The Straits Chinese: a bridge between two legal worlds

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A community of intermediaries

Not all Chinese in Singapore were recent migrants. A significant part of the early merchant elite came from Malacca, where Chinese families had lived for generations and had developed a distinct culture. These Peranakan Chinese, also known as Straits Chinese or Baba, descended from the first waves of southern Chinese settlers in the ports of maritime Southeast Asia. Many had intermarried with local families over the centuries, and they spoke Baba Malay, a creole related to Malay with many Hokkien words.[1] Tan Tock Seng, whose mother was Peranakan, belonged to this milieu, as did many of the Chinese merchants who followed Farquhar from Malacca to the new settlement.

The Straits Chinese occupied a particular position in the commercial and legal order. Born in the British settlements, they were British subjects. Many embraced Western education as a means of economic advancement, and by the twentieth century most were educated in English. Their knowledge of English, Malay and the Chinese world made them essential intermediaries between the colonial authorities

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and the Chinese population.[2] In commerce they served as guarantors, brokers and partners of European houses, as lawyers and clerks, and later as founders of banks and insurance companies.

Two legal worlds

The position of the Straits Chinese illustrates the coexistence of two legal worlds in colonial Singapore. On one side stood the English law of the courts, with its contracts, trusts and companies. On the other stood the customary order of the Chinese community, with its associations, oaths, arbitration and reputation. The Straits Chinese moved between the two. Their family affairs were governed by the modified English law described in Chapter III, which took account of Chinese custom in questions of marriage and succession. Their commercial affairs relied on both formal contracts and informal trust.

This dual competence gave them a commercial advantage that anticipates a feature of the modern financial centre. International business in Singapore today depends on people who understand both the formal rules of international law and regulation and the informal expectations of Asian family businesses. Lawyers, bankers and advisers who can bridge these worlds perform the same function that the Straits Chinese performed in the nineteenth century. Part J of this book examines how language and legal education shaped this bridging role after independence.

Notes

1. Wikipedia, “Peranakan Chinese” (accessed September 2026): an ethnic group descended from the first waves of southern Chinese settlers to maritime Southeast Asia, with origins particularly in Malacca; they spoke Baba Malay, “related to the Malay language, which contains many Hokkien words”. ↩
2. Wikipedia, “Peranakan Chinese” (accessed September 2026): by the twentieth century “most Peranakan were English or Dutch-educated”; they “readily embraced Western culture and education as a means to advance economically”

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and became middlemen between British authorities and Chinese populations. ↩

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