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The paper discusses the socio-legal implications of recognising that Sri Lankan marriages can be solemnised according to customary/religious rites without conforming to a system of civil registration of marriage. It traces the history of civil registration of marriage in this country and the socio-legal rationals that led to recognition of marriages solemnised according to customary forms of different communities without the observance of the form prescribed by marriage laws enacted for the purpose of affording better proof of marriage, i.e. by registration. The implications of non-registration of marriage for the legal rights and responsibilities of individuals who belong to the family unit, especially in regard to inheritance and support is discussed with reference to cases that have surfaced in courts. It is observed that contradictions and anomalies occur due to lack of consistency in the statutory policy regarding registration that has been adopted in respect of the Kandyan and Muslim communities.

Judicial decisions in the past have been careful to confine the 'Customary marriage' within narrow limits so as not to undermine the existing statutory policies on civil registration of marriage. A recent Supreme Court decision has however reopened the controversy between Church and State at the beginning of British rule, presumably settled by firm administrative policy, by recognising a 'Christian customary marriage'.

The major finding of the study was that

the recognition of customary/religious marriages undermines contemporary social and legal values in regard to the marriage relationship, perpetuates different standards for different communities and has no relevance for Sri Lanka today.

The paper concludes with a discussion of the importance of developing a uniform legal policy on civil registration of marriage in a context where the concept of customary/religious marriages no longer has relevance to contemporary conditions in Sri Lanka.