The Anatomy of Constitutional Foreclosure (1947–1987)

How the written safeguards of the 1947 settlement were removed, step by step, with every figure marked verified, secondary or pending.

This dossier traces how the written safeguards of the 1947 settlement were removed between 1947 and 1987. Every claim carries a tier: VERIFIED = read in a primary or official record; SECONDARY = reported by a named secondary source, primary check pending; PENDING = not yet located (shown as a gap).

1947 The Soulbury bargain

- [VERIFIED] Section 29(2) barred laws imposing disabilities on any community or religion not imposed on others. — Ceylon (Constitution) Order in Council 1946, s.29(2)
- [VERIFIED] The Privy Council later called s.29(2) “the solemn balance of rights between the citizens of Ceylon, the fundamental conditions on which inter se they accepted the Constitution” and held it unalterable under that Constitution. — Bribery Commissioner v Ranasinghe [1965] AC 172 (PC)
- [SECONDARY] The Ceylon Indian Congress contested 7 seats in 1947 and won 6 (one secondary listing names 7 members). — Lake House, The Tenth Parliament of Sri Lanka (party table) (https://jpp.co.jp/lanka/gov/govd/govde/gov31e.htm)

1948–1949 Removal of the up-country Tamil vote

- [VERIFIED] Citizenship by descent required a father, or paternal grandfather and great-grandfather, born in Ceylon. — Ceylon Citizenship Act No. 18 of 1948, s.4 (https://en.wikisource.org/wiki/Ceylon_Citizenship_Act)
- [VERIFIED] The franchise was then tied to citizenship by the Parliamentary Elections (Amendment) Act No. 48 of 1949. — Act No. 48 of 1949
- [VERIFIED] The Privy Council upheld the citizenship laws as facially neutral and within Parliament's power. — Kodakan Pillai v Mudanayake [1953] AC 514 (PC)
- [VERIFIED] No Ceylon Indian Congress candidate was returned in 1952; Nuwara Eliya and Maskeliya passed to the UNP. — 1952 constituency returns
- [SECONDARY] Nuwara Eliya's roll fell from 24,295 (1947) to 9,279 (1952), a 61.8% drop; Maskeliya (~5,788) and Kotagala (5,865) show comparable collapses in 1952 valid votes. — 1952 constituency returns as reproduced; Elections Commission 1952 report still to be read page-by-page
- [VERIFIED] The UK gave effect to the new Ceylon citizenship in British law through The Citizenship Law (Ceylon) Order 1948, S.I. 1948 No. 2780, made on 20 December 1948 under s.32(8) of the British Nationality Act 1948. — S.I. 1948 No. 2780; British Nationality Act 1948, s.32(8)

1972 The autochthonous break

- [VERIFIED] The Republican Constitution was adopted on 22 May 1972 by a Constituent Assembly sitting outside the Soulbury amendment procedure. — Constitution of Sri Lanka 1972, preamble
- [VERIFIED] It did not re-enact s.29(2); its rights chapter could be restricted by ordinary law. — 1972 Constitution, ss.18(2), 48(2)
- [SECONDARY] Adopted on 22 May 1972 at the Navarangahala by 119 votes to 16: the United Front (SLFP, LSSP, CP) for, the UNP against. — Weerasooriya, AW Chambers (2026); Udagama, Groundviews (2014) (https://www.awchambers.com/blog/sri-lanka-1972-constitution-critique)
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[SECONDARY] The Federal Party had left the Assembly and did not vote for it. — Udagama, Groundviews (2014), reviewing Welikala ed. (CPA 2012) (https://groundviews.org/2014/05/01/the-fragmented-republic-reflections-on-the-1972-constitution-of-sri-lanka/)

- [SECONDARY] No Federal Party member voted for the constitution: the party had walked out in June 1971 after Basic Resolution No. 2 rejected its federal proposal. — Welikala ed., The Sri Lankan Republic at 40 (CPA 2012); Constituent Assembly official report still to be read for the named division list

1976–1983 The mandate and its exclusion

- [VERIFIED] The TULF fought the 1977 election on the 1976 Vaddukoddai Resolution and became the parliamentary opposition. — 1977 General Election results, Elections Commission
- [SECONDARY] The TULF won all 14 Northern Province seats in 1977 and 4 of 8 contested in the East — 18 of 168 seats nationally on 6.4% of the national vote. — 1977 constituency returns as reproduced; Elections Commission 1977 tables still to be read
- [VERIFIED] The Sixth Amendment (1983) required an oath against advocating a separate state; TULF MPs who refused it lost their seats. — Sixth Amendment to the Constitution, 1983

1987 The security exchange

- [SECONDARY] The letters of 29 July 1987 provided that Trincomalee and other ports would not be made available for military use prejudicial to India's interests. — Exchange of Letters, as reproduced by tamilnation.org (https://tamilnation.org/conflictresolution/tamileelam/87peaceaccord)
- [SECONDARY] They provided for the Trincomalee oil tank farm to be restored and operated jointly by India and Sri Lanka, and for review of foreign broadcasting facilities and foreign military and intelligence personnel. — Exchange of Letters; J. N. Dixit's account (https://tamilnation.co/conflictresolution/tamileelam/87peaceaccord.htm)
- [SECONDARY] Tamil parties were not signatories; the TULF wrote to India on 28 July 1987 opposing any referendum in the East. — TULF letter to Rajiv Gandhi, 28 July 1987 (reproduced)
- [PENDING] Official text of the letters from the Indian or Sri Lankan treaty series. — MEA / UN Treaty Series — not yet read

Plantation electorates, 1947 vs 1952

- Nuwara Eliya: 24,295 registered (1947, won by S. Thondaman (Ceylon Indian Congress)) -> 9,279 registered (1952, United National Party). Source: 1947 and 1952 Parliamentary Election returns, Nuwara Eliya.
- Maskeliya: 24,427 registered (1947, won by G. R. Motha (Ceylon Indian Congress)) -> 5,788 valid votes (1952, United National Party). Source: 1947 and 1952 Parliamentary Election returns, Maskeliya.
- Kotagala: 17,092 registered (1947, won by K. Kumaravel (Ceylon Indian Congress)) -> 5,865 valid votes (1952, United National Party). Source: 1947 and 1952 Parliamentary Election returns, Kotagala.

India at the UN Human Rights Council

- 2009 — Res. S-11/1 (special session, supportive of Sri Lanka): Yes [SECONDARY]
- 2012 — Res. 19/2: Yes [SECONDARY]
- 2013 — Res. 22/1: Yes [SECONDARY]
- 2014 — Res. 25/1: Abstained [SECONDARY]
- 2015 — Res. 30/1: Adopted without a vote [SECONDARY]
- 2021 — Res. 46/1: Abstained [SECONDARY]
- 2022 — Res. 51/1: Abstained (20–7–20) [SECONDARY]

What this dossier does not claim

- The 1972 break did not, by itself, create a legal right to secession under international law.
- The 1977 election was a democratic signal inside a parliamentary election, not a referendum or an act of secession.
- Remedial self-determination is a contested doctrine; Quebec (1998) discussed it without endorsing it, and the Kosovo opinion (2010) declined to decide it.
- India's conduct shows strategic interest; it does not prove a single hidden plan.
- No comparison to the Holocaust is made or implied.

Review status

Era: Aarambam (founding). Legal readings are arguments, not settled findings; lawyer and historian review is pending before parliamentary circulation.