

## Professor Guido Alpa (1947-2025): A Tribute \*

Guido Alpa's passing is a great loss to academic scholarship and to the many communities he nurtured around the world. He was a giant of Italian private law, comparative law and modestly but profoundly showed the very best qualities that a lawyer could have. He had a brilliant mind, cared deeply for people, both known to him and hypothetical, and had the utmost professionalism. Perhaps what was most obvious, and exceptional, about him was his excitement at ideas and the people who fashioned them, and the incredible generosity and personal warmth he displayed on every occasion, large or small.

Guido was born in Ovada, north of Genoa, in November 1947, and died in Genoa on 7 March 2025. In those 77 years, he excelled in every legal and non-legal setting.

In the academic world, he had as distinguished a career as one can have. He graduated magna cum laude in law at the University of Genoa in the early 1970s, rising remarkably quickly from his first assistant professor post in 1974 to full Professor of Private Law there in 1980, and from 1981 Director of the Private Law Institute. In 1991 he took up a full professorship at La Sapienza in Rome, retiring in 2018, and becoming Professor Emeritus in 2019.

In the wider community, he was quickly and enduringly recognised as a leading private lawyer and a driver of deep and nuanced comparative law scholarship. He had honorary degrees a wide range of centres of learning from Complutense in Madrid, Universidad de Buenos Aires, to Universidad Nacional Mayor de San Marcos, Lima as well as memberships or leadership positions from even more, including being a Bencher of Gray's Inn since 1998 and a long list of academic societies. Visiting positions around the world, from the USA to Oxford were also his. He was a close friend of what is now the Institute of European and Comparative Law at Oxford, serving as a Senior Teaching Fellow in the late 1990s, and securing, with Sir Basil Markesinis, the arrangements for teaching Italian law that have continued to this day. He served with distinction on many significant academic bodies, including the UNIDROIT (for example in drafting the Principles of International Commercial Contracts), the International Academy of Comparative Law and the European Consumer Law Group. As Sir Basil observed, in the foreword to one of Guido's many erudite publications, Guido amply satisfied the very high standards for election to a Corresponding Fellowship of the British Academy. This, Sir Basil observed, was all the more notable as the standards for Corresponding Fellows were *higher* than for British Ordinary Fellows. They covered scholarly excellence, service to English culture and academic life, and as a relative test, given the limited positions offered each year, doing so better than almost all the other candidates in consideration that year.

But Guido's talents were no less flourishing in legal practice, with offices in Genoa and Rome for much of his life, he was an internationally recognised practitioner and advocate. His standing in the profession was so high that he was elected on multiple occasions to be President of the Italian Bar Association. It was still not unusual, though he had been President Emeritus for some time, for

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\* Professor Mads Andenas, University of Oslo and Professor Matthew Dyson, Director of the Oxford Institute of European and Comparative Law

members of staff of the Bar Association to still greet him as “Signor Presidente”, with a palpable warmth and affection. Across his career he had also served on a range of Commissions, Boards and Committees, covering everything from law reform to the running of Palaces. Numerous honours flowed from the Italian state and other bodies.

Guido’s scholarship covered private and commercial law, integrating it smoothly with a deep understanding of comparative and European law. One important concern in Guido’s scholarship was to apply European consumer law and the emerging European principles of private law in domestic general contract and tort law. He also explored the impact of human rights on private law, and believed in the power of private law to protect individuals and balance their rights. Guido’s *The Right to be Oneself*, published by Bloomsbury in 2024, is a personal and rather beautiful book that condenses many of his ideas. Resolving the pressing problems of the law required in Guido’s view that scholars looked across the boundaries that divide the law to bring out the underlying unities and fundamental principles.

Guido’s patience with colleagues had no discernible limit, nor did his politeness and kindness. His encouragement of pupils and younger scholars has helped many early careers, or for that matter other colleagues throughout their careers. Numerous universities in Italy and beyond have Guido’s pupils among their professors. To take just one example, one student is Guiseppe Conte in Florence who also served as Italy’s Prime Minister 2018-2021.

Three major Festschrifts or Libri Amicorum were published for Guido, a clear sign of the highest level of affection and respect he was held in across Italy and the world. *Dialoghi con Guido Alpa. Un volume offerto in occasione del suo 71° compleanno* was published in 2018 at the University Roma Tre Press by four pupils. A traditionally magistral Italian *Liber Amicorum Guido Alpa*, Wolters Kluwer Italia-CEDAM, was published in 2019. The two books demonstrated the admiration of Italian academic colleagues. Already in 2007 the British Institute of International and Comparative Law had published *Liber Amicorum Guido Alpa: Private Law Beyond the National Systems* with over 1100 pages of contributions by international colleagues. The Yale Professor and later judge Guido Calabresi wrote in the Foreword:

"A festschrift for Guido Alpa, what could be better or indeed more fun...the guests come from all over the world and represent the most interesting, the best, each country has to offer. Truly a fete, truly amicorum! ...Guido Alpa knows the place of theory in law, and knows how to apply it to the forensic arts. He does this, however, without ever confusing the role of the scholar and that of the advocate. In Guido Alpa both parts are played elegantly, each learns from the other, but the two are never conflated. We have come because Guido is truly international in outlook and in feeling. Guido stands out because he has always, and almost instinctively, known what it means to have a worldwide view of law."

Such a life of learning and care for others perhaps the most obvious tribute to the man who led it. In Oxford, we will miss a dear friend and one of the brightest minds. A close friend from the foundation of what is now the Institute of European and Comparative Law, and taught here at the end of the 1990s, as well as being a key part in setting our Italian stream on the path to success to this day. A

particularly moving example has been his funding and organisation of the Alpa Scholarships for doctoral students from Oxford to visit La Sapienza, and vice versa. Guido was personally interested in every exchange, and passionately believed in the importance of exchange, dialogue and understanding. Generations of students benefitted from this philosophy and generosity. The IECL had only just, weeks before his death, elected him as a Visiting Research Fellow.

Further personal tributes will be added below when they are available.

*Matthew Dyson*, Professor at the University of Oxford and Director of the IECL

*Mads Andenas* KC (Hon.), Professor of Law, University of Oslo and sometime Director of the British Institute of International and Comparative Law

**Personal addendum by *Stefan Enchelmaier*, Professor at the University of Oxford, and from 1997 to 2002 German Deputy Director, first of the Centre for the Advanced Study of European and Comparative law (CASECL) and then the IECL which it developed into:**

"Matt and Mads have said more than I knew about Guido's life and work. No surprise: Guido was a towering figure in his fields but also modest, even self-efacing, and caring. I got to meet Guido in the early days of my career, when I had my first ever academic post at the Centre, soon to become the Institute. Guido knew Oxford well, and he was a master comparatist with a keen awareness of developments in the European Union, too. He shared all of this in numerous conversations, for which he would always take time (and pleasure) to have with me. My overwhelming memory of Guido is of a kind and encouraging mentor. The Institute is still going from strength to strength, a testimony not only to Guido's late great friend, Sir Basil Markesinis, but also to Guido himself."

**A selection of just Guido's publications, focused on his book length works, is set out below.**

**In English (and one book in German)**

- *"Principles of European Contract Law" and the Italian Civil Code*, 2000.
- *Rules on Competition and Fair Trading*, in *Global Jurist*, 2002.
- *Tradition and Europeanization in Italian Law*, 2005.
- *Compensation for Personal Injury in English, German and Italian Law*, G. Alpa, B. Markesinis, M. Coester and A. Ullstein, Cambridge, 2005.
- *The Age of Rebuilding*, BIICL, 2007.
- *Italian private Law*, G. Alpa and V. Zeno-Zencovich, Cavendish, 2007.
- *Grundlagen des Europäischen Privatrechts*, G. Alpa und M. Andenas, Springer, 2009.
- *Markets and comparative law*, BIICL, 2010.
- *Compensation for Personal Injury in English, German and Italian Law*, G. Alpa, B. Markesinis, M. Coester and A. Ullstein, Cambridge, 2 ed. 2011.

- *Towards a European Contract Law*, in *Towards a European Contract Law* Edited by Reiner Schulze, Jules Stuyck, Sellier, 2011.
- *Competition of Legal Systems and Harmonization of European Private Law*, Sellier 2013.
- *Form and substance in Italian Private Law*, I, II, III, IV, V, VI, Antezza, 2018
- *European Private Law*, G. Alpa and M. Andenas) Pacini Ed., 2022
- *What is private law*, Pacini Ed., 2022
- *Sovereignty and Solidarity: from public to private law*, *Contratto Impresa Europa*, 2/2023
- *The Right to be Oneself*, Hart, 2024

### **In Italian**

- *Fondamenti del diritto privato europeo*, G. Alpa e M. Andenas, Trattato di diritto privato a cura di Iudica e Zatti, Giuffrè, 2005
- *Il giudice e l'uso delle sentenze straniere*, a cura di G. Alpa, Quaderni di Rassegna Forense, Atti del seminario 21 ottobre 2005 per 50 Corte cost., Giuffrè, 2006.
- *I principi generali*, Trattato di diritto privato a cura di Iudica e Zatti, Giuffrè, 2006.
- *Introduzione al diritto dei consumatori*, 3 ed., Laterza, 2006.
- *Le assicurazioni private*, Vol. I, II, III, a cura di G. Alpa, Rassegna Bigiavi, Utet, 2006.
- *Codici deontologici e autonomia privata*, Atti de Seminario di studi per il ventennale de *La nuova giurisprudenza civile commentata*, a cura di G. Alpa e p. Zatti, Quaderni di Rassegna forense, Giuffrè, 2006.
- *Corso di diritto contrattuale*, Cedam, 2006.
- *Introduzione al diritto contrattuale europeo*, Laterza, 2007.
- *Lezioni di diritto privato europeo*, raccolte da G. Alpa e G. Capilli, Cedam, 2007.
- *XXVIII Congresso nazionale dell'avvocatura italiana*. I contributi del CNF, a cura di Alpa, Quaderni di rassegna Forense, Giuffrè, 2007.
- *Il progetto italo-francese delle obbligazioni (1927), Un modello di armonizzazione nell'epoca della ricodificazione*, a cura di G. Alpa e G. Chioldi, Quaderni di rassegna Forense, Giuffrè, 2007.
- *I custodi del diritto*, Il Sole 24 Ore, 2007.
- *Che cos'è il diritto privato*, Laterza, 2007.
- *Manuale di diritto privato*, 5 ed. Cedam, 2007.
- *L'avvocato*, Il Mulino, 2 ed. 2008.

- *Diritto privato comparato*, G. Alpa, M.J. Bonell, D. Corapi, L. Moccia, V. Zeno-Zencovich, A. Zoppini, Laterza, 3 ed., 2008.
- *Atti del primo Congresso nazionale giuridico forense del secondo dopoguerra (settembre-novembre 1947)* a cura di G. Alpa, S. Borsacchi e R. Russo, Il Mulino, 2008.
- *Commentario breve al codice civile. Leggi complementari*, Tomo III, a cura di G. Alpa e P. Zatti, Cedam 2009.
- *Manuale di diritto privato*, 6 ed., Cedam, 2009.
- *Il DRAFT Common Frame of Reference del diritto privato europeo*, a cura di G. Alpa, G. Iudica, U. Perfetti, P. Zatti, Cedam, 2009.
- *Seminari di aggiornamento professionale (2007-2009)* a cura di G. ALPA, ESI, 2009.
- *Le modifiche al codice di procedura civile*, Quaderni di rassegna forense, a cura di Alpa, ESI, 2010.
- *La responsabilità civile. Principi*, Utet, 2010.
- *La responsabilità civile. Parte generale*, Rassegna Bigiavi, Utet, 2010.
- *Giurisdizioni di legittimità e regole di accesso. Esperienze europee a confronto*, a cura di G. Alpa e V. Carbone, Il Mulino, 2011.
- *L'avvocato*, Il Mulino, 3 ed. 2011.
- *Paolo Grossi*, a cura di G. Alpa, Laterza, 2011.
- *Manuale di diritto privato*, 7 ed., Cedam, 2011.
- *Le metamorfosi del diritto di proprietà*, Antologia a cura di G. Alpa e A. Fusaro, Antezza, 2011.
- *Le stagioni del contratto*, Il Mulino, 2012.
- *Arbitrati*, G. Alpa e V. Vigoriti, Utet, 2012.
- *Le persone fisiche*, (G. Alpa-A. Ansaldo), Il codice civile. Commentario. 2 ed., Giuffrè, 2013.
- *Arbitrato. Profili di diritto sostanziale e di diritto processuale* (A cura di Alpa e Vigoriti), Utet, 2013.
- *Manuale di diritto privato*, 8 ed., Cedam, 2013.
- *Il contratto in generale. Principi e problemi*, Edizione ad uso degli studenti, Giuffrè, 2014.
- *Codice civile annotato con la giurisprudenza*, a cura di G. Alpa e G. Iudica, Egea, 2014
- *I contratti del consumatore*, a cura di G. Alpa, Collana Istituti di diritto civile, Giuffrè, 2014.
- *Il contratto in generale. Fonti, teorie, metodi*, Trattato di diritto civile e commerciale, Giuffrè, 2014

- *La responsabilità d'impresa*, a cura di G. Alpa e G. Conte, Collana Istituti di diritto civile, Giuffrè, 2015
- *Manuale di diritto privato*, 9 ed., Wolters Kluwer - Cedam, 2015
- *Codice delle leggi civili speciali*. Annotato con la giurisprudenza, a cura di G. Alpa e P. Zatti, I codici superiori diretti da G. Alpa e R. Garofoli, NelDiritto editore, 2015
- *Diritto privato europeo*, Collana Istituti di diritto civile diretta da G. Alpa, Giuffrè, 2016
- *Illecito e danno antitrust. Casi e materiali*, Giappichelli, 2016
- *Diritto dei consumatori*, a cura di Alpa e Catricalà, Il Mulino, 2016
- *Giuristi e interpretazioni. Il ruolo del diritto nella società postmoderna*, Marietti, 2017
- *Manuale di diritto privato*, 10 ed., Wolters Kluwer Cedam, 2017
- *Diritto civile italiano. Due secoli di storia*, Il Mulino, 2018
- *Le persone fisiche e i diritti della personalità*, (Alpa – Resta) vol. 1, Trattato di diritto civile, Utet, 2019
- *La responsabilità del produttore*, a cura di G. Alpa, Giuffrè, 2019
- *Manuale di diritto privato*, 11 ed., Utet, 2020
- *Il diritto di essere se stessi*, La Nave di Teseo, 2021
- *Il contratto in generale*, Principi e problemi, 2 ed. ad uso degli studenti, Giuffrè, 2021
- *L'intelligenza artificiale*, Mucchi ed., 2021
- *Solidarietà. Principio normativo*, Il Mulino, 2022
- *Manuale di diritto privato*, 12 ed., Wolters Kluwer - Cedam, 2023
- *I principi generali*, 3 ed., Giuffrè, 2023
- *La responsabilità civile nel diritto comparato*, Trattato di diritto privato diretto da Iudica e Zatti, Giuffrè, 2024

Guido cared deeply about the scholarly community and its ability to grow. He was unfailingly friendly, encouraging and caring, of everyone from undergraduates to colleagues. Just one example is how much effort he dedicated to supporting the publishing of others, through running journals and other enterprises. These include as:

**Editor of:**

- *Contratto e impresa (Padova)*

**Co-editor of:**

- *European Business Law Review*
- *Economia e diritto del terziario (Genoa)*
- *Nuova giurisprudenza civile commentata (Padova)*
- *Rivista critica di diritto privato (Rome)*
- *Diritto dell'informazione e dell'informatica (Rome)*
- *Europa e diritto privato (Milano)*
- *I contratti (Milano)*
- *Responsabilità civile e previdenza (Milano)*
- *Europa e diritto privato (Roma)*
- *Contratto e impresa - Europa (Padova)*
- *Rivista del diritto commerciale e del diritto generale delle obbligazioni, (Padova)*
- *Rivista trimestrale di diritto dell'economia (Roma)*