

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

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This is a very interesting and well-written article. It clearly demonstrates the author's in-depth knowledge and understanding of Kandyan customs and customary laws. The language and expressions are flawless. Extensive examples from historical and anthropological studies on Kandyan community customs and practices have not only contextualized the scenario but also presented a situation in favor of the author's conclusive argument.

The paper puts forth the clear argument that the most appropriate interpretation of the customs of any traditional community can only be done in the context of their social practices and culture. It further argues that it is difficult for an outsider to have an in-depth understanding and interpretation of local customs and customary laws. The customary practices of marriage, succession, and inheritance in Kandyan society are very intricate, and when they are interpreted through codified law by a court (an outsider), there is a risk of the interpretation going beyond the spirit of local customs and social practices. The author has very succinctly communicated this message by taking the decisions of the Supreme Court against Doli Monika's claims.

The cases and conclusions of this paper capture not only the situations of Kandyan society but also have broader applicability in many South Asian communities. Nonetheless, it would have added value if some specific points on apparent differences between the court judgment and customary practices of Kandyan society were provided categorically. The recommendation of an independent panel and the engagement of social scientists in the review and recommendation process is a welcome approach.