declared war in 1914 the entire Empire was automatically at war.

One Crown acted for everyone.



As prime minister of the United Kingdom, I have the right to **ADVISE** the British King to declare war on behalf of Canada and the rest of the empire.



The Statute of Westminster, adopted by the British Parliament in 1931, said that the King could only be advised about a particular dominion by that country's prime minister.

Instead of only being the British King, George V suddenly became King of each separate dominion – and could only take advice from their prime ministers.

This meant that only the Canadian prime minister could advise the King on Canadian matters.

This meant that the **King was now separately the King of Canada.**

Britain could no longer pass legislation on behalf of Canada.

Another way of thinking about it:

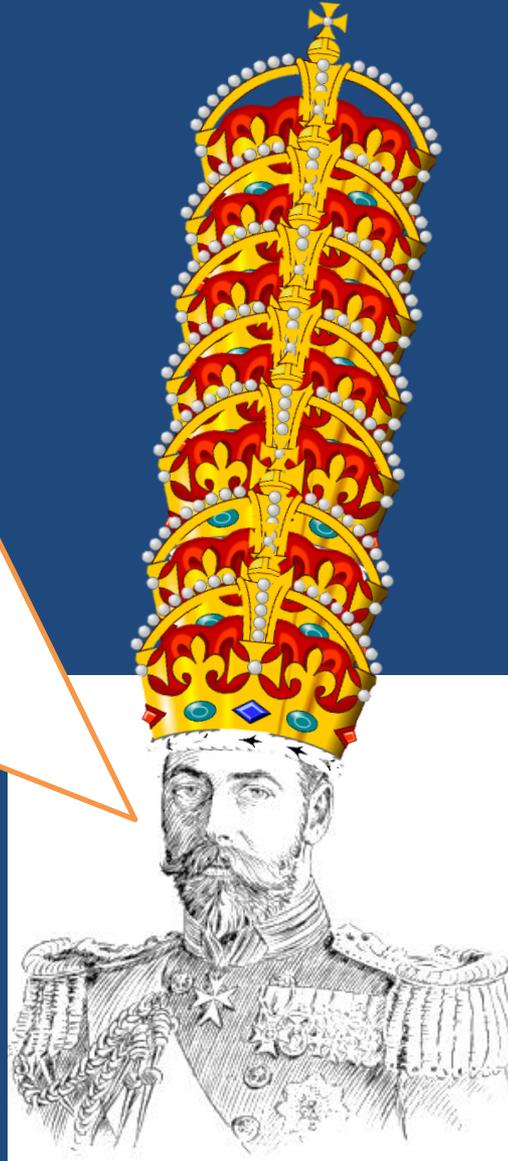
I am King George V.

**Before the Statute of
Westminster (1931) I was
King of the United Kingdom
(Emperor of India) only.**

One person, one Crown.



After the Statute of Westminster I also became, separately, King of Canada, Newfoundland, Australia, New Zealand, South Africa, and the Irish Free State (who were now able to legislate for themselves without British interference). One person, seven Crowns!!



This is why things were different when the Second World War was declared

Separate & Equal Crowns



As prime minister of Canada, with the confidence of the Canadian Parliament, I alone now **ADVISE** the King of Canada to declare war (as I did in 1939).



Since the Statute of Westminster (1931), as prime minister of the United Kingdom, I can only advise the King of the United Kingdom for Britain (UK) and parts of the Empire that don't have self-government.





Canada's Declaration of War on the German Reich (1939)

Approved
George R. I.

Approval by King George VI as King of Canada

The Prime Minister of Canada presents his humble duty to His Majesty the King.

It is expedient that a Proclamation should be issued in the name of His Majesty, in Canada, declaring that a state of war with the German Reich has existed in Canada as and from September tenth.

The Prime Minister of Canada, accordingly, humbly submits to His Majesty the petition of The King's Privy Council for Canada that His Majesty may approve the issuing of such a Proclamation in His name.

The Prime Minister of Canada remains His Majesty's most faithful and obedient servant.

W. L. Mackenzie King

Prime Minister of Canada.

In Canada, only the Sovereign (King or Queen) can declare war. Responsible government demands that war can only be declared on the advice of an elected representative (prime minister).

Prime Minister of Canada advising the King to declare war

This is why . . .

 The British Crown declared War on
Germany September 3rd, 1939

 The Canadian Crown declared War
on Germany September 10th, 1939