律师须知的技术与分类

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为数字资产提供咨询的律师无需编写代码。但她必须准确知道，哪一项技术事实会产生哪一种法律后果。瑞士关于托管人破产时资产隔离的规则，取决于谁持有私钥以及钱包能否归属于某位客户。新加坡的牌照边界取决于一项服务是否“买卖”或“促成交换”数字支付代币，而这又取决于提供商是否曾占有或控制该代币。税务机关在判断质押奖励是否属于收入时，需要知道验证者做了什么，以及奖励何时可以自由处分。这些问题无一不是首先是技术问题。

因此，本部分做两件事。首先，它以从业者所需的详细程度解释分布式账本技术，然后就此打住。椭圆曲线数学或拜占庭容错，只解释到产生法律后果为止。其次，它阐述瑞士法和新加坡法据以将代币归类的分类体系，将其与读者的交易对手会使用的欧盟MiCA分类进行比较，并逐一分析每一次分类工作最终都会遇到的疑难情形。稳定币、代币化现实世界资产、去中心化金融和去中心化自治组织各自单设一章，因为每一项都涉及一组具有法律意义的独特技术事实。

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监管和私法上的后果本身在第D、E、J和K部分论述。本部分如述及某项法律规则，目的只在说明该技术事实为何重要，随后会给出交叉引用。已了解相关技术的读者可直接跳至第III章。已了解分类体系、但从未通过区块浏览器追踪过一笔交易的读者，应格外仔细地阅读第I章，因为大多数咨询错误正源于此。

第VIII章的术语表汇集了本书使用的所有技术术语。在术语表中有定义的术语，一经引入，在正文中不再另作解释。

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