



Universidad del País Vasco / Euskal Herriko Unibertsitatea  
DEPARTAMENTO DE Dº ECLESIÁSTICO DEL ESTADO Y Dº ROMANO  
ESTATUKO ZUZENBIDE ELIZTAR ETA ZUZ. ERROMATAR SAILA

Prof. Dr. José Luis Alonso

## Curriculum vitae

### Personal Data

José Luis Alonso

Born in Orense, Spain, 30.07.1969

Professor at the Faculty of Law, University of the Basque Country

### Accademic Career

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|-------------------------|------|---|
| Sept. 2009 (until 2013) | June | Professor for Ancient History and Legal Papyrology at the University of Warsaw (Faculty of History, Institute of Archaeology, Department of Papyrology) |
| Oct. 2001 (to date)     |      | Tenured Professor at the Law Faculty of the University of the Basque Country (Department of Roman Law and Law of Religious Denominations).              |
| Feb. 1999               |      | Temporary Professor at the Law Faculty of the University of the Basque Country  |
| April 1997              |      | Adjunct at the Law Faculty of the University of the Basque Country  |
| Dec. 1996               |      | Doctor of Law at the University of Santiago de Compostela (Doctor Europaeus)  |
| June 1992               |      | Law Degree at the University of Santiago de Compostela  |

### Research Overview

The kernel of my research to the present date has been private law, particularly obligations and real securities. My work in these fields arises from an interest in the structure of legal institutions in ancient legal thought and practice. Thus: the correlation between function and structure in the complex legal transaction known as delegation, as developed by the Roman jurisprudence (Schriftenverzeichnis, Selbständige Schiften 1, 2, 3); the related notion of *iussum* (Aufsätze 2, 3, 5; Vorträge 2, 3, 4, 10, 11, 12, 24); the rise of the structural idea of accessoriness for real securities in Roman legal thought (Aufsatz 7; Vorträge 13, 14); the contrasting structure of hypothec in the Greek tradition as a form of pure real liability; the creation, in the later Hellenistic world, of *hypallagma* as an alternative legal structure for mortgaging (Aufsätze 8, 10); the legal devices developed in Roman Egypt to secure the pre-eminence of the the creditor against a possible third party, widely diverging from those of the Roman tradition (Aufsatz 9); recently, also, the legal structures developed around the idea of *pistis* in the contractual practice of the papyri (Aufsätze 11, 17, Vorträge 33, 36, 48, 51); in that same practice, the role of risk-clauses,

strict liability and fault-based liability in defining the debtor's liability (Aufsatz 12, Vortrag 23).

In the last decade, my attention has turned to the legal practice of the papyri, an interest nurtured at the department of Papyrology of the University of Warsaw, home to the leading publication in the field, the *Journal of Juristic Papyrology*. It is, in my view, urgent to reconstruct the bond between papyrology and Roman law: the union between both disciplines, incarnated in the early nineteenth century by the school of Ludwig Mitteis, has given way to an isolation that has been quite negative for both. Papyrologists, in particular, have been left abandoned to their own forces, without the assistance of legally trained experts, facing an enormous mass of documents whose nature is prevalently legal.

Crucial is also today, in a moment of growing interest on ancient law among British and American ancient historians, to avoid that the (reciprocal) mistrust between them and a continental scholarship often perceived as excessively analytical degrades into two parallel scientific traditions. In this sense, networks like the Edinburgh based 'Ancient Law in Context', to which I belong, where legal historians and ancient historians work together, will be important for our future.

The contrast between Roman law and the rich array of legal traditions present in the papyri (particularly the Greek legal *koinê* of the Hellenistic and Roman Eastern Mediterranean) has made my research veer towards the field of comparative law - a shift not unheard of, for which Ernst Rabel is an eminent precedent. The many faces of Legal pluralism in Antiquity (Aufsätze 13, 15, Vorträge 31, 37, 46, 50, among others), a topic that the English speaking scholarship has brought back to the center of the discussions in our field, have become increasingly relevant to my own research. An ambitious research project in this field, joining Spanish romanists and Polish papyrologists, has been recently approved under my direction by the Spanish Agency of Scientific Research.

Legal Sociology is also increasingly relevant for my research. The socio-legal questions that rise from the practice of the papyri with absolute immediacy have led me to cooperate with the Oñati Institute for the Sociology of Law in a series of courses and workshops, starting with an interdisciplinary meeting in July 2016 on 'Legal Experts and Legal Expertise in the Ancient World'.

Other than at the University of Santiago de Compostela and the University of the Basque Country, I have developed my research at the Leopold Wenger-Institut in Munich (regularly, since 1995 to 2000), the Freie Universität in Berlin (2004), and the Department of Papyrology and Chair of Roman Law of the Warsaw University (Biblioteka Prawa Rzymskiego i Antycznego im. Rafała Taubenschlaga: regularly, since 2005).

I have been part of the team of the Oxford Handbook of Roman Law and Society, and of the new *Handbuch des Römischen Privatrechts*.

## **Other Merits**

I am member of the scientific committee of the *Revue internationale des droits de l'Antiquité* (RIDA), Liège; the *Quaderni Lupiensi di Diritto Romano*, Lecce; and *Edukacja Prawnicza*, Warsaw.

I belong to the *Société d'Histoire du Droit*, the International Association of Papyrologists (AIP), and the network 'Ancient Law in Context', based at the University of Edinburgh. I am founding member of the Spanish Papyrological Association (*Asociación Española de Papirología*), and the DUCTVS project (devoted to the Spanish Papyrological Funds: <http://dvctvs.upf.edu>).

I have been member of the Organising Committee of the 27th International Congress of Papyrology, Warsaw 2013, and belong to the Scientific Committee of the 28th International Congress of Papyrology, Barcelona 2016.

The commission of the sixth Premio Romanistico Internazionale Gérard Boulvert singled out my book "Estudios sobre la delegación I. La doble atribución patrimonial" (Santiago de Compostela 2001-2002) as one of the two best first romanistic monographies in the period 2001-2003. The book was awarded the prize "Federico del Rosso", especially instituted for the occasion ([http:// www.premioboulvert.unina.it/ pdf/ relazione\\_sesto\\_premio\\_2004.pdf](http://www.premioboulvert.unina.it/pdf/relazione_sesto_premio_2004.pdf)).

I currently lead a research project, financed by the National Science Centre of Poland (Narodowe Centrum Nauki), UMO-2012/05/B/HS3/0381916, on 'The Legal Structure of 'Real' Securities in the Law of the Papyri' (Konstrukcja prawna "rzeczowych" umocnień wiarytelności w prawie papirusów), and a project, financed by the Spanish Ministry of Economy and Competitiveness, DER2015-67052-P, under the title 'Center and Periphery in the Legal Discourse and Legal Practice of the Roman Empire'.