

MP Pack #35 — Constitutional foreclosure · the Soulbury bargain, 1947–1987 — MP Evidence Pack

Pairs with /case/constitutional-foreclosure. The 1947 constitution rested on s.29(2), which the Privy Council called the solemn balance of rights. The pack documents how that bargain was closed: the 1948–49 removal of the up-country Tamil vote, the 1972 constitution adopted without Tamil support, the 1983 oath that removed the elected Tamil opposition, and the 1987 settlement signed without Tamil parties. Each figure is marked verified, secondary or pending.

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Audience

- UK MPs
- Lords
- FCDO South Asia
- APPG for Tamils
- Constitutional lawyers
- Journalists

Best used for

- Written questions on the UK's records of the minority safeguards it wrote into the 1947 constitution
- Questions on whether the UK will release Colonial Office and Commonwealth Relations Office files on the 1948–49 citizenship laws
- APPG briefings on Sri Lanka's constitutional history in reconciliation debates

Tier-A evidence anchors

- Ceylon Citizenship Act No. 18 of 1948 (text) — https://en.wikisource.org/wiki/Ceylon_Citizenship_Act
- Bribery Commissioner v Ranasinghe [1965] AC 172 (PC) — s.29(2) as the 'solemn balance of rights'
- Kodakan Pillai v Mudanayake [1953] AC 514 (PC)
- The Citizenship Law (Ceylon) Order 1948, S.I. 1948 No. 2780 (under British Nationality Act 1948, s.32(8))
- Elections Commission of Sri Lanka — historic election reports — https://elections.gov.lk/en/elections/election_report_E.html
- UK National Archives — Dominions Office / CRO Ceylon files (DO 35) — <https://discovery.nationalarchives.gov.uk/>

Policy asks

- UK Government (FCDO): Set out what assessment HM Government made, at the time and since, of the effect of the Ceylon Citizenship Act 1948 on the minority safeguard in s.29(2) of the constitution the UK drafted.
- UK Government (FCDO / The National Archives): Confirm that all 1947–1953 files on Ceylon citizenship and

franchise legislation are open at The National Archives, and list any still withheld.

Draft parliamentary questions

- [FCDO] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, further to The Citizenship Law (Ceylon) Order 1948 (S.I. 1948 No. 2780), what records her Department holds of HM Government's assessment of the compatibility of the Ceylon Citizenship Act 1948 with section 29(2) of the Ceylon (Constitution) Order in Council 1946.
- [FCDO] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, whether any files on Ceylon citizenship and franchise legislation for 1947 to 1953 remain closed or retained, and if so, on what grounds.
- [FCDO] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what account her Department takes of the constitutional history since 1948 in its support for a political settlement in Sri Lanka.

Civic remembrance

Hundreds of thousands of plantation workers lost the vote within a year of independence. This pack asks only that the record of how that happened be read in full.

Pack rules

- Never claims the 1972 constitution created an automatic legal right to secession.
- Never presents the 1977 election as a referendum.
- Never publishes a pending figure as fact.
- Never makes collective claims about Sinhalese civilians or any community.

Transparency

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