

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

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The paper provides an analysis of the tensions between Kandyan customs and the interpretations by the Supreme Court of Sri Lanka. However, the effectiveness of the arguments is variable, and there are areas where further refinement or evidence would enhance the validity and strength of the claims made.

The argument against the Supreme Court's judgment being incompatible with Kandyan customs is well-founded, supported by references to the flexible and fluid nature of customary law. However, the argument would benefit from more specific examples of cases where judgments have deviated from customary practices, rather than relying largely on general statements.

Citing anthropological studies and historical examples provides a valuable background on the topic. Nevertheless, these sources must be up-to-date and directly applicable to the contemporary legal environment. The absence of such contemporary research could limit the persuasiveness of the argument.

While justifying claims by the comparison to original customs is a robust approach, the paper risks overgeneralizing the flexibility of customs and the alleged rigidity of legal judgments, which could be balanced by considering the reasons for the judgment's rigidity, such as the need for legal certainty and consistency.

The clarity of argument about the impact of the judgment on Kandyan customs could be improved by outlining specific discrepancies between the judgment and traditional practices. This would demonstrate a stronger, evidence-based critique of the judgment's fidelity to Kandyan customs.

The paper's conclusion highlights the need for an Interpretation Guide, which is a practical suggestion. However, this recommendation could be more compelling if it incorporated a thorough discussion on how the guide would be developed, who would oversee it, and how it would be implemented and enforced within the legal system.

The extract's reliance on previous research and scholarly work is valuable, yet it could better serve the argument if it included more recent or ongoing research that contextualizes these historical viewpoints within the modern legal system.

While the argument about daughters' succession rights makes theoretical claims, the absence of recent case law or statistical evidence limits the argument's compelling nature. The legal argumentation would gain strength from a more

balanced presentation that also examined counterarguments or alternative legal interpretations.

Finally, while the suggestion of creating an interpretation guide and appointing an independent panel appears constructive, the recommendation would be more convincing if accompanied by a clear action plan, identification of potential challenges, and mechanisms to ensure accountability and transparency in such processes.

In sum, while the paper's critical look at the usage of Kandyan customary law in recent Supreme Court rulings is meritorious, it would profit from more specific evidence, a modern context, and a comprehensive action plan for its recommendations.