British and Commonwealth legacies in the framing of the Malayan constitution, 1956–1957

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Modern constitutions embody a blend of ideas of law and governance from varied sources of constitutional government, some of more recent vintage and others from the deeper reaches of history. The framers of constitutions, while bringing their own legal expertise and knowledge to bear on a constitution, invariably draw on prevailing constitutional practices and precedents. The framers of the United States’ constitution drew from the principles of English constitutionalism and Common law, several existing state constitutions in the United States, Charles Montesquieu’s seminal *L’Esprit des Lois*, and ideas from ancient systems of government.¹ The framers of the Indian constitution, similarly, drew from English constitutionalism and Common law, and the Canadian and American constitutions as well as the Government of India Act, 1935,² its earlier proto-constitution. B.R. Ambedkar, one of the main drafters of the Indian constitution, has remarked that the framers of the Indian constitution borrowed provisions and ideas from the

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