

First Republican Constitution (1972)

Adopted 22 May 1972 by a Constituent Assembly. Replaced the 1947 Soulbury Constitution. Removed Section 29(2) — the minority-protection clause that had voided the 1948 Citizenship Act as discriminatory in the Privy Council's view in *Kodakan Pillai v Mudanayake* (1953) — and gave Buddhism the 'foremost place'. Drafted and adopted without Federal Party participation; the Federal Party walked out of the Constituent Assembly process.

The 1972 Constitution is the moment at which the post-independence dispensation moved from a Soulbury-era settlement that nominally contained minority protections to a republican settlement that explicitly removed them. The decision to drop Section 29(2), to constitutionalise the Sinhala-Only language policy of 1956, and to give Buddhism a foremost-place clause was taken at a Constituent Assembly from which the principal Tamil parliamentary party had withdrawn precisely on these issues.

§1 What it changed

Three structural changes matter for the case. First, Section 29(2) of the Soulbury Constitution — which prohibited any law making persons of any community liable to disabilities or restrictions to which other communities were not also subject — was not carried forward. The 1972 Constitution contained no functional equivalent. Second, Sinhala was constitutionalised as the official language. Third, Article 6 gave Buddhism the foremost place and made it the duty of the State to protect and foster the Buddha Sasana.

The Constitution was adopted by simple majority of the Constituent Assembly, not by referendum, and contained no amendment procedure requiring minority concurrence on matters affecting language, religion, or devolution. The Tamil United Front, which became the TULF, repeatedly cited the 1972 Constitution as the document that closed the constitutional avenue and made the Vaddukoddai mandate of 1976 the only remaining electoral expression of the Tamil polity.

§2 Why it sits at narrowing-step 7

Step 7 in the Narrowing Timeline is the moment at which Tamil minority protections that had been part of the constitutional architecture from independence are formally and durably removed. Steps 1–6 (citizenship acts, language acts, abrogated pacts) operate against an existing constitutional protection; step 7 removes that protection from the constitutional order itself. The next step on the Tamil parliamentary side is Vaddukoddai (1976) at step 8 — the response is direct.

Sources

- Constitution of Sri Lanka (1972), Department of Government Printing.
- DeVotta, Blowback (2004), Stanford UP, ch. 6.
- A.J. Wilson, The Break-up of Sri Lanka (1988), Hurst.
- Wickramasinghe, Sri Lanka in the Modern Age (2014).

What this is not

- This article is not a brief against the Buddhist religion or against Sinhala-speaking citizens. The mechanism documented is the constitutional removal of minority protections, not the cultural content of the majority.
- This article does not name any individual drafter or assembly member by way of personal accountability. Where named, individuals appear because they are the named parties in the primary text.