

THE UNITED STATES OF AMERICA
THE MAKING OF ITS CONSTITUTION

By

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BOOKS BY. M. RAMASWAMY

1. *The Law of the Indian Constitution*

Foreword by Prof. A. B. Keith, D.C.L., LL.D., Longmans, Green. & Co., Ltd. “This is a really able and industrious study of the Government of India Act, 1935—surely one of the most important Acts ever passed by the British Parliament. So great a measure, of course, called for full and careful study and here we have - it .written by an Indian lawyer with complete mastery of his subject....”— *the Law Journal*, London.

2. *Distribution of Legislative Powers in the Future Indian Federation*

Foreword by the Eight Hon’ble Viscount Sankey, D.C.L., LL.D., Longmans, Green & Co., Ltd.

“The learned author brings to his discussion an excellent knowledge of the subject as illustrated in the Constitutional Law of Canada, Australia and the United States; and, building on its careful examination, he erects critically but creatively a structure for India.”—*The University of Toronto Law Journal*, Toronto, Canada.

3. *Fundamental Rights*

Foreword by Sir Maurice Gwyer, D.C.L., LL.D., Indian Council of World Affairs: Oxford University Press.

“Though it derives mainly from an intensive study of American constitutional guarantees, their English common law precedents, and the court decisions ... the book is an example of cosmopolitan scope in scholarship, since it tries to find through comparative jurisprudence, a base for transposing these principles and precedents to any constitutional society, and does so rather constructively and brilliantly for one of the newly reconstructed societies of the Orient.”—*The Annals of the American Academy of Political and Social Science*, Philadelphia.

4. *The Commerce Clause in the Constitution of the United States*

Foreword by the Hon’ble Mr. Justice Robert H. Jackson, LL.D., Associate Justice, Supreme Court of the United States, Longmans, Green & Co., Ltd.

“This is an able work. Considering that its author is not an American, it is a remarkable one—a veritable *tour de force* in the best sense. I seriously doubt if any foreigner has ever before this written a book in the field of American s constitutional law that was half as good as this one is.... His comprehension of- the problems of constitutional interpretation is generally beyond serious criticism, and his skill and lucidity in presenting them are admirable.”—Professor Edward S. Corwin, LL.D., Professor Emeritus of Princeton University in *the Aryan Path*, Bombay.

5. *The Creative Role of the Supreme Court of the United States*

Stanford University Press, California; London: Oxford University Press. “This commentary on the American Supreme Court by a distinguished Indian constitutional lawyer, is in the form of three lectures and an epilogue, and though written for the Stanford University Law School in California, deserves the attention of common .lawyers in many countries, particularly in those with written constitutions.”—*the Law Quarterly Review*, London.

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A Lecture Reviewing:

“The Great Rehearsal” by Carl Van Doren

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PREFACE

This Transaction which was first issued in September 1948 has long been out of print. It is now being reprinted in the hope that it will reach a wider circle of readers for two important reasons. The first reason is that the theme of it, namely, the Making of the Constitution of the United States, is one which ought to interest all those who consider that great country as one of the bastions, of democracy in the modern world. The second reason is the fact that it was at the historic Philadelphia Convention that a new technique was evolved of transforming a number of quarrelling States into a peaceful, prosperous, composite, national State. The workability and usefulness of the federal principle has been demonstrated over the years in many regions of the world including India. When the conditions become propitious for the formation of a World Government, based upon the premise that the human family is one and indivisible, its builders will have to turn to this federal technique to establish such a Government.

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On 29th of July 1948 Shri M. Ramaswamy reviewed the recently published volume—*The Great Rehearsal* by Carl Van Doren. (Publishers: The Viking Press N.Y. Price \$4.00). The reviewer-author is an authority and has made a special study of the history and most recent developments in the Constitutions of the U.S.A., of Canada and of Australia. His great knowledge has been of practical use in the making, of the Constitution in India. He is the author of *The Law of the Indian Constitution, Distribution of Legislative Powers in the Future Indian Federation, Fundamental Rights and the Commerce Clause in the Constitution of the United States*. What is presented by him in the following pages is valuable, for there are (or may arise in the near future) parallels in the events of the U.S.A. of 1787 and of the India, of to-day.

THE UNITED STATES OF AMERICA

THE MAKING OF ITS CONSTITUTION

(Report of a lecture given at the Indian Institute of World Culture reviewing *The Great Rehearsal* by Carl Van Doren)

The theme of Carl Van Doren's fascinating book "The Great Rehearsal" is the story of the making and ratifying of the Constitution of the United States of America, a chapter of human history which is of the deepest significance to the progress of civilization. The Constitution which emerged out of the labours of the wise and farseeing men who assembled at Philadelphia in the summer of 1787 ranks, I think, with the Magna Carta which the great barons of England wrung from King John at Runnymede in 1215, as one of the two most significant political documents in the annals of mankind. That document saw the birth of a new political device—the federal technique as I would call it—which enables a number of states to join together to form a new political community by parting with some of their powers in favour of a national government able to exercise authority directly on the people in respect of matters of common concern while preserving their identity and powers in relation to matters of local importance. It is this great idea—the federal idea—which is at the basis of the political organization of some of the greatest and most prosperous countries of the world of to-day, countries like the United States of America, the Dominion of Canada and the Commonwealth of Australia. And it is this pattern, too, which has furnished the model for the construction of the proposed Constitution of our own country, India. And when the formation of a World Government becomes a practicable proposition, the builders of it will, I am sure, have to borrow and embody some of the features of the federal polity in its construction. I need not say how imperative is the need for the establishment of such a World Government in view of the grave and imminent peril which confronts humanity following the recent discoveries made in the field of atomic fission, discoveries which have placed in the hands of man powerful instruments which can be used for his own destruction. I do not know what the future has in store for humanity. Nor am I able to say whether the leaders of the present generation of mankind will have the wisdom necessary to give up the worship of the shibboleth of national sovereignty by emulating the wise example of the Founding Fathers of the United States, who, faced with the peril of destruction following internecine feuds, bade good-bye to the worship of state sovereignty and united to form a new community for their mutual benefit and security. The great frame of government which we now know and admire as the Constitution of the United States of America was wrought under the dominion of no parochial political philosophy but was inspired by the consciousness, as Mr. Justice Benjamin Cardozo has happily observed in *Baldwin Vs. Seelig*,¹ "that the peoples of the several states must sink or swim together, and that in the long run prosperity and salvation are in union and not division."

We have in Carl Van Doren's book a delightful study of what happened "not only from day to day but actually from hour to hour" at the Philadelphia Convention where the Founding Fathers brought all their great intellectual and moral resources to transform what was only "a loose alliance of separate and quarrelling states into a tightly welded and enduring federation." The task which confronted these men was no easy one. State loyalties were deeply entrenched in the hearts of the people of the America of those days. Loyalty to a new central authority was not easy to create. Many compromises were necessary and many

1 (1935) 294 U.S. 511 at p. 523.

political gadgets had to be invented before a general measure of agreement could be reached among the delegates to the Convention in regard to the shape of the new constitution. After the draft constitution had been evolved it had to cross the very formidable hurdle of securing ratification at the State Conventions if at least nine of the states before it could become operative. The materials for the reconstruction of the stirring events involved in the making and the ratification of the United States Constitution lie scattered in numerous notes and diaries most of which are of a fragmentary character. The most outstanding of these historical materials is, of course, Madison's famous *Notes* which were published in 1840 four years after his death in 1836. Out of these scattered fragments of contemporaneously recorded material Carl Van Doren has constructed a vivid drama which glows with the warmth of a throbbing life. He has used all the charm and grace of his great literary powers and craftsmanship to give his readers a most enjoyable account of one of the great and moving episodes in the annals of humanity.

Before I give a brief account of what happened at the Philadelphia Convention, it seems to me necessary to draw attention to the serious situation which had arisen in the country making the convocation of this assembly an imperative necessity. During the critical days of the Revolutionary War of Independence the Confederate States had developed a high degree of cohesion and unity. But with the return of peace they had drifted apart. Many of these states could hardly resist the temptation to tread the facile path of narrow self-interest. And the weaknesses inherent in the Articles of Confederation of 1781 had, in large measure, helped these states to pursue their own selfish ends. Carl Van Doren has neatly summed up the main features of the Confederation which had been set up under the Articles of Confederation which came into effect in 1781 in these words:

“The Confederation under which they lived was not so much a government as a league of states, in which the individual states retained a large part of their sovereignty. Congress was not a general legislature, but a diplomatic assembly, in which the states had equal votes. There was no general executive, no general judiciary. Congress could raise money only by asking the states to contribute their quotas for Confederation expenses. The Confederation government did not operate directly on the people of the United States, but only through the states themselves, bristling with sovereignty or absorbed in their own concerns.”-

The man charged with the duty of finding the resources necessary to meet the financial needs of the Confederacy was a person very much to be pitied. The Confederacy had no taxing powers whatever, not even the limited power to levy import duties. Under Article VIII of the Articles of Confederation, aid charges of war, and all other expenses incurred for the common defense or general welfare had to be defrayed out of the funds which were to be supplied by the several states in proportion to the value of all land, granted to or surveyed for any person, within each state. Many of the states were either not honouring their obligations at all or were only honouring them partially. In a review of the results of the quota system, in the course of a speech which he delivered in the New York legislature in 1787, Alexander Hamilton stated:

“The universal delinquency of the states during the war shall be passed over with the bare mention of it. The public embarrassments were a plausible apology for that delinquency; and it was hoped that peace would have produced greater punctuality. The experiment has disappointed that hope to a degree which confounds the least sanguine. A comparative view of the compliances of the several states for the five last years will furnish a striking result. During that period, as appears by a statement in our files, New

Hampshire, North Carolina, South Carolina, and Georgia have paid nothing... Connecticut and Delaware have paid about one third of their requisitions; Massachusetts, Rhode Island, and Maryland, about one half; Virginia about three-fifths; Pennsylvania nearly the whole; and New York more than her quota. Things are continually growing worse.... Several of the states have been so long unaccustomed to pay, that they seem no longer concerned even about the appearance of compliance. Connecticut and New Jersey have almost formally declined paying any longer.”²

Robert Morris, the great financier of the Revolution, who had been appointed to the charge of the newly-created office of Superintendent of Finance, in a letter which he wrote to Benjamin Franklin on January 11, 1783, described the plight in which he found himself in these words:

“Imagine the situation of a man who is to direct the finances of a country almost without revenue (for such you will perceive this to be) surrounded by creditors whose distresses, while they increase their clamours, render it more difficult to appease them; an army ready to disband or mutiny; a government whose sole authority consists in the power of framing recommendations.”³

The conditions were going from bad to worse. The paper money, which the Continental Congress had issued to finance its military operations against the British Government, had become so much depreciated in value that it was almost worthless. “Not worth a continental” became a current proverb and a standing joke. The interest payable by the Confederate Government on the domestic and foreign debts was fast mounting up. Robert Morris after manfully struggling against an almost impossible situation resigned because he did not wish to be, as he put it, a “minister of injustice.” The Congress was in a hard predicament. And a Committee of it on February 15, 1786, had proclaimed that a crisis had arrived,

“when the people of these United States, by whose will, and for whose benefit the federal government was instituted, must decide whether they will support their rank as a nation, by maintaining the public faith at home and abroad; or whether, for want of a timely exertion in establishing a general revenue, and thereby giving strength to the confederacy, they will hazard not only the existence of the union, but of those great and invaluable privileges for which they have so arduously and so honour ably contended.”⁸

If the financial outlook before the country was grave, the chaos which had overtaken it in the domain of commerce was graver still. Under the Articles of Confederation, the confederate states continued to hold the major part of their commercial powers intact. Each state was fully competent, subject to certain unimportant exceptions, to impose duties, taxes, burdens and other restrictions on commerce, domestic, interstate and foreign, so long as such levies or restrictions did not discriminate in favour of its own citizens. Even the treaty-making power of Congress had been qualified under Article IX so that no treaty of commerce could be made “whereby the legislative power of the respective state shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods whatsoever.” In the absence of adequate power in the confederacy to exercise full control over tariffs and the regulation of interstate commerce, the states gave full play to their local animosities and selfish interests.

The State of New York began to levy customs duties on green vegetables, poultry and

* Cited in Taylor; *The Origin and Growth of the American Constitution*, p. 187,

* Cited by Andrew C. McLaughlin: *A Constitutional History of the United States*, pp. 139-40.

dairy products which were coming into it from the neighboring state of New Jersey. These levies were said to be prompted by the desire of that state to protect its own farming interests. The farmers in New Jersey were in wrath over New York's levies. And New Jersey in retaliation imposed a tax of \$1,800 a year on the lighthouse which New York had built on a patch of land which it had purchased from New Jersey in Sandy Hook, the narrow peninsula which projects into the lower bay of New York. States which had good harbours fully exploited this advantage by taxing goods which entered their ports on their way to other states. Madison referred to this state of affairs as follows:

“New Jersey placed between Philadelphia and New York was likened to a Cask tapped at both ends: and North Carolina between Virginia and South Carolina to a patient bleeding at both arms.”

Foreign countries were naturally disinclined to negotiate trade agreements with the Congress as that body was without the requisite powers to bind the states to the engagements arrived at. American trade with the West Indies which was in a flourishing condition during the pre-revolutionary period had almost ceased to exist because of the hostile provisions of a British Order in Council of July 2, 1783. Under it the ports of the West Indies had been closed to American vessels, trade was restricted only to a few commodities and even this trade could be carried on only by British vessels owned and navigated by British subjects. No doubt, there was every possibility of Great Britain relaxing these conditions either in return for reciprocal trade advantages or under the threat of retaliatory measures against British commerce. But Congress was powerless in the matter because of the dispersion of the commercial powers among the states.

There were also grave internal disorders. Daniel Shay's rebellion in Massachusetts in the autumn of 1786 was viewed with alarm by many people as presaging a general revolt. Washington in 1786 had written: “There are combustible materials in every state which a spark might set fire to.”

In January 1786 Virginia took the initiative to summon a conference of all the states to find a remedy for the chaotic conditions which had developed in the domain of commerce. Only five states responded to this invitation. The Annapolis Convention which met in the autumn of 1786, though it achieved no tangible results, did, however, render a great service to the country. It drew up a report proposing that a Convention should “meet at Philadelphia on the second Monday in May next, to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the union.” This proposal was accepted by Congress in a resolution passed on February 21, 1787. This was the genesis of the Philadelphia Convention. I have delved a little into past history to call attention to some of the causes which had operated *to* bring this Convention into being, because it seemed to me that a knowledge of these would be essential to appreciate the work and achievements of the Convention in its proper perspective.

Carl Van Doren opens his book with a Chapter bearing the significant title “Commander and Philosopher.” The Commander was, of course, George Washington, the General who had led his country to the gates of victory. The Philosopher was, of course, the great Benjamin Franklin, who had rendered signal service to the nation in many capacities, a man who had become a legend even in his own lifetime. The calm dignity and poise of the Commander and the broad humanity and mellowed wisdom of the Philosopher contributed in no small measure to the success of the Convention. Without the presence of these two

immortals there, I wonder whether the world would have witnessed the birth of the federal union of the United States in 1789, a union which has become one of the most powerful and prosperous nations of the world to-day. Among the fifty-five delegates who participated in the work of the Convention, there were some very able men, men like James Madison, who later became Jefferson's Secretary of State and succeeded him as the fourth president of the United States, James Wilson, the great jurist who had been educated in the Universities of his own native Scotland, the brilliant Gouverneur Morris to whose genius Madison ascribed the "finish given to the style and arrangement of the Constitution" and the handsome and aristocratic Edmund Randolph, the Governor of Virginia. Alexander Hamilton who was also a delegate to the Convention took little part in its proceedings. But he did rare service to his country by his contributions to the famous Federalist papers, a series of essays all signed Publius which he, Madison and Jay wrote to various papers in order to educate the public in regard to the salient features of the new constitution which had been framed by the Federal Convention and to secure its ratification by the State Conventions. Some of the delegates to the Philadelphia Convention were average men with plenty of good common sense like the lawyers Jared Ingersoll and John Blair, and merchants like George Clymer and John Langdon. There were also doctors, college presidents and scientists among the delegates. Jefferson described this assembly as "an assembly of demi-gods." In point of fact it was nothing of that kind. It was only a fair cross-section of middle class American society of those days. But the men who assembled there were good, patriotic and earnest men determined to make a success of their job at a time when the outlook before the country was of the gravest character.

The Convention was due to open in Philadelphia on Monday, May 14, 1787. George Washington, the late Commander-in-Chief of the Continental Army who arrived at the outskirts of the city on the afternoon of Sunday, May 13, 1787, was given a splendid welcome and led into his lodgings "under ceremonious escort to the sound of chiming bells and cheering citizens." The first thing Washington did after reaching Philadelphia was to call on Benjamin Franklin. Benjamin Franklin who had done conspicuous work as Minister to France was now President of the Supreme Executive Council of Pennsylvania, which made him in effect governor of the state. Over a long number of years the two had developed regard and affection for each other. As Carl Van Doren has said, "They had borne the two heaviest burdens of the Revolution, Washington at home and Franklin abroad, each of them too honest to feel suspicion, too great to feel envy."⁴

The delegates to the Convention were rather slow in reaching Philadelphia. The quorum of seven state delegations was available only on May 25, on which day the Federal Convention closed the doors of its chamber and opened its first session. George Washington was unanimously elected its President. The rule of secrecy was adopted. The members were forbidden to print, publish, or communicate anything that took place in the Convention. And I think Madison was right when he said in 1830 that no Constitution would ever have been adopted if the Convention debates had been open to the public.

The delegates had arrived at Philadelphia impressed with the seriousness of the situation that faced that country. They were aware of the fact that no half-measures could meet the crisis. Under the congressional resolution of February 21, 1787, the function of the Convention was restricted to the "sole and express purpose of revising the Articles of Confederation" and to report to Congress and the States the alterations which were required to meet "the exigencies of government and the preservation of the union." The delegates,

* *The Great Rehearsal*, p 2

with a boldness which is beyond all praise, ignored these instructions and instead of merely revising the articles, scrapped them altogether and fashioned a new Constitution to replace it, creating under it a National Government fully equipped with adequate powers. Thank God that they refused to plough the barren sands of legalism. They showed by their work that they were statesmen who had the courage and resource necessary to tackle a great problem with vision.

The first great step which the Convention, which was then working as a committee, took was to resolve "that it is the opinion of this committee that a national government ought to be established consisting of a supreme Legislative Judiciary and Executive." The question remained to be considered how the powers of the new national government were to be put into execution. A great source of weakness of the old Confederacy was that it lacked any coercive power. The Virginia plan which was offered to the Convention through Randolph had suggested that the force of the union could be used "against any member of the union failing to fulfil its duty." This proposal, if it had been adopted, would have led to a series of civil wars. Fortunately the Convention was able to evolve a new technique which was unknown in previous history. The new national government was to act not on the states but on the people directly through its own executive, legislative and judicial organs. Under Article VI (2) of the United States Constitution, the Constitution and the Laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or Laws of any state to the contrary notwithstanding. This is the great linchpin of the Constitution. The laws of the national government enacted in its own sphere were liable to be enforced on the citizen in the same way as state laws enacted in the state sphere were liable to be enforced. This idea may now look simple. But it was really a momentous discovery in the political progress of mankind.

There were two great compromises in the Constitution. Under the Articles of Confederation each state, whether big or small, was entitled to one vote. The State of Delaware had explicitly instructed its delegates to the Federal Convention that they should never agree to the alteration of the one-state-one-vote rule. The smaller states were afraid that if the basis of representation in Congress was determined on a population basis they would go under. The compromise made by the Constitution was that the states, both big and small, should have equal representation on the Senate while in the House of Representatives they should be represented on the basis of their population. The second great compromise was the provision made by Article I, Section 9, Clause 5, that no tax or duty shall be laid on articles exported from any state. This was a concession made to the Southern States whose prosperity was largely dependent upon their export trade in rice, tobacco and cotton which they produced in large quantities. These agricultural states insisted that the Congress should have no power to tax exports as they were apprehensive that with such power vested in Congress, it might be used to their serious detriment.

The Constitution as framed by the Federal Convention gave great powers to Congress to be exercised for the common good of the country. Congress was invested with powers to make war, to raise and support armies and a navy, to lay and collect taxes, duties, imposts and excises, to regulate foreign and interstate commerce, to coin money, to establish post offices, and to do many other things.

We have already seen how the Confederacy for want of requisite authority was powerless to deal with the chaos which had overtaken the country in the domain of

commerce. This defect was remedied by the new constitution. By a great clause embodied in Article I, Section 8, Clause 3, known familiarly as the Commerce Clause, Congress has been invested with the power to regulate foreign and interstate commerce. The influence exercised by this great federal power in integrating the economic life of the nation by breaking down interstate barriers to the free flow of commerce cannot be exaggerated. As Mr. Chief Justice Hughes has observed in *McGoldrick vs. Berwind-White Coal Mining Co.*¹:

“In confiding to Congress the power to regulate interstate commerce, the aim was to provide a free national market,—to pull down and prevent the re-erection of state barriers to the free intercourse between the people of the States. That free intercourse was deemed, and has proved, to be essential to our national economy.”

On Monday, September 17, 1787, four months after the Convention had met, the Constitution was ready for signature and thirty-nine out of the forty-two delegates present signed it, the three others refusing to do so. It was Franklin who spoke the closing words which are recorded¹ by Madison in a passage in his *Notes* which runs as follows:

“Whilst the last members were signing it Doctor Franklin looking towards the President's chair, at the back of which a rising Sun happened to be painted, observed to a few members near him, that Painters had found it difficult to distinguish in their art a rising Sun from a setting Sun. I have, said he, often and often in the course of the Session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the President without being able to tell whether it was rising or setting: But now at length I have the happiness to know that it is a rising and not a setting Sun.”⁵

Ratification by the state conventions of nine at least of the thirteen states was necessary for the new constitution as framed by the Convention to become operative. The campaign to secure its ratification by the states was hard and bitter. The section opposed to the new constitution was well-organized and brought forth many criticisms of it. The Convention, they argued, had exceeded its authority in suggesting the formation of a new national government. The President under the new constitution had been given, they said, such vast powers that he might well become a despot. Had they fought the revolution, they asked, to substitute one King for another whom they had got rid of? The new central government to be set up was painted as a “monstrous overshadowing force, outside and above any given state, which would be free to dominate, tax and enslave a helpless people.” The states would be reduced to a condition of impotence, they said. The persons who supported ratification urged counter-arguments. The classic Federalist papers to which I have referred already explained with a wealth of illustration and a cogency of argument, which evoke warm admiration, the defects inherent in the Confederation and the numerous advantages which would accrue to the country by the functioning of the new constitution. Carl Van Doren has stated: “So, through fall and winter, and the following spring and summer, the vast debate went on, covering the United States with a net of arguments which reached even to the backwoods, though here less closely and in some remote places little comprehended or felt.”⁶

Carl Van Doren in two brilliant chapters headed “Nine Necessary States” and “The Remaining States” has given us a vivid and memorable picture of the trials and tribulations through which the new constitution had to pass to secure ratification at the various state conventions. When news of the approval of New Hampshire and Virginia the 9th and 10th states to ratify reached Congress (these states had ratified on June 21 and June 26, 1788

⁵ Cited by Carl Van Doren : *The Great Rehearsal*, p. 174,

⁶ *The Great Rehearsal*, pp. 191-2.

respectively), it proceeded to make the necessary arrangements for putting the Constitution into commission. And on April 30, 1789, the immortal Washington standing on the balcony of Federal Hall in Wall Street, New York, took the oath of office as the first President of the United States, cheered by a vast assembly of his grateful countrymen whom he had led and served so well.

Carl Van Doren has given to his book the title "The Great Rehearsal" because he ardently hopes that the experiment launched by the Philadelphia Convention to set up a federal government in America may be regarded as a rehearsal for the establishment of many such federal governments of the future. I fully echo that sentiment. And I would express the hope that a great Constitutional Convention for the establishment of a World Federal Government should meet soon. Can there be a more appropriate country to be chosen as the venue of such a gathering than India, the land which gave birth to Lord Buddha, the Great Apostle of Peace and Mahatma Gandhi, the Great Friend of Mankind? And I feel sure that if such a Convention should meet whether in India or elsewhere, the spirit of Mahatma Gandhi who, when he was alive, walked the earth with firm steps amidst all the folly and frenzy of his times will be there to watch and guide the faltering steps of mankind to find a way to the bourne of peace and happiness.