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The Encounter of European and Indigenous Law in 19th and 20th-Century Africa and Asia

Edited by **W.J. Mommsen**, Professor of History, University of Düsseldorf,
and **J.A. de Moor**, Research Fellow, University of Leiden

The history of European expansion overseas also includes the history of the expansion of concepts and principles of European law into the non-European world. The values and ideas it expressed have, to this day, deeply influenced indigenous societies and governments. At the same time indigenous concepts of law were 'discovered' and codified by European scholars. The outcome of this was a complex and intense interaction between European and local concepts of law, which resulted in many dual legal systems in the African and Asian colonies and which is examined in this volume by prominent historians, lawyers and legal anthropologists.

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In this collective volume one of the most dramatic consequences of the expansion of Europe is analysed. Why is it that now many millions of ex-Europeans live in the Americas, while so few are present in Asia and Africa? Why were Africans most absent in the flow of migrants after the slave trade had been abolished? How many Asians participated in intercontinental migration and were they able to benefit from it as much as the Europeans did or did Asian migration resemble that of the Africans? While addressing these wide-ranging questions, the authors focus on the same set of main issues: i) push-pull factors, ii) the demography of the sending regions, iii) female migration, iv) transportation, v) integration or isolation in the receiving areas, vi) return migration, vii) capital movements related to migration.

The general conclusion of the volume is that most migrants indeed improved their position by migrating and that intercontinental migration has, until now, largely been the prerogative of the Europeans. The history of migration seems to suggest that migration between the continents will increase and that the participation of the Africans and Asians will rise dramatically.

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