

## CURRICULUM VITAE

### LUÍS MIGUEL POIARES PESSOA MADURO

**Date of Birth:** 03/01/67  
**Place of Birth:** Coimbra, Portugal  
**Nationality:** Portuguese  
**Languages:** Portuguese, English, French, Spanish, Italian  
**Fields of Specialization:** European Union Law, International Economic Law, Constitutional Law, Comparative Institutional Analysis

**Address:** Robert Schuman Centre  
Via dei Roccettini, 9  
50014 San Domenico di Fiesole, Italy

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### EDUCATION AND QUALIFICATIONS

1996: Doctorate in Law from the European University Institute (with Distinction).

1990: Licenciatura from the Faculty of Law, Universidade de Lisboa.

### FULL-TIME POSITIONS

2015-present: Professor, Robert Schuman Centre, European University Institute

2013-2015: Minister Deputy to the Prime Minister and Minister for Regional Development, Portuguese Government

2009- 2013: Professor and Director of the Global Governance Programme, European University Institute.

2003-2009: Advocate General, European Court of Justice, Luxembourg.

1999- present (on leave): Professor, Faculdade de Direito da Universidade Nova de Lisboa.

1997-99: Professor, Director of the European Studies Centre and of the Master in European Law, Universidade Autónoma de Lisboa.

1996-97: Research fellow, European University Institute.

1995-96: Research assistant, European University Institute.

1991-94: Researcher, European University Institute.

1990-91: Junior Attorney at Relógio, Rocha e Simões Law Firm.

### OTHER ACADEMIC APPOINTMENTS

2011-present: Visiting Professor and Gruber Global Constitutionalism Fellow, Yale Law School

2010: Visiting professor (J term), Yale Law School

2010: Visiting Professor, Tel Aviv Law School

2008 –present: Visiting Professor, College of Europe (Bruges)  
2000 -present: Co-Director, Academy of International Trade Law.  
1999-present: Guest Professor, Instituto de Estudos Europeus da Universidade Católica Portuguesa.  
2008: Visiting professor, Chicago Law School  
2005 - 2008: External Professor, Centro de Estudios Constitucionales, Madrid  
2004 - 2008: External Professor, London School of Economics.  
2007: Distinguished Helen DeRoy Fellow at the Michigan Law School  
2001 - 2005: External Professor, Instituto Ortega y Gasset (Madrid)  
2001-2005: Professor, College of Europe (Natolin)  
1998: US-EU Fulbright Visiting Research Scholar at Harvard Law School  
1997-2002: External Professor, Institute of European Studies of Macao.  
1997-2003: Guest Professor on the Programme “European Masters in Human Rights” (Padova/Venezia, Italia).

### **COURSES TAUGHT**

European Union Law, Basic and Advanced, International Public Law, International Trade Law, Comparative Regional Integration, Comparative Constitutional Law, Economic Analysis of Law (Comparative Institutional Analysis), Constitutional Issues of EU Law, Judicial Protection in Europe, Law of the Internal Market, Globalisation and Democracy, Research Methodology Seminar.

### **PRIZES AND HONOURS**

2010: Gulbenkian Science Prize (Calouste Gulbenkian Foundation, Portugal)  
2006: Comenda da Ordem de Santiago da Espada for literary, scientific and artistic merits (given by the President of the Portuguese Republic)  
1998: Obiettivo Europa: For the Best PhD Thesis at the European University Institute.  
1997: Row and Maw Prize (attributed to the member of the EUI law department that “made the most significant contribution to the department in terms of academic excellence, advancement of learning or service to the community”)

### **SCHOLARSHIPS**

1997: EU-US Fulbright Scholarship

### **OTHER EXPERIENCE**

1992: Exchange Student, Wisconsin Law School, Madison.  
June-July 1992: Academy of European Law, Florence.

## **OTHER ACADEMIC AND PROFESSIONAL ACTIVITIES**

Member of the European Council of Foreign Relations  
Member of the European Council of the World Economic Forum  
Member of the European Commission High Level Group on Media Pluralism and Media Freedom  
Founding Editor in Chief of the Global Constitutionalism Journal (forthcoming)  
Member of the Research Council of the European University Institute (Firenze)  
Member of the Editorial Board, European Law Journal  
Member of the Advisory Board of the Common Market Law Review  
Member of the Editorial Advisory Board, European Constitutional Law Review  
Co-editor of the series Studies in European Law and Integration, Hart Publishing.  
Member of the International Advisory Board of the Instituto de Empresa (Madrid)  
Advisory Board, Law & Society Review  
Member of the Editorial Board of the Journal of Business Law Education  
Member of the Editorial Board of the Revista de Direito Público da Economia.  
Member of the Editorial Board of the Revista Direito GV  
Member of the Editorial Board of the Relações Internacionais R:I.  
Member of the Editorial Board of the Croatian Yearbook of European Law & Policy  
Co-editor, Special Book Review Issue of the European Law Journal (1998-2003)  
Co-editor, Europeanbooks.org (2000-2003)  
Editor – Jurist Europe: An Internet Portal on European Law (1998-2003)  
Member of the Editorial Board of Themis, Law Journal of the Faculdade de Direito da Universidade Nova de Lisboa  
Director of the Programme on New Technologies and the Law at the Faculdade de Direito da Universidade Nova de Lisboa  
Referee for various law journals and legal publishing houses  
Thesis supervision in several academic institutions and member of various Thesis Defence Panels  
Member of the Faculty Recruitment Committee for the Luxembourg University Law School  
Member of the Advisory Board of the Revue de la Faculté de Droit, d'Economie et de Finance du Luxembourg

## **BIBLIOGRAPHY**

### **Books**

*A Constituição Plural – Constitucionalismo e União Europeia*, Principia, Lisbon, 2006  
*We the Court -The European Court of Justice and the European Economic Constitution*, Oxford  
Hart Publishing, 1998

### **Non-legal Books**

*Crónicas de um peixe fora de água*, Entrelinhas, Lisbon, 2006

## Edited Books

- The Past and Future of EU Law: Revisiting the Classics on the 50th Anniversary of the Rome Treaty* (co-editor with Loïc Azoulay), Oxford, Hart Publishing, 2010
- A Constitution for the European Union: First Comments on the 2003-Draft of the European Convention* (Co-editor with Ingolf Pernice), Baden-Baden: Nomos, 2004
- Special Book Review Issue, *European Law Journal* (co-Editor with Joseph H H Weiler) 1999

## Journal Articles and Book Chapters\*

- Judicial Review* (co-author with Albert Chen), in *Oxford Handbook of Constitutional Law*, forthcoming 2012.
- Revisiting the Free Movement of Goods in a Comparative Perspective*, *Le Droit de L'Union 1952-2012: La Contribution de la Cour de Justice*, Ouvrage commémoratif marquant le 60ème anniversaire de la Cour de justice de l'Union européenne, forthcoming 2012.
- Three Claims of Constitutional Pluralism*, in *Constitutional Pluralism and Beyond*, Matej Avbelj and Jan Komarek (eds), Hart Publishing, Oxford, 2012. Also published in Greek in *Efarmoges Dimosiou Dikaiou*.
- La Cour de justice de l'Union européenne et la Cour Suprême des Etats-Unis face à l'entrave*, in *L'entrave dans le droit du marché intérieur*, Loïc Azoulay (ed.), Paris, Bruylant, 2011.
- Passion and Reason in European Integration*, *FORUM CONSTITUTIONIS EUROPAE* 03/10 (Electronic copy available at: <http://ssrn.com/abstract=1709950>). Also published in Japanese in *Keio University Law Review*
- The Chameleon State: EU Law and the Blurring of the Private/Public Distinction in the Market*, in Rainer Nickel (ed.) "Conflict of Laws and Laws of Conflict in Europe and Beyond - Patterns of Supranational and Transnational Juridification" Antwerp - Oxford - Portland: Intersentia (2010)
- Quale Europa dopo la sentenza della Corte costituzionale tedesca sul Trattato di Lisbona?* (with G. Grasso) (2009) *Il Diritto dell'Unione Europea* 3, pp. 503-530
- Courts and pluralism: essay on a theory of judicial adjudication in the context of legal and constitutional pluralism*, in *Ruling the World? Constitutionalism, International Law, and Global Governance*, Jeffrey Dunoff, and Joel Trachtman (eds), Cambridge University Press, 2008
- Europejski konstytucjonalizm oraz trzy modele socjalnej Europy* (2008) *Nowa Europa. Przegląd Natoliński* 2(7), pp 317-343
- Interpreting European Law: Judicial Adjudication in a Context of Constitutional Pluralism* (2007) *EJLS*, Vol.1 No. 2 (an amended version has been published as *Interpreting European Law – On Why and How Law and Policy Meet at the European Court of Justice*, in Koch, Hagel-Sørensen, Haltern and Weiler, *Europe – The New Legal Realism, Essays in Honour of Hjalte Rasmussen*, Copenhagen, Djøf Publishing, 2010.
- Legal Travels and the Risk of Legal Jet-lag: the Judicial and Constitutional Challenges of Legal Globalisation* (2007) in M. Monti, Prinz Nikolaus von und zu Liechtenstein, B. Vesterdorf, J. Westbrook, L. Wildhaber, "Economic Law and Justice in Times of Globalisation /

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\* Working Papers and Book Reviews are not included. Books and articles forthcoming are only included if already accepted for publication.

- Wirtschaftsrecht und Justiz in Zeiten der Globalisierung: Festschrift for Carl Baudenbacher”, Nomos.
- Der Kontrapunkt im Dienste eines europäischen Verfassungspluralismus*, in EUR Europarecht, 2007, Nomos, p. 3-31.
- Intergouvernementalismus contra Konstitutionalismus: Braucht das transformierte Europa eine Verfassung?* (2007) Der Staat 46(3), pp. 319-348
- So close and yet so far: the paradoxes of mutual recognition* (2007) Journal of European Public Policy, Vol 14, Issue 5, Special Issue edited by S.Schmidt, pp. 814-825
- L'État-caméléon. Formes publique et privée de l'Homo Economicus*, in Mélanges Ph. Léger, (ed.) A. Pedone, Paris, 2006, pp 79-91
- Three Models of a Social Europe*, in The Politics of a European Civil Code, Martijn Hesselink (ed.), Kluwer Law International, The Hague, 2006.
- From Constitutions to Constitutionalism: A Constitutional Approach for Global Governance*, in Global Governance and the Quest for Justice – Volume I: International and Regional Organisations, D. Lewis (ed), Hart Publishing, Oxford, 2006.
- La Cour de justice des Communautés européennes et la législation d'antidiscrimination* (2005) Revue du droit européen relative à la non-discrimination, Edition N° 2/Oct, pp. 21-27, also published in English and German.
- The Constitutional treaty and the Nature of European Constitutionalism: the Tension between Intergovernmentalism and Constitutionalism in the European Union*, in Curtin, Kellermann and Blockmans (eds), The EU Constitution: The Best Way Forward? (The Hague: Asser Press, 2005), pp. 81-104. Expanded version published in Carlos Closa and Natividad Sola (eds.), La Constitución de la Unión Europea, CEPC, Madrid, 2005, 41-83.
- The importance of being called a constitution: Constitutional authority and the authority of constitutionalism* (2005) International Journal of Constitutional Law, Vol. 3.pp. 332-356.
- Europe and the Constitution: What If This Is As Good As It Gets?*, in Marlene Wind and Joseph Weiler (eds), Constitutionalism Beyond the State, (Cambridge: Cambridge University Press, 2003) pp. 74-102.
- Contrapunctual Law: Europe's Constitutional Pluralism in Action*, in Neil Walker (ed.), Sovereignty in Transition, (Oxford: Hart Publishing, 2003) pp. 502-537.
- The New Form of Majoritarianism in the EU* (2003) 28 E.L.Rev. pp. 900-904 (also in Italian: *Il rischio del "Maggioritarismo inter-Governativo* (2003) Quaderni costituzionali n. 3, p. 657-659).
- Political Social Europeia e Mercado Comum: Causa ou Consequência?* (2003) Revista de Direito Público e da Economia, pp. 317-341.
- The Double Constitutional Life of the Charter*, in Eriksen, Fossum and Menendez (eds.), The European Charter of Fundamental Rights, (Baden-Baden: Nomos, 2003). Also published in Tamara Hervey and Jeff Kenner (eds.), Economic and Social Rights under the EU Charter of Fundamental Rights, (Oxford: Hart Publishing, 2003), pp. 270-299.
- Sovereignty in Europe – The European Court of Justice and the Construction of a European Political Community*, in John Stack and Mary Volcansek (eds.), Courts Crossing Borders, (Praeger Publishers, 2003) pp. 43-61.
- Portugal y el futuro de Europa ¿el que calla otorga?* (2003) in Revista Española de Derecho Europeo, N. 6 (April-June) ISSN 1579-6302.
- Las Formas del Poder Europeo: El Constitucionalismo Plural de la Unión Europea* (2003) Revista Española de Estudios Políticos, pp. 11-56.

- Is There Europe for a Constitution? A Comment on Weiler's A Constitution for Europe: Some Hard Choices*, in Special Issue Celebrating the 25th Anniversary of the Journal of Common Market Studies, 2003, Yale University Press, pp. 35-39.
- União Europeia: Escolhas e Consequências* (2002) *Política Internacional*, nº 26, pp. 65-71.
- The Constitution of the Global Market*, in F. Snyder (ed.), *The International and Regional Regulation of Trade*, (Oxford: Hart Publishing, 2002) pp. 49-70.
- Harmony and Dissonance in Free Movement* (2001) *Cambridge Yearbook of European Legal Studies* Vol. 4, pp. 315-341. Also published in Andenas and Roth (Eds), *The Provision of Services in the EU*, (Oxford: Oxford University Press, 2002).
- Europa: El momento constituyente* (2002) *Revista de Occidente*, Nº 249, p. 73. Also published in Portuguese as: "Europa: O momento constituinte", *Brotéria*, vol. 154, Nº 1, 2002, p. 57.
- International Trade and Constitutionalism: Friends or Enemies?* (2001) *Nação e Defesa*, Nº 97, pp. 27-42.
- O Superavit Democrático Europeu* (2001) *Análise Social*, nº 158-159, pp. 119-152.
- Is There Any Such Thing as Free or Fair Trade? A Constitutional Analysis of the Impact of International Trade on the European Social Model*, in de Burca and Scott (eds.), *The EU and the WTO – Legal and Constitutional Issues*, (Oxford: Hart Publishing, 2001), pp. 237-282.
- Europe's Social Self: The Sickness Unto Death?*, in J. Shaw (ed.), *Social Law and Policy in an Evolving European Union*, (Oxford: Hart Publishing, 2000), pp. 325-349.
- The Scope of European Remedies: The Case of Reverse Discrimination and Purely Internal Situations*, in Kilpatrick, Novitz and Skidmore (eds.) *The Future of Remedies in Europe*, (Oxford: Hart Publishing, 2000), pp. 117-140.
- Never on a Sunday – What Has (EU) Law To Do With It?*, in Sciarra (ed.) *Labour Law in the Courts – National Judges and the ECJ*, (Oxford: Hart Publishing, 2000), pp 273-290.
- A Crise Existencial do Constitucionalismo Europeu*, in *Estudos em Homenagem de Francisco Lucas Pires*, (Lisboa: Autónoma Editora, 1999), pp. 201-215.
- Striking the Elusive Balance Between Economic Freedom and Social Rights in the European Union*, in Alston, Cassese, Lalumière, Leuprecht (eds.), *An EU Human Rights Agenda for the New Millennium*, (Oxford: Hart Publishing, 1999), pp. 449-472 (also published in French by Bruylant).
- The Heteronyms of European Law* (1999) *3 European Law Journal* (Special Book Review Issue), pp. 160-168.
- The Saga of Article 30: To be Continued -A Comment on Familia Press and Other Recent Episodes* (1998) *3 MJECL*, pp. 298-316.
- Reforming the Market or the State? Article 30 and the European Constitution: Economic Freedom and Political Rights* (1997) *European Law Journal*, 1, pp. 55-80.
- Keck: The end? The beginning of the end? Or just the end of the beginning* (1994) *Irish Journal of European Law* 1, pp. 30-43.
- Problemas da Concertação Social* (1991) *Revista Jurídica*, nº15, Jan/Jun, p. 9.
- O Direito à Segurança no Emprego*, with Margarida Cabral, *Revista Jurídica*, nº15, Jan/Jun, p. 49

## **OTHER ACTIVITIES**

1st Year of Movie Direction School.

Regular columnist of the Portuguese Daily *Diário de Notícias*.

## **FORMER PROGRAMMES AND RESEARCH PROJECTS**

European Network of Constitutional Scholars  
Constitutionalising European Governance  
Evolve (International Project on the Evolving Norms of Constitutionalism)  
Constitucionalismo: Paradigmas em Mudança  
Multi-level Constitutionalism. Transatlantic Perspectives  
Jurist: European Law Internet Portal  
“An EU Human Rights Agenda for the New Millennium”.  
"The European Court of Justice and National Courts in the Construction of European Social Policy"

## **LECTURES AND SEMINAR PRESENTATIONS**

Among others, has given lectures or presented papers at the following institutions and events:

**2012:** Sir Jeremy Level Lecture, Oxford University, Harvard Law School, Boston University Law School and European Studies Centre, Keynote Speech at the UK Bar EU Law Section Conference (Porto), University of Barcelona, Trinity College (Dublin), Macau University Law School, Bureau of European Policy Advisors (European Commission), Coimbra University Law School.

**2011:** Columbia Law School, Northwestern Law School, Princeton University, Setton Hall Law School, Deusto University (Bilbao), College de France (Paris), Istanbul, Hebrew University (Jerusalem), Casa de Mateus (Portugal), Garcia Pelayo Seminar (Madrid), WZB (Berlin), Bologna University Law School.

**2010 :** Yale Law School; Walter Hallstein Institut Berlin; College of Europe (Bruges); Edinburgh; Instituto Europeu IDEFF Lisbon; Univeridade Católica de Lisboa; Oviedo, Spain (Conference on Posting of Workers and Labour Rights organized by the Spanish presidency of the EU); Macau (Academy of International Trade and Investment Law)

**2009 :** Univeridade Católica de Lisboa; Universidade de Coimbra; Universidade do Porto; European University Institute (Florence); Macau (Academy of International Trade and Investment Law); London (Oxford University – Seminar on Courts and Pluralism); University of Antwerp (Seminar on the protection of human rights in the interaction between the European Courts); University of Geneva (Conference on Jurisdictional Function in the Context of Constitutional Pluralism); Trinity College Dublin (Seminar on the European Constitution); Porto (Univeridade Católica Portuguesa - Seminar on Fundamental Rights); Bergen (University of Oslo - Seminar Democratic Consequences of ECJ Case law); Prague (Charles University - Seminar the Role and Legitimacy of the ECJ); University of Freiburg (Conference Interpretation in European Law); University of Dubrovnik

**2008 :** Central European University (Budapest); Univeridade Católica de Lisboa (Lisbon); European University Institute (Florence); University of Macau (Academy of International Trade and Investment Law); University of Chicago Law School; Freiburg University; La Sapienza (Rome); University of Michigan Law School; Yale Law School

**2007 :** University of Michigan (Course “EU Law between Economic and Political Integration”); Paris (Science PO conférence sur l'Organisation judiciaire de l'Europe: originalité du système européen par rapport aux modèles connus); University of Maastricht (Jean Monnet Program "50 Years of European Integration"); Luxembourg (University of Luxembourg and Kings College School "European Administrative Law – Challenges in Integrated Administration"); Oxford (Keynote Speech at 50th Anniversary of the Rome Treaty: "Passion and Reason in European Integration"); Fribourg (Conference: Values for Europe? – Institut Européen – Université de Genève); Paris (Seminar: Démocratie et justice sociale – Cour de cassation française); Rotterdam (Conference Judicial Reasoning and Legitimacy – Leiden University); London School of Economics (LSE); College of Europe (Bruges); Central European University (Budapest); University of Dubrovnik.

**2006 :**Wien (Institute for Austrian and International Tax Law –Vienne University of Economics and Business Administration "EU and the Tax Laws"); Helsinki (Conference "Democracy and Legislative Policy"); Yale Law School(Seminar "Global Constitutionalism"); Macau (Conference "The Global Governance and Democracy"); Budapest (course at the Central European University "Models of Legal Reasoning at the ECJ"); Lisboa (Centre d'Investigation et d'Etudes en Sociologie "European Anti-corruption Agencies: protecting the Community's Financial interests in a knowledge-based, innovative and integrated manner"); Dakar (Senegal) International Center for Ethics Justice and Public Life - Brandeis University (conference: Complementarity and Cooperation Challenges for International Justice); Faculty of Law Tilburg University e Europea Institut Faculty of Law Utrecht University; College of Europe (Bruges); London School of Economics (LSE); Annual European Law Lecture – King's College London; Sweden, Nordic Baltic Seminar; Lisboa (Fac. Of Law University of Lisbon "Globalization and Constitutionalism"

**2005 :** Humboldt Universität Berlin; European University Institute, Firenze; University of Leiden; University Paris I Panthéon Sorbonne; Seminar organized by European ombudsman in The Hague; Centre Jacques Delors in Lisbon; University of Zagreb; University of Budapest; Institute of European Studies of Macau; Instituto Universitário Ortega y Gasset; University of Reykjavik; EUSA Austin (Texas); London School of Economics, London; National University of Singapore; Instituto de Empresa - Business School Madrid; University of Dubrovnik; Universidade Católica Portuguesa; Université de Luxemburg; Faculdade de Direito Universidade Nova de Lisboa

**2004 :** University of Helsinki; College of Europe, Natolin; University of Amsterdam; Yale Law School (USA); European Institute of Vienna; Universidade de Coimbra; University of Macau; European Institute of Public Administration; University of Warsaw; *Europe: A Beautiful Idea?* Conference organized by the Dutch Presidency of the EU, The Hague; Fundação Getúlio Vargas, São Paulo; Universidad Carlos III Madrid; Universidad de Zaragoza; Universidade do Porto; University of Prague; University of Edinburgh; New York University Law School; University of Riskilde Copenhagen; Exeter University; Madison Law School, University of Wisconsin;



Instituto de Estudios Europeus San Pablo - CEU Universidad Madrid; Universidad ONATI (Pais Basco Spain);

**2003** : Fac. Derecho Universidad Complutense de Madrid; Universidade Nova de Lisboa; European Human Rights Masters, Venice; Universidade de Coimbra; University of Zagreb; College of Europe, Natolin.

**2002** : College of Europe; New York University School of Law; Universidad de Zaragoza; Instituto de Empresa (Madrid); Universidade de Leiden; Dubrovnik Academy of Human Rights; Council of Europe (Strasbourg); Manchester University School of Law; Universidade de Coimbra; Universidade de Ljubljana; Universidad de Múrcia; Instituto Ortega y Gasset (Madrid); Nottingham University; Hong Kong University.

**2001** : Oxford University; University of Michigan; Madison Law School; Instituto Orgeta y Gasset (Madrid); Max-Planck Projekt Gruppe (Bonn); Instituto Universitário Europeu (Florence); Dubrovnik Academy of Human Rights; Instituto de Empresa (Madrid); Assembleia da República (Portugal); University of Leeds.

**2000** : German Association of Public Law; Instituto Orgeta y Gasset (Madrid), STPL (Universidade de Manchester), European University Institute (Florence), Kings College (London), Universidade de Coimbra, Universidade Católica Portuguesa.

**1999** : Law & Society Association, Chicago; Conference on International Trade and Regional Integration, Macau; Jornadas de Direito Internacional (Ministry of Foreign Affairs, Portugal); University of Wisconsin-Madison.

**1998** : The Society of Public Teachers of Law; Manchester; Florida International University; Conference EU and Human Rights - An Agenda for the Year 2000, Brussels; Key-Note Lecture at the European Day Celebration in Macao; University of Copenhagen.