

**The Liberalization of the Sri Lankan Divorce Law under the
General Marriage Ordinance; In line with developments
made in Fiji Islands.**

A Dissertation By

Chandani Dias

Supervised by

Dr. Rose Wijesekara



**Submitted in partial fulfillment of the requirements
for the award of Master of Laws.**

**GENERAL SIR JOHN KOTELAWALA DEFENCE UNIVERSITY
SRI LANKA**

2021

PERMANENT REFERENCE

ABSTRACT

The Liberalization of the Sri Lankan Divorce Law under the General Marriage Ordinance; In line with developments made in Fiji Islands.

Chandani Dias

GENERAL SIR JOHN KOTELAWALA DEFENCE UNIVERSITY, SRI LANKA

This dissertation sets out to explore the current divorce grounds under the General Marriage Ordinance and to find most suitable liberalized ground for divorce. The current divorce law system is based on the fault base theory which is unjust, and may exacerbate bitterness, distress, and humiliation. The law could facilitate and not create conflicts. The sole purpose should be providing economically, accessible process with minimum bitterness distress and humiliation. For the purpose of finding a suitable solution selected one of the commonwealth countries which recently evolved from fault base theory by introducing an innovative piece of legislation. The first phase of the dissertation discusses about the present law in Sri Lanka and the second phase is deals with the Fiji Family Law Act, and the new developments. Third phase reviewed most of the literature found in Sri Lanka under this topic and the reform proposals already drafted by the Advisory Committee to the Ministry of Justice. Furthermore, it reviewed research from Fiji Island. The whole dissertation is based only on library research.

Key Words; **Divorce, Fault base, irretrievable breakdown**