

Review of: "Customs Into Customary Law: Marriage and Succession in Kandyan Customary Law - An Anthropological Review"

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Potential competing interests: No potential competing interests to declare.

General comments on Customs Into Customary Law: Marriage and Succession in Kandyan Customary Law - An Anthropological Review by Jayanth Perera

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The paper is very interesting and grammatically sound, and is well researched and backed up with sufficient references. Overall, it raises some very interesting debates for those outside the field of anthropology. I have annotated notes within the text as it relates to specific passages or raises points for further discussion and amplification, as I think this would add to its readability and reach to different audiences, including the legal fraternity and gender scholars.

My general comment is that, although it is an anthropological review with secondary data, as it were, rather than original field notes and verbatim reports from an anthropologist visiting a community, the tone is dry, it reads very disconnected from people's lives and can be made a bit more readable to a range of audiences.

For example, at the beginning, even though everyone knows what customary practice versus moving to customary rule means, if an example is given of such a practice, the reader immediately connects to the principal concern and ideas embedded in the paper - in addition, rather than waiting until the specific section to be introduced to the case of Doli, when this landmark case is being introduced at the beginning, we should have, for narrative purposes, an idea of whose particular dilemma is going to be invoked to investigate the main conundrum the paper sets us, i.e., the play off between customary law and legislative practices that have been devised by western legal discourse – and how these must work to provide the right, fair, or just decision on behalf of either men or women in the marriage systems.

In other words, give the paper some more narrative elements that bring it alive throughout; this actually begins later on in the paper, but I think this can start from the beginning.

Secondly, I have raised here and there some points the author might consider as discussion issues that draw other scholars to see how anthropological data and ideas feed into their own paradigms of thought and practice.

It's a very interesting paper for one final reason: it makes the reader aware of how such practices, despite the advancement of society, hold their relevance to communities and villages, and therefore how this balancing of top-down

bureaucracy and governance must continually be served in the interests of real people and the patterns of life and livelihoods, deaths and dissolution of marriages, and care and protection of family and property rights.