

ISABEL GRAES

**Category:** Associate Professor at the Law Faculty, University of Lisbon

**Areas of Interest / Research:**

History of Law

History of judiciary law

Legal Philosophy

History of Civil Procedure

History of Constitutionalism

Roman Law

**Academic Degrees:**

Law graduation (1994)

Master in Law (speciality of History of Law, 2002)

PhD, in Law, specialty of History of Law, with the thesis "From the Supreme Court of Justice to the deconstruction of the Judicial Power in the 19<sup>th</sup> century", by Lisbon University, 2012, *summa cum laude*

**Member of international networks:**

Iuris, Interdisciplinary Investigation Institute (Lisbon University)

Theory and History of Law Investigation Centre (Lisbon University)

History of Law and Legal Philosophy Institute (Lisbon University)

**Member of scientific journals:**

Redactor correspondant at *e-legal History Review*, *Studia Legalia Hispanica Rescripta*, Iustel

Member of the editorial council of the Lisbon Law Review (2017-2018)

Member of the editorial council of the Theory and History of Law review (Theory and History of Law Investigation Centre, Lisbon University)

**Participation in international research projects:**

1. *El estado de partidos: raíces intelectuales, rupturas y respuestas jurídicas en el marco europeo*, Agencia estatal de Investigación do Ministerio de Ciencia, Innovación y Universidades de España, referencia PID2021-124531NB-I00;
2. *La trascendencia del Tribunal Supremo dentro de la conformación del derecho penal español entre 1870 y 1995*, Agencia estatal de Investigación do Ministerio de Ciencia, Innovación y Universidades de España, referencia PGC2018-097564-B-100;
3. *"Derecho a entender el Derecho"*, no ámbito dos *Proyectos Aprendizaje-Servicio Complutense*, Universidad Complutense de Madrid, Espanha;

4. *Proyecto 100- Estrategias para concienciar al estudiante de la necesidad de un lenguaje jurídico claro e inclusivo”, da Universidade Complutense de Madrid, Espanha;*
5. Researcher at the Savigny Research Group of the Universidad Complutense de Madrid (<https://www.ucm.es/grupos/grupo/237>);
6. *Control y responsabilidad de los jueces: una larga experiencia (DER2013-44216), do Ministerio de Economía y Competitividad (Secretaría de Estado de Investigación) de España*
7. Member of the research project Corpus Pombalino, para uma Obra Completa Pombalina (OCP)” with the coordination of the “Justice and Public Order”. Project dir. by José Eduardo Franco, Pedro Calafate and Viriato Soromenho-Marques, Universidade Aberta, University of Lisbon, Instituto Europeu de Ciências da Cultura Padre Manuel Antunes, University of Coimbra and the brasilian universities of Sergipe, São Paulo and Rio de Janeiro.

#### **Coordinator and IR of national research projects:**

Dictionary of the Admiralty (Iuris/Academia de Marinha)

Legal and archival treatment of the documentation of the manuscripts Collection of the Ministry of Judicial and Ecclesiastical Affairs during the years 1820-1823 (2017-2019)

#### **Other Professional Activities:**

Lawyer

Jurist of the Portuguese Account Court (1996-2018)

#### **Most Relevant and Recent Publications:**

##### **Monographs:**

1. Themes of History of Justice, AAFDL, Lisboa, 2021, ISBN 978-972-629-668-3;
2. Index of handwritten laws from the Pereira and Sousa-Mendonça Cortês Collection of the Library of the Faculty of Law of the University of Lisbon, AAFDL, Lisbon, 2021, ISBN 978-989-9091-06-1
3. History of Justice, Collection of judicial sentences (12<sup>th</sup>-20<sup>th</sup> centuries), AAFDL, Lisbon, 2019, ISBN 978-972-629-333-0;
4. History of Justice, historical legal texts, AAFDL, Lisbon, 2018, ISBN 978-972-629-257-9;
5. Collection of Portuguese Legal Philosophy texts (2<sup>nd</sup> vol.), AAFDL, Lisbon, 2018, ISBN 978-972-629-237-1;
6. Collection of Portuguese Legal Philosophy texts (1<sup>st</sup> vol.), AAFDL, Lisbon, 2017, ISBN 978-972-629-161-9;
7. The political power and the Justice in Portugal during the 19<sup>th</sup> century, AAFDL, Lisbon, 2014, ISBN 560-693-900-779-7;
8. Portuguese underwater cultural heritage and the law of the sea: general considerations, Revista Jurídica, AAFDL, Lisbon, 2005, ISBN 560-693-900-555-7;
9. Contribution to an historical and legal study of the Portuguese parliament between 1481-1641, Almedina, Coimbra, 2005, ISBN 972-40-2417-2.

## Book Chapters:

1. *The Portuguese war council assembled on 7<sup>th</sup> December 1801*, in A.A.V.V., *Olivença na História, Assembleia da República, Comissão de Negócios Estrangeiros e Comunidades Estrangeiras*, Lisboa, 2022, pp. 109-135, ISBN 9789725567845;
2. *Ancient criticisms in the early years of the 19<sup>th</sup> century: Justice and Revolution*, in Remedios Martín Morán (dir.), *Trienio liberal, vintismo, rivoluzione: 1820-1823. España, Portugal e Italia*, Editorial Aranzadi, S.A.U., Pamplona, 2021, pp. 501-519, ISBN 978-84-1390-950-9;
3. *A law for everybody (Several considerations about the legal language)*, in María Dolores Madrid Cruz (dir.), *El jurista y el reto de un derecho comprensible para todos*, Editorial Reus, Madrid, 2021, pp. 45-60, ISBN 978-84-290-2532-3;
4. *The administration of justice in the Portuguese oversea territories*, in Alfredo José Martínez González (dir. y coord), *Estudios Jurídicos e Historicos sobre navegación en la edad moderna: visiones cruzadas*, Editorial Comares, Granada, 2021, pp. 53-80, ISBN 978-84-1369-203-6;
5. *The capitulation of Olivenza and the War Council assembled on the 7th December 1801 (Júlio César Augusto de Chermont trial)/La capitulación de Olivenza y el Consejo de Guerra del 7 de Diciembre de 1801 (El caso de Julio César Augusto de Chermont)*, in Enrique Álvarez Cora y Victoria Sandoval Parra (ed.), *Sedición, rebelión y quimera en la historia jurídica de Europa*, Dykinson, Madrid, 2021, pp. 473-508, ISBN9788413771199;
6. *The alleged captive rescue court (The regiment of 20<sup>th</sup> March 1461)*, in Cristina Nogueira da Silva e Margarida Seixas (coord.), *Estudios Luso Hispanos de Historia del Derecho*, Editorial Dykinson, Madrid, 2021, pp. 189-214, ISBN 978-84-1377-379-7;
7. *The assembly of June 23, 1828, a setback in the history of Portuguese monarchic constitutionalism or an unavoidable inevitability*, in Vital Moreira e José Domingues, *Dois séculos de constitucionalismo eleitoral em Portugal, 1820-2020: actas da conferência*, Universidade Lusíada, Lisboa, 2021, pp. 103-131, ISBN 978-889-640-239-6, disponível em <http://hdl.handle.net/11067/5838> e <https://doi.org/10.34628/7360-3n59>;
8. *The first attempts in the construction of the jurisdictional control of constitutionality (the Portuguese solution given during the Liberalism)*, in Justiça Constitucional, coordenação de Jorge Miranda, Almedina Brasil; 2018, pp. 219-252; ISBN 978-858-493-404-1;
9. *The procedural incident of suspicion*, in *Estudios en homenaje al Profesor José Maria Pérez-Prendes*, in e-Slegal History Review, n.º 27- Maio de 2018 (extraordinário) Editorial IUSTEL, Madrid, ISSN 1699-5317;
10. *An historical glance towards the Portuguese judicial inspections in the contemporary period: control or myth?*, in *Control y responsabilidad de los jueces (siglos XVI y XX)*, Editorial Dykinson, Madrid, 2017, pp.321-346, ISBN 978-84-9148-437-0;
11. *On the eve of the abolition of the death penalty*, in *Carta de lei de abolição da pena de morte em Portugal (1867-2017)*, edição comemorativa, Assembleia da República, Torre do Tombo, Lisboa, 2017, pp. 78-103, ISBN 978-972-556-687-9;
12. *The Administrative Law of the Judiciary*, in *Tratado de Direito Administrativo*, Almedina, Coimbra, 2017, vol. VII, pp. 135-268; ISBN ISBN 9789724064178;
13. *Facing the making of a new court: the first presidents of the Portuguese Supreme Court*, in *Figuras do Judiciário*, Almedina, Coimbra, 2013, pp.17-52, ISBN 978-972-40-5612-8;
14. *Several historical considerations about the juridical status of the "corregedores"*, in *Estudos em homenagem ao Professor Martim de Albuquerque*, vol. 1, Coimbra editora, Coimbra, 2010, pp. 745-812, ISBN 9720032160374;

15. *Preservoating the portuguese cultural heritage*, Estudos em homenagem ao Professor André Gonçalves Pereira, Coimbra Editora, Coimbra, 2006, pp. 75-105, ISBN 9720032160220;
16. *The speeches at the modern portuguese parliament in 1562*, in Estudos em homenagem ao Professor António Marques dos Santos, Vol. 2, Coimbra Editora, Coimbra, 2006, ISBN 9789724026107, pp. 665-964;
17. *Legal status of Roman slaves*, in Estudos em honra do Professor Ruy de Albuquerque, Vol.1, Coimbra Editora, Coimbra, 2006, pp. 533-620; ISBN 9720032160367.

#### Articles in international scientific journals:

1. *Notes about the history of criminal procedural in Portugal*, in e-Slegal History Review, n.º 34- Junho de 2021, Editorial IUSTEL, ISSN 1699-5317, RI§423868;
2. *The Military Penal Code of 1820* (in e-Slegal History Review, n.º 31- Janeiro de 2020, Editorial IUSTEL, Madrid, ISSN 1699-5317, RI §422127);
3. *From the justice of secret to the secret of justice*, in e-Slegal History Review, n.º 30- Maio de 2019, Editorial IUSTEL, Madrid, ISSN 1699-5317, RI §421635;
4. *The Peers Chamber: the building of a “new court” in the 19<sup>th</sup> century*, in Cuadernos de Historia del Derecho, Ediciones Complutense, Universidad Complutense, Madrid, vol. 24 (2017), pp. 137-159, ISSN 1133-7613 e ISSN-e 1988-2541; <https://revistas.ucm.es/index.php/CUHD/article/view/56783/51337>;
5. *The judicial inquiries established in the 16<sup>th</sup> century Portuguese official compilation*, in e-Slegal History Review, n.º 22- Janeiro de 2016, Editorial IUSTEL, ISSN 1699-5317, RI§416913);
6. *The trial of the judge of Meda*, in Cuadernos de História del Derecho – Universidad Complutense de Madrid, vol. 21, Madrid, 2015, pp.113-165, [http://dx.doi.org/105209/ver\\_CUHD.2014.v21.47719](http://dx.doi.org/105209/ver_CUHD.2014.v21.47719); ISSN 1133-7613 e ISSN-e 1988-2541; <https://revistas.ucm.es/index.php/CUHD/article/view/47719/44676>);
7. *The “bill de indemnidade” of 1844* (in e-Slegal History Review, n.º 19- Janeiro de 2015, Editorial IUSTEL, ISSN 1699-5317, RI§415530);
8. *The Board of Justice of Angra, a sketch of the liberal judicial history*, in Cuadernos de Historia del Derecho, vol. 18, Universidad Complutense de Madrid, Madrid, 2011, pp. 333-362, ISSN 1133-7613, ISSN-e 1988-2541, <https://revistas.ucm.es/index.php/CUHD/article/view/41521/39609>;
9. *D. António Pinheiro. A legal-political testimony in the Portuguese court of the 16<sup>th</sup> century*, in Cuadernos de Historia del Derecho, vol. 15, Universidad Complutense de Madrid, Madrid, 2008, pp. 345-382, ISSN 1133-7613, ISSN-e 1988-2541, <https://revistas.ucm.es/index.php/CUHD/article/view/CUHD0808110345A/19261>.

#### Articles in national scientific journals:

1. *A “solution” to the social vulnerability in the 18<sup>th</sup> century: The General Police Intendency*, in Lisbon Law Review, número temático: Vulnerabilidade (s) e Direito, n.º I/1, ano LXII, Lisbon Law editions, 2021, pp. 341-374, ISSN 0870-3116);
2. *Brief notes about the Portuguese sanitary policy in the 16<sup>th</sup>-19<sup>th</sup> centuries*, in Lisbon Law Review, número temático, ano LXI, Lisbon Law editions, 2020, pp. 291-320, ISSN 0870-3116;

3. *History of Justice (considerations of its object and methodology)*, in Legal History Yearbook I, IURIS, Centro de Investigação Interdisciplinar, AAFDL Editora, Lisboa, 2020, 1, ISSN 9789726295587, pp. 65-76;
4. *Is there a solution to the problems of Justice?*, in Revista Teoria e História do Direito, Centro de Investigação Teoria e História do Direito, FCT, FD-UL, Lisboa, número especial, 2018, pp. 127-140; ISSN 2183-7864;
5. *The legal answer given in 1820 to the freedom of press*, in Revista Teoria e História do Direito n.º 3, Centro de Investigação Teoria e História do Direito, FCT, FD-UL, Lisboa, 2/2017, edição especial (2018), pp. 135-156; ISSN 2183-7864;
6. *The crown appeal as an example of the royal control*, in Revista Teoria e História do Direito, Centro de Investigação Teoria e História do Direito, n.º1, 2016, pp.5-26; ISSN 2183-7864 ([http://media.wix.com/ugd/6ac201\\_5c7904ad72fe459a9e4806987b0bda29.pdf](http://media.wix.com/ugd/6ac201_5c7904ad72fe459a9e4806987b0bda29.pdf));
7. *Facing a new era without forgetting the ancient vices: the judicial nominations of the Duke of Braganza*, in Revista da Faculdade de Direito da Universidade de Lisboa, vol. LV, n.º1, Coimbra Editora, Coimbra, 2014, pp.129-188, ISSN 0870-3116;
8. *Steps in the life of a liberal magistrate (José Duarte Machado Ferraz)*, in Revista de História do Direito e Pensamento Político, publicação on-line, vol. 2, Instituto de História e do Pensamento Político, Lisboa, 2011, pp. 43-81, ISSN: 1647-7529;
9. *Discussing the succession to the Portuguese throne in 1385*, in Revista da Faculdade de Direito de Lisboa, Estudos em Homenagem ao Professor Doutor Raul Ventura, vol. 1, Coimbra Editora, Coimbra, 2003, pp. 807-911, ISBN 9780208703163.