

Second Republican Constitution (1978) & the Sixth Amendment (1983)

The 1978 Constitution introduced an executive presidency and a proportional-representation parliament. The Sixth Amendment, enacted 8 August 1983 in the immediate aftermath of Black July, made advocacy of a separate state grounds for forfeiture of parliamentary seat and disqualification from public office — retrospectively criminalising the Vaddukoddai mandate (1976) on which the TULF had been elected as the largest opposition party in 1977.

The Sixth Amendment is the constitutional act that disenfranchised the Tamil parliamentary mandate. It was passed in the same parliament from which the TULF had refused to take the loyalty oath, and from which it was therefore expelled. After 1983, no political party could legally contest a Sri Lankan election on the Vaddukoddai platform — the platform that, six years earlier, had won a majority of the seats it contested.

§1 1978: the architecture

The 1978 Constitution established an executive presidency, proportional representation, and a Supreme Court whose composition is determined by the President. It also retained Article 9 (Buddhism foremost place) and Sinhala as the official language, while introducing Tamil as a 'national' language (Article 19) — a status without operational consequence prior to the 13th Amendment (1987).

The amendment procedure under Article 82 requires a two-thirds parliamentary majority and, for certain entrenched provisions (Articles 1, 2, 3, 6, 7, 8, 9, 10, 11, and 83), a national referendum. This procedural ceiling is the constitutional fact captured by the CV variable in the PAI model on /case/mathematics/pai.

§2 1983: the Sixth Amendment

Passed in the parliament's first session after Black July (July 1983), the Sixth Amendment inserted Article 157A: 'No person shall, directly or indirectly, in or outside Sri Lanka, support, espouse, promote, finance, encourage or advocate the establishment of a separate State within the territory of Sri Lanka.' A loyalty oath was required of every Member of Parliament and every public officer. The TULF declined the oath. Its members lost their seats. The largest opposition bloc in the parliament that had been elected on the Vaddukoddai mandate was removed from that parliament by constitutional amendment.

The Sixth Amendment remains in force. As of the current era (Aarambam), the Tamil political mandate of 1977 has no legal expression in Sri Lankan parliamentary politics; it can only be expressed outside the constitutional system, in diaspora civic structures, in academic discussion, or in international forums.

§3 Why it sits at narrowing-step 9

Step 9 in the Narrowing Timeline is the legal disenfranchisement of the Tamil electoral mandate. It is the constitutional companion of the PTA (also step 9), which is the security-apparatus disenfranchisement. After step 9, the post-1977 Tamil polity has neither a legal parliamentary vehicle for its mandate nor a legal extra-parliamentary vehicle for its political expression. The Narrowing accelerates measurably from this point.

Sources

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- Sixth Amendment to the Constitution (Act No. 6 of 1983), lawnet.gov.lk.
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DeVotta, Blowback (2004), Stanford UP.

- A.J. Wilson, The Break-up of Sri Lanka (1988), Hurst.

What this is not

- This article is not a defence of any armed group. It documents the constitutional disenfranchisement of a non-violent electoral mandate; the subsequent turn to armed conflict was a separate, contested development that TLTE does not endorse, archive, or rehabilitate.
- This article does not name any serving parliamentarian, jurist, or official.