

CURRICULUM VITAE



I - PERSONAL DATA

Name: David Duarte

Nationality: Portuguese

Place and Date of Birth: Lisbon, January 17th, 1967

Email: davidduarte@fd.ul.pt

II - EDUCATION

- Ph.D. in Public Law, University of Lisbon School of Law (2005)
- Masters in Public Law, University of Lisbon School of Law (1995)
- Graduation in Law, University of Lisbon School of Law (1990)

III - TEACHING POSITIONS

- Professor at the University of Lisbon School of Law (since 2005; with *tenure* since 2010):
 - Legal Theory, Legal Philosophy, Fundamental Rights, Administrative Law, Urban Law.
- Assistant Lecturer at the University of Lisbon School of Law (1990-2005):
 - Administrative Law, Fundamental Rights.

IV - SCIENTIFIC AND RESEARCH AREAS OF INTEREST

- Legal Theory
- Fundamental Rights
- Administrative Law

V - SCIENTIFIC SOCIETIES

- Lisbon Legal Theory Group (main researcher; since 2015).
- i-Latina, Asociación de Filosofía del Derecho para el Mundo Latino (since 2018).
- Internationale Vereinigung für Rechts und Sozialphilosophie, IVR (since 2007).
- European Public Law Organization (since 2007; board since 2010 until 2018).
- European Law and Governance School (board; since 2014 until 2018).
- Portuguese Association for Legal Theory and Legal Philosophy (board 2008-2018).
- Centro de Estudos Empírico-Jurídicos do Rio de Janeiro (board; since 2016).
- Lisbon Public Law Research Centre (since 2014).

VI - SCIENTIFIC BOARDS AND PEER REVIEW REFEREE (PUBLISHERS AND JOURNALS)

- Hart Publishing (London): referee.

- Ratio Juris (Bologna): referee.
- Revista de Direito Administrativo (Rio de Janeiro): referee.
- e-Pública (Lisbon): referee.
- Utrecht Journal of International and European Law (Utrecht): referee.
- Jurnal Ilmu Hukum (Jakarta): board.
- Archiwum Filozofii Prawa I Filozofii Społecznej (Warsaw): referee.
- Eudaimonia (Belgrade): board.
- Analisi i Diritto (Genoa): board.
- Pravni Zapisi (Belgrade): board.
- Cuadernos Electrónicos de Filosofía del Derecho (Valencia): board.
- Revista Culturas jurídicas (Rio de Janeiro): board
- Revista de Finanças Públicas e de Direito Fiscal (Lisbon): board.

VII - RECENT PUBLICATIONS

- 2022. Understanding Legal Science as a Scientific Enterprise. *Jurisprudence in the Mirror*. Edited by Michael Green, Giorgio Pino and Luka Burazin. Oxford: Oxford University Press (forthcoming).
- 2022. Inference to the Best Explanation in Legal Science; On Balancing Contrastive Hypotheses. *Metatheory of Law: Essays on the Methods of Jurisprudence and Legal Science*. New York: Wiley (forthcoming).
- 2021. From Constitutional Discretion to the Positivist Weight Formula. *Proportionality, Balancing, and Rights: Robert Alexy's Theory of Constitutional Rights*. Edited by Jan Sieckmann. Cham: Springer 11-48.
- 2020. A Ciência (do Direito) na Teoria Pura. *O Pensamento de Hans Kelsen, Influências, Contexto e Atualidade*. Lisboa: AAFDL. 65-85.
- 2019. Legal Science: The Demarcation Problem and the Perimeter of «Good Science». *Legal Interpretation and Scientific Knowledge*. Edited by David Duarte, Pedro Moniz Lopes and Jorge Silva Sampaio. Cham: Springer. 211-251.
- 2019. Esquema Sobre as Condições Normativas Necessárias da Ponderação. *Reforma do Estado Social no Contexto a Globalização*. Organização de Gilmar Mendes, Carlos Blanco de Moraes e César Cunha Campos. Rio de Janeiro: FGV. 239-249.
- 2018. Gains and Losses in Balancing Social Rights. *Proportionality: An Analytic Perspective*. Edited by David Duarte and Jorge Silva Sampaio. Cham: Springer. 49-69.
- 2018. Analogy and Balancing Once Again: A Reply to Bartosz Brożek. *Analogy and Exemplary Reasoning in Legal Discourse*. Edited by Bastiaan van der Velden and Hendrik Kaptein. Amsterdam: Amsterdam University Press. 109-123.
- 2018. Norms on Language and the Regulativeness of Constitutive Norms. *Diritto & Questione Pubbliche*. XVIII. 1. 135-156.
- 2017. Alexy's Theory of Rules and Principles. *Encyclopedia of the Philosophy of Law and Social Philosophy*. DOI 10.1007/978-94-007-6730-0_380-2. 1-6.
- 2017. Alguns Problemas de Teoria do Direito no Novo Código do Procedimento Administrativo. *Lisbon Law Review*. LVIII. 19-34.

- 2016. Structuring Addressees in Fundamental Rights Norms: An Application. *Fundamental Rights Justification and Interpretation*. Edited by Kenneth Himma and Bojan Spaic. Den Haag: Eleven International Publishing, 83-94.
- 2016. A Brief Note on Normative Defeasibility in Public Law. *European Review of Public Law*. 28. 1. 237-248.
- 2015. Analogy and Balancing: The Partial Reducibility Thesis and its Problems. *Revus. Journal for Constitutional Law and Philosophy of Law*. 25. 1-11.

VIII – RECENT LECTURES

- 2022. *Permissions and Liberties*. University of Bucharest.
- 2022. *Conceptual Norms: Contrasting Theories*. University of Maastricht.
- 2022. *Identification of Normative Systems: The «Three Norms» Theory*. University of Krakow.
- 2022. *Legal and Moral Obligations and the Identity of Normative Systems*. University of Durham.
- 2021. *Rights as Formal Combinations of Normative Variables*. University of Lisbon.
- 2020. *Inference to the Best Explanation in Legal Science*. University of Lisbon.
- 2019. *On the Road to a Positivist Weight Formula*. Universität Erlangen-Nürnberg.
- 2019. *On the Road to a Positivist Weight Formula*. University of Belgrade.
- 2019. *On the Normativity of Constitutional Tautologies*. University of Luzern.
- 2019. *O Modelo Moreso-Mendonca e a Proporcionalidade*. Santa Catarina. Brasil.
- 2018. *Deontic Modalities and Legal Positions*. University of Kraków.
- 2018. *Deontic Modalities and Legal Positions*. University of Belgrade.
- 2018. *Deontic Modalities and Legal Positions*. Universität Graz.
- 2018. *Why Balancing Is Not an Option*. University of Lisbon.
- 2018. *Normas, Sujetos y Posiciones Jurídicas*. Universitat di Girona.
- 2017. *Norms on Language Between Regulative and Constitutive Norms*. University of Palermo.
- 2017. *Constitutional Balancing as a Form of Legal Reasoning*. University of Belgrade.
- 2016. *Normas Técnicas: a Herança de Georg von Wright*. University of Lisbon.
- 2015. *Do Rules Create Gaps and Block Principles ?* Georgetown Law Center Washington.

IX - OTHER WORK EXPERIENCE

- Independent Expert. International Court of Arbitration Case 23842/JPA; CGGC (2020).
- Legal Opinion on the Hungarian Administrative Judicial Review Act (2019).
- Independent Expert. High Court of Justice. Case 2015-653; Santander (2016).
- Independent Expert. High Court of Justice. Case 2015-215; Oak Finance (2015).
- General Consultant of Minister of President's Office (2010-2013).
- Member of the Portuguese Commission on Access to Administrative Data (2007-2014).
- Coordinator of the Ministry of Justice Group for Legisprudence and Norm Drafting (2002).
- Legal Consultant in Constitutional Law and Administrative Law (since 1990).

Lisbon, July, 2022

David Duarte