

Kedah Laws: A Glimpse of the Working of a Malay Polity

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The state of Kedah can be considered one of the oldest states in Malaysia. The state emerged as early as 2nd century of the Christian Era. Its strategic location at the northern sector of the Strait of Melaka as well as its bountiful local produces served as a catalyst for its development. Local traditions attested that it has been ruled by a local dynasty since 12th century. With the advent of Islam in the Malay Archipelago, its ruler embraced Islam and visited Sultanate of Melaka in 1474. The port of Kedah together with Aceh and Patani became more important in the region after the fall of Melaka to the Portuguese in 1511. This paper intends to look into provisions of Kedah Laws which has been promulgated in 1650. The laws are divided into three main parts –(i) port laws; (ii) agricultural laws; and (iii) laws on the rights and duties of the rulers and aristocrats. This study is a basically a legal analysis using qualitative approach. Influences of Islamic law and Malay customary law are also found in the Kedah Laws. Comparisons with Melaka Maritime Laws are also made. The study found that the Kedah Laws has distinctive characteristics as compared to the laws of other Malay states especially in port matters.

Palm Leaf Manuscripts as a Data Source for Legal Analysis and the Ongoing Development of the Substantive Rule of Law in Myanmar (Burma)

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This paper argues that the palm leaf manuscripts of Myanmar (Burma) are a largely untapped data source for legal analysis. Part II outlines the nature of palm leaf manuscripts as a data source. Part III adopts a comparative stance and considers where pre-colonial data sources have been utilised in other jurisdictions for the purpose of undertaking legal analysis. Part IV seeks to identify future research questions which may be considered with reference to palm leaf manuscripts as a data source for analysis within Myanmar (Burma).

**Discrimination and Correction of the Doctrine of "*Confucianization of Law*": A
Concept-Based Review**

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The proposition of "*Confucianization of law*" (法律儒家化) put forward by Mr. *T'ung-Tsu Ch'ü* (瞿同祖, 1910-2008) in his famous academic book called "*Law and Society in Traditional China*" in 1947 has a great influence in the field of legal history in China and in foreign countries, and even produces the English word (or term) "*Confucianization*". However, the concept of "*Confucianization of law*" is not comprehensive, which is a one-sided interpretation of ancient Chinese legal culture. In essence, it is a hypothesis of Mr. *Ch'ü* and should not be taken as the presupposition of Chinese legal history research. To distinguish the origin, concept and related disputes of the phrase "*Confucianization of law*" is helpful to clarify the context of "*Confucianization of law*" and discover the multicultural background of ancient Chinese legal culture.