Abstract:

All of the Asian States that emerged from British control in varying degrees took key substantial elements of the British Westminster system. This system was more commonly associated with the British settler countries like Australia, Canada and New Zealand where “kith and kin” links with Britain seemed to make this appropriate. However, the British and the Asian indigenous elites saw advantages in applying this very British system to the very different context of the East. These Asian nations did not have centuries to interpret and adjust in order to develop their constitution as the British had. Instead within months they needed to formulate and design a constitution and therefore invariably drew upon the system of their imperial master. The local elites with the involvement of external actors like Sir Ivor Jennings determined that Westminster could work in the East. Since the Westminster system is based on convention and ambiguity and not rigid rules and clarity the same Westminster system could be adopted and manipulated to produce diverse results and reactions that would shape their countries forever. These states therefore became Eastminsters that had clear institutional and political resemblances to Britain’s system, but with cultural and constitutional divergences from Westminster. This talk broadly examines the concept of Eastminster in the eventful context of Asian decolonization and need for rapid constitutional settlement. It explore five key Deviations that Eastminster possesses from the Settler variety of Westminster. This constitution making period and the adoption of Eastminster had far reaching consequences for all of Asia.