simplification and critical discussion of the London Code. That discussion is both meticulous and lucid.

This book reveals a high degree of complexity and sophistication in London insurance customs in the late sixteenth century. The author suggests that the London Code exhibited a considerable bias against the interests of the insured. The author offers various explanations for this, notably the new and undeveloped character of the insurance market. For insurers that market posed great dangers and risks, which were therefore regulated in their favour. The book also reveals strong ties with Continental practice and a body of English customs (closely related to Continental customs) operating as a viable alternative to the common law. But the concluding lines of the book foreshadow the progressive replacement of mercantile courts with law courts.

There is one modern trend to which the book has relevance. The book examines in different places the weaknesses and strengths of arbitration compared to courts external to the mercantile community. The procedural unattractiveness of sixteenth-century courts made a preference for arbitration understandable. Today arbitration is almost totally triumphant over modern courts. Yet those modern courts are incomparably superior in point of procedure, not only to their predecessors, but also to modern arbitration. Modern arbitration, made compulsory by many ill-advisedly entered contractual clauses, is in many respects a scandalous institution. It is a procedure dominated not by the parties, but by their grasping lawyers, who secure delays and financial advantages connived at by arbitrators desirous by repeated re-engagement and unconcerned about the lack of drive and pace in the progress of proceedings. And the "law" enforced by arbitration is often not the actual law of the land against which the contract was written, but some new and unpredicted departure from it – a practice radically antithetical to Hayekian conceptions of the rule of law.

The non-specialist reader must stand in humble awe at the author's massive scholarship. It is scholarship conducted in numerous places. It is scholarship in primary sources written in several languages. It is scholarship obtaining little assistance from secondary works. The book is beautifully written. There is an occasional non-English usage. But the instances of this have not impeded communications. If anything, they have added charm and force, as non-mainstream writers of English often can. The work is a supremely impressive addition to the series of which it is a part, Cambridge Studies in English Legal History.

J.D. Heydon
Quondam Justice of the High Court of Australia

Conflict of Laws in the People's Republic of China. By Zheng Sophia Tang, Yongping Xiao and Zhengxin Huo. [Cheltenham: Elgar, 2016. lvii + 448 pp. Hardback £145.00. ISBN 978-1-84980-858-3.]

The rapid economic development of the People's Republic of China ("China") after it opened up its economy in 1978 has been nothing short of phenomenal. The growing international attention being paid to rising economies in Asia, the proposed new trade routes in China's announced "One Belt One Road" programme, and the renewed energy with which the country is throwing its weight behind the forces of international trade in the face of an unexpected wave of protectionism from the US, signal the rising importance of the role of China in international commerce.

The foreseeable increase in economic activities in the Asian region driven in large part by China will need support from legal services. Many of these economic activities are and will be cross-border in nature, and the resolution of disputes arising therefrom will call for the application of sophisticated rules of private international law.

The progress of private international law in China makes for a fascinating study in law and development. Unsurprisingly, private international law became a serious subject of academic study in the country only from 1978, and the academic research contributed significantly to the legal reforms in the country. Because of this late development, Chinese academics had extensively consulted foreign materials, from civil law as well as common law traditions. Gradually, China's own legal learning was also internationalised, with many Chinese academics writing for a foreign audience, including in the English language. *Conflict of Laws in the People's Republic of China* represents the next step forward, in consolidating much of the modern learning into a book. The book speaks with the authority of three Chinese law professors, one currently based in a UK university, and two others in universities in China. The book is written in – not merely translated into – English. The primary audience is clearly intended to be foreign lawyers and academics eager to learn about the subject. It fills a gap in English language publications, providing a consolidated perspective on the extensive modern developments in Chinese private international law, especially after the Law of the People's Republic of China on the Laws Applicable to Foreign Related Civil Relations ("Conflicts Act") of 2010 which substantially renovated nearly the entire area.

The structure of the book follows the style of classical conflict of laws treatises, and will mostly be familiar to lawyers from both common law and civil law traditions. The book begins with a historical overview of the conflict of laws in China. There is a discussion of the laws in ancient as well as the early post-communist revolution times, which will no doubt be of interest to comparative legal historians. Most readers will be more interested in the second half of the chapter detailing the legal developments in the last three decades, explaining the modernisation of its private international law in the 1990s, and the second phase of modernisation represented by a number of key developments including the enactment in 2010 of Conflicts Act and the judicial interpretations of the Conflicts Act by the Supreme People's Court ("SPC") beginning in 2012. The next part of the book deals with general questions (including characterisation, *renvoi*, incidental questions, proof of foreign law, mandatory rules and public policy). In this part the authors discuss the perspectives of scholars in China on the rationale for private international law, as well as the sources of law. This part is crucial in order for external readers to understand the technical operation of private international law in China. Although international treaties and national laws are obvious sources of law, the authors point out two other significant sources. One is the judicial interpretations by the SPC, which are authoritative formal pronouncements on the interpretations of and approaches to specific statutes; several have been handed down in the area of private international law. Another important source of law, given the existence of many gaps and ambiguities in the legislation, is case law. Thus, the book pays considerable attention to Chinese case law on the conflict of laws, which explains the long list of cases in the tables, and the considerable attention paid to case law in the text.

The chapters which then follow deal with familiar topics of private international law: jurisdiction, declining jurisdiction, procedure, recognition and enforcement of foreign judgments and arbitral awards, choice of law in contract, tort, unjust enrichment and *negotiorum gestio*, property and intellectual property. A special chapter deals with how interregional conflicts of law are approached in the country in view of the curious situation where there is no overarching judicial body with jurisdiction over the different legal systems of the mainland as well as Hong Kong SAR, Macau and Taiwan. The book concludes by picking up the themes of internationalisation, pragmatism, standardisation and modernisation that have affected the development of Chinese private international law, and the key challenges that it faces.

Many of the recent reforms were adapted from modern developments elsewhere, such as the idea of party autonomy and the concept of characteristic performance for contracts, the notion of *forum non conveniens* in jurisdiction, the primary role of the *lex loci delicti* for torts, and the use of residence as a personal connecting factor. Although private international lawyers outside China will find much in the book to be familiar, they will also find much materials in the book that are unique to Chinese law. For example, readers will find the discussions of party autonomy and characteristic performance in contract choice of law to be familiar, but are likely to be struck by the peculiarity that there is no provision in the law for inferred party choice of law. Similarly, readers are likely to be familiar with the discussions on the distinction between contractual and property issues in transactions relating to movables, but are also likely to be bemused by the employment of unrestricted party autonomy as a basic principle to determine the law applicable to movable property, possibly even to the detriment of third parties. These, and manifold other issues that are bound to arise in early iterations of codes, are discussed in a lively manner by the authors.

This book provides not only a concise description of the various aspects of Chinese conflict of law in civil and commercial law, but also a pragmatic perspective on the law in practice in the Chinese courts. The authors take a critical approach in explaining the law in its social and economic context, and explore constructive approaches where there are gaps or problems in the law. For example, the authors suggest the abandonment of the reciprocity requirement for the recognition and enforcement of foreign judgments, and the restriction of party autonomy for issues of title to movable property. It is noteworthy that in discussing the problems associated with parties' choice of forum, the authors predicted that China would sign the Hague Convention on Choice of Court Agreements, an outcome that came to pass when China became the second Asian country (after Singapore) to sign the Convention in September 2017. Much thought has also been put into the presentation of references to materials published in the Chinese language. In the text and references, they are presented in pinyin (romanised transliteration) and translated versions for ease of reading, while the tables and bibliography additionally provide the original Chinese ideographs for completeness of reference. However, a few eggcorns appear to have escaped the attention of the proof-readers, such as "jurisdiction" ("judicial") at p. xiv, "course" ("cause") at para. 10.01 and "literately" ("literally") at para. 11.25. On the whole, these are minor and infrequent and do not detract from a highly readable work.

This book focuses on civil and commercial law to the exclusion of family matters (though a future book project on the latter is promised). For now, readers who need to dip into topics related to personal laws (ie, family and succession issues) may consult the nearly contemporaneous *Private International Law in China* (2016) by Tu Guangjian, which has greater coverage of topics but is on the whole more compact in its treatment.

It is fair to say that as the first book to be published under the banner of the Elgar Asian Commercial Law and Practice Series, *Conflict of Laws in the People's Republic of China* has given the series a running start. This book is a valuable resource for English-speaking academics and practitioners who are interested in the theory and practice of private international law in China. It has the potential to grow, with subsequent editions, into a leading treatise in the English language on Chinese private international law.

T.M. Yeo
Singapore Management University

The Codes of the Constitution. By Andrew Blick. [Oxford: Hart Publishing, 2016. xi + 260 pp. Hardback £59.99. ISBN 978-1-84946-681-3.]

Amidst far-reaching and obvious constitutional change of the scale of leaving the EU, it is easy to lose sight of other less prominent and subtler changes. One such change is the proliferation of codes, concordats and texts that furnish official accounts of many of the UK's most important constitutional rules and principles. Examples include the Cabinet Manual, the Ministerial Code and the Civil Service Code. In *The Codes of the Constitution*, Andrew Blick examines this process of "codification". In public law, this term is more commonly used to denote the process whereby a customary "unwritten" Constitution is transformed into an entrenched "written" Constitution. However, Blick uses the term in a broader sense to denote the formalisation of constitutional rules and principles into official, publicly promulgated and typically (but not always) non-legal texts. Like so much constitutional change, the gradual codification of what Peter Hennessy termed "the hidden wiring" of the UK Constitution has tended to occur haphazardly, through discrete projects, yet it has also unleashed wider change of its own. The very act of preparing so many codes creates the impression that codification is itself part of good governance. The causes and consequences of the progressive codification of the UK Constitution have not received sustained scholarly attention. This book is a welcome exception.

Blick's starting point is that codification is "a literature project of breathtaking scale, scope and complexity". His aim is not merely to study the content of constitutional codes, but also the political contexts in which codification occurs; "as well as looking *at* codes", Blick seeks "to look *behind* them". Part One examines the phenomenon of codification (its origins, growth and impact), while Part Two discusses the content of various codes. Throughout the book Blick has a selective focus, concentrating for the most part on UK-wide codes, with an emphasis on codes relating to the executive, rather than codes made by the devolved institutions. Selectivity helps to ensure that Blick's task is manageable. It also builds on his previous research into the civil service and the office of prime minister. But it does so at the cost of potentially revealing comparisons of how codes are drafted and deployed across the UK's territorial Constitution. Amongst Blick's dominant interests are the motivations of the actors responsible for preparing codes. Blick maps close connections between the codes and the culture, priorities and needs of the civil servants who were responsible for drafting them. Another of Blick's chief concerns is how codes can subsequently shape the political environments from which they emerge. One of the book's central themes is that codes not only reflect how actors perceive relevant rules and principles in a specific political environment, but can also help to re-fashion perceptions of that environment.

In chapter 1 Blick offers a review of the historical origins of codification. It makes for rich and rewarding reading. He traces codification to the culture of note taking that is so deeply ingrained within the civil service, pointing to significant milestones

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