

Beloved Professor Hespanha

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Abstract

Professor Hespanha as a humanist, teacher, and researcher.

Keywords

Humanist, Teacher, Researcher, Student, Law.

Resumo

O Professor Hespanha enquanto humanista, docente e investigador.

Palavras-Chave

Humanista, Professor, Investigador, Aluna, Direito.

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My first memory of Professor Hespanha dates back to 2002, the year that I entered the Faculty of Law of the Universidade Nova de Lisboa. That morning, I had History of Law as part of my schedule, and I was extremely excited. History had always been one of my favorite subjects. I was eighteen and everything was new. While the place was very lively, everything was also unpredictable and unexpected, ranging from the subjects themselves to the new requirements, including even my fellow students. So, having history as one of my first subjects made me very happy.

When the class started, Professor Hespanha presented himself in an incredibly entertaining and carefree way, which, as I later came to realize, was so characteristic of him, everything being delivered with the lightness and nonchalance that only geniuses can have. As soon as he started talking about the different topics that we would be covering throughout the year, the professor's eyes started to shine, and the deeper he delved into the subject, the more eloquent and enthusiastic he became.

I was fascinated! I had never taken classes with a person who not only conveyed so much passion for the subject he taught, but, at the same time, managed to do so in an absolutely captivating way and with such joy (and constantly interspersed with jokes). I remember talking to my classmates about how energizing and inspiring Professor Hespanha's lesson had been.

The weeks passed, and it became evident that, in addition to being a fantastic teacher, Professor Hespanha was someone that all his students liked to bump into in the corridors of the University. Not only did he always have a friendly word to say, he also always seemed to be genuinely interested in knowing our opinion about the classes. He showed a touching concern about how each of his students was adapting to university life.

During one of these conversations, I confessed to him that I had always dreamed of studying history, and that I had simply not done so because of the limited professional outlets that the subject offered. With his customary air of someone who already knows what is going to happen, he said to me: "Maybe, one day soon, you will understand why you chose to study Law." And off he went to his next class. It was only much later, when reading an article of his in the *Jornal de Letras e Ideias*, that I learned that he too had switched his course of study from history to law, although for other reasons! The weeks passed and, one day, at the end of a class, Professor Hespanha asked me to wait behind, and then he surprised me with an incredible invitation: he invited me to participate in a research project on colonial law.

The professor believed that researchers should not be individualistic but should instead place themselves at the service of the community. He was therefore most enthusiastic

about making valuable sources available to the research community. In order to pursue this goal, over the years, the Professor gathered together a large team composed of students from the School of Law who were enthusiastic about history, and who, under his own guidance and that of his colleague Professor Cristina Nogueira da Silva, were entrusted with the task of digitalizing the main works and pieces of legislation from the various branches of law. This work was pioneering in Portugal, not only because of the collection that it put together and made available to researchers, but, above all, for the way in which it involved students from a Law Faculty in scientific research projects and teams.

And so, a new phase began in our relationship. I came to discover entirely new aspects of the professor's personality, namely that he was a naturally creative person, as well as an excellent and charismatic group leader. With his customary generosity, Professor Hespanha taught us in his classes and in the scope of our research work that, to understand history, we cannot wear our "spectacles of the present." We must distance ourselves from the present and immerse ourselves in the mentality of the past, of the time that we seek to understand, as he used to say (and do).

In each class, or in response to some particularly unusual comment about any custom or practice from the past, Professor Hespanha reminded us that this objective practice was essential. Somehow, thanks to Professor Hespanha, this metaphor of wearing someone else's spectacles, or spectacles from another time, in order to better understand something or someone, has become a motto of my own life. It is one of the tools I use most in my daily life.²

It is, in fact, incredible just how well Professor Hespanha was able to transmit to his students and researchers not only his knowledge about historical facts, but also, in a sometimes more veiled or almost innocent way, to contribute so profoundly to the development of the emotional intelligence of his students. He was one of the most complex, entertaining, knowledgeable, generous, and brilliant people I have ever met, if not the most.

It was unbelievable how Professor Hespanha made us feel "at home." He always had a smile and a hug ready to welcome all his students. These smiles were usually accompanied by an incisive joke, as everyone who ever had the pleasure of meeting him certainly remembers with nostalgia.

I feel fortunate to have had the opportunity, throughout my five-year course, to attend all the classes taught by Professor Hespanha and, on a daily basis, to have worked

² Among his works, I highlight *Cultura jurídica europeia. Síntese de um milénio* (2004); *Guiando a Mão Invisível: Direito, Estado e Lei no Liberalismo Monárquico Português* (2004); and *O caleidoscópio do direito. O direito e a justiça no mundo dos nossos dias* (2007).

with him on his research projects. This collaboration not only had a profound impact on the way I look at history today, but also, and mainly, on the way I relate to others. Thanks to Professor Hespanha and the tools that he so generously provided, I was able to relearn history (with my new “spectacles”) and to acquire new knowledge, since he has fortunately left us with an extensive bibliography full of valuable information.

I believe that the main lesson I learned from Professor Hespanha had to do with my relationship with others. Every day, I seek to follow his teachings (I hope, in a genuine and faithful way), making a continuous effort to eliminate prejudice from my thoughts and ensuring that my approach to situations and people is always empathetic. I am therefore certain that in addition to sharing his knowledge through his countless classes, conferences, books, papers, etc., Professor Hespanha left behind yet another major contribution: the gift that he made to his students and to those who lived with him of an enormous sense of justice and the need to fight for it.

Ulpiano, one of the leading jurists of Ancient Rome, described the law as follows: “*Iuris praecepta sunt haec: honeste vivere, alterum non laedere, suum cuique tribuere*” (“The basic principles of law are: to live honorably, not to harm any other person, to render to each his own”).³ In my opinion, Professor Hespanha’s greatest legacy was to communicate to each of his students this mission of seeking and fighting for justice and liberty. As was his prerogative, Professor Hespanha was right: in fact, I was able to understand my choice to study law.

For these reasons, and so many others, I am so grateful to have had the opportunity to have crossed paths with, and to have been “marked” for life by our dear professor.

³ Ulpiano, Justinian’s Digest 1.1.10.1; Institutiones 1.1.3, edd. *Corpus juris civilis* (2018).

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