

A Historical study of the crime and punishment in pre-modern Sri Lanka

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All organized societies through out history inflicted punishments for crimes. This was done in accordance with laws accepted by each society. A given law was enforced when a person committed an offence. Present legal system consists of two parts, namely, civil law and criminal law. Civil law pertains to laws of the society such as those dealing with marriage, lands, property, health, water management etc. Criminal law relates to crimes such as theft and murder. Criminal law too consists of two parts, namely iniquitous and non- iniquitous crimes. Grave crimes carry the penalty of death or life- imprisonment. In the case of a less serious crime, the punishment is light.

In the present research, attention will be focused on main civil offences of the pre- modern Sri Lanka such as damaging property, and criminal offenses such as murder, treason, robbery and theft, adultery and illegal animal slaughter. Special attention will be paid to punishments meted out for these crimes. Attention will also be paid to methods of arresting criminals.

The research will mostly be based on primary sources such as Pali chronicles, commentaries and Sinhala literary works such as the Pujavaliya, Saddharmarathnavaliya and Saddharmalankaraya. Wherever necessary other materials will also be obtained from limited secondary sources published on the ancient legal system of the island.

Key words: Crime, Punishment, Civil law, Criminal law, Criminals, Sri Lanka

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