

# *Law and the Chinese in Southeast Asia*

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*Law and the  
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edited by  
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# PREFACE

This collection of essays emanate from a conference held at the Australian National University in 1998 on the subject of “Law and the Chinese Outside China.” As it happened, the majority of the papers were concerned with the Southeast Asian diaspora Chinese, particularly in French Indochina and Vietnam, Malaysia, Singapore, and Indonesia; these areas are the main foci of this collection.

Two things very quickly became apparent from the material. First, from the legal perspective, it falls into one of three classes. These are: (i) Chinese legal thought outside China, (ii) laws *of* the diaspora Chinese and (iii) laws *for* the diaspora Chinese. In chapter 1, I attempt a detailed description of this classification.

Secondly, the idea of “Confucian” or “neo-Confucian” appears in a number of guises. It may be that a more purely analytic rather than merely descriptive study of diaspora Chinese law could usefully concentrate on this usage.

The authors and I are well aware that this collection is a preliminary contribution to this subject and that much remains to be done, especially in the West and South Pacific. Do our initial three classes hold up, and what of “Confucian” in these areas?

Funding for the 1998 conference was provided by the Chiang Ching-Kuo Foundation to whom we express our thanks. Thanks are also due to Professor Wang Tay-Sheng of the National Taiwan University. We also acknowledge the Faculty of Law, Australian National University for providing the funding for the index done by Mr Alan Walker.

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