

patricians yielded on private law and civil procedure, but retained a monopoly of sacral and public law. Thus, for the citizen body as a whole, law meant private law.

Interpretation of this law was entrusted to the small college of pontiffs, who would always also have held high secular office. After 300 bc secular jurists emerged, but they came from the same Top 300 of the Senate. Their personal authority was sufficient to provide undisputed (except among themselves) interpretation of statute, and to influence the Praetor's Edict. This authority survived into the Empire; their opinions and writings continued to make law.

Jurists interpreted rather than reformed for reasons of traditional prestige. Their argumentation, originally concerned with sacral law, was based on internal legal logic rather than circumstances; for example, the SC Silanianum ordered the torture of slaves owned by a citizen murdered in his own home "since otherwise no home can be safe", but a *bona fide* possessor was denied this protection. This reliance on autonomous legal logic explains the continuity over a millennium of Roman law.

O. F. ROBINSON

Taiwan Trade and Investment Law. Edited by MITCHELL A SILK. [Hong Kong: Oxford University Press. 1994. xvi + 691 pp. ISBN 0-19-585289-3. £90]

THIS is a study covering all major aspects of trade and investment law in Taiwan. It is the product of a group of legal practitioners, academics and government officials. All contributors, whether or not American, have had some legal training in the US, which more or less reflects the strong American influence on Taiwan and its current legal system, in particular its commercial law.

The book consists of 29 articles which are further grouped into six chapters. These deal with (1) background, (2) international trade, (3) foreign investment, (4) Taiwan's investment abroad, (5) companies, banking and finance, and (6) dispute resolution. Since the book is prepared primarily for a readership consisting mainly of Western businessmen and their legal advisers, most topics are treated in a direct and concise manner, although each topic is sufficiently discussed and supported by extensive endnotes. The law is stated as at the end of 1993.

The last comprehensive English-language study of Taiwan's foreign trade and investment law was published in 1985 (H. H. P. Ma (Ed.), *Trade and Investment Law in Taiwan: The Legal and Economic Environment in the Republic of China*, Institute of American Culture, Taiwan, 1985). Since then, significant changes have taken place in Taiwan's commercial field, which include a liberalisation of foreign exchange control, a great improvement in the protection of intellectual property rights, a rapid expansion of Taiwan's investment abroad and a fast-growing securities market. All these have necessitated corresponding changes in the law. Also, Taiwan's economy has become "too large to be ignored" by the international community. Therefore, the publication of this book is particularly welcome.

YUAN CHENG

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