Curriculum Vitae  Prof. Dr. Virgílio Afonso da Silva

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current positions

• Full Professor of Law at the Faculty of Law of the University of São Paulo [since December 2006].
• Researcher at the Cebrap (Brazilian Centre of Analysis and Planning - "Law and Democracy Research Group") [since November 2004].
• Member of the Scientific Board (area of Humanities) of the State of São Paulo Research Foundation (FAPESP) [since March 2006]

education

• Habilitation ("Livre-Docência") at the Faculty of Law, University of São Paulo, Brazil [2004].
• Ph.D. at the Faculty of Law, University of Kiel, Germany. Supervisor: Prof. Dr. Robert Alexy (Grade obtained: summa cum laude) [1999-2002].
• LL.M. at the Faculty of Law, University of São Paulo, Brazil. Supervisor: Prof. Dr. Fernanda Dias Menezes de Almeida (Grade obtained: 10, with distinction) [1996-1998].
• Semester of Studies (Zeitstudium) at the University of Freiburg, Germany [Summer 1997].
• Tutor in the Department of Public Law at the University of São Paulo within the PAE-Program (Programa de Aperfeiçoamento do Ensino / Teaching Improvement Program at the University of São Paulo) [from August to December 1997].
• B.A. at the Faculty of Law, University of São Paulo, Brazil [1991-1995].
research fields

- Human Rights and Civil Liberties.
- Constitutional Interpretation and Judicial Review.
- Socio-economic Rights, Public Policies and Judicial Review.
- Comparative Public Law.
- Political Representation and Electoral Systems.

publications

a. papers in Brazilian journals

- "Ulisses, as sereias e o poder constituinte derivado: sobre a inconstitucionalidade da dupla revisão e da alteração no quorum de 3/5 para aprovação de emendas constitucionais" [Ulysses, the Sirens, and the Amending Power], Revista de Direito Administrativo 226 (2001): 11-32.
b. papers in international journals

- "La interpretación conforme a la constitución: entre la trivialidad y la centralización judicial" ['Reading Down’ Interpretation: Between Triviality and Judicial Centralisation], *Cuestiones Constitucionales* (México) 12 (2005): 3-38.

c. papers in collective works in Brazil


d. papers in collective works outside Brazil


e. books in Brazil


**f. books in Brazil (as editor)**

• *Interpretação constitucional* [Constitutional Interpretation], São Paulo: Malheiros Editores, 2005.

**g. books outside Brazil**


**i. translations**


**research grants and scholarships**

• Research grant (*bolsa produtividade*) from the Brazilian Federal Commission on Research (CNPq). This scholarship is granted to researchers with high productivity in different areas of knowledge in Brazil [since March 2007].

• Research grant from the *Max Planck Institute for Comparative Public Law and International Public Law*, in Heidelberg [July 2005].

• Research grant from *The State of São Paulo Research Foundation* (FAPESP) [July 2005].

• Research grant from the *Max Planck Institute for Comparative Public Law and International Public Law*, in Heidelberg [January-February 2004].

• Ph.D. Scholarship from the *German Academic Exchange Service* (DAAD) [1999-2002].

• Junior-Researcher Scholarship from *The State of São Paulo Research Foundation* (FAPESP) [1994-1995].

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awards

• Ph.D. Award of the Kieler Doctores Iuris Society for the Ph.D. thesis written at the University of Kiel, in 2002 [April 2003].

teaching experience

• Human Rights - at the Faculty of Law of the University of São Paulo [from August to November 2004 - id. in 2005 and 2006].
• Basic Liberties I - at the Faculty of Law of the University of São Paulo [from March to June 2004 - id. in 2005, 2006 and 2007].
• Political and Electoral Systems - at the Faculty of Law of the University of São Paulo [from August to November 2004].
• Methodology of Research in Law - at GVLaw, post-graduate course of the Getulio Vargas Foundation [from April to November 2004].
• Economic Constitutional Law - at the Brazilian Bar Association School, in São Paulo [from August 2003 to May 2005].
• Legal Theory - at the Brazilian Bar Association School, in São Paulo [from March to June 2003].
• Constitutional Law - at the Faculty of Law of the São Judas Tadeu University, in São Paulo [from February to December 1998].
• Political Science - at the Faculty of Law of the São Judas Tadeu University, in São Paulo [from February 1996 to December 1998].

past academic positions and activities

• Associate Professor at the Faculty of Law of the University of São Paulo [November 2005 to December 2006].
• Visiting Researcher at the Max Planck Institute for Comparative Public Law and International Public Law, in Heidelberg [July 2005].
• Assistant Professor at the Faculty of Law of the University of São Paulo [January 2004 to November 2005].
• Visiting Researcher at the Max Planck Institute for Comparative Public Law and International Public Law, in Heidelberg [January and February 2004].
• Lecturer at the Brazilian Bar Association School [March 2003 to June 2005].
• Researcher at the São Paulo Law School of the Getulio Vargas Foundation [from January 2003 to May 2004].
• Lecturer at the Faculty of Law of the São Judas Tadeu University, in São Paulo [1996-1998].

languages

• English (fluent)
• German (fluent)
• Spanish (fluent)
• French (fluent reading skills, very good communication skills)
• Italian (fluent reading skills, regular communication skills)
• Portuguese (native language)

papers presented in congresses and conferences

a. congresses and conferences outside Brazil

• "Arguing with Principles in a System Full of Rules" - to be presented at the XXIII World Congress of Philosophy of Law and Social Philosophy, organized by the IVR - International Association of Philosophy of Law and Social Philosophy, in Cracow [August 2007].
• "Legal Argumentation, Constitutional Interpretation, and Presumption of Constitutionality" - VI International ISSA Conference, organized by the International Society for the Study of Argumentation, in Amsterdam [June 30th, 2006].
• "Parity, Defeasibility, and the Discursively Possible" - XXII World Congress of Philosophy of Law and Social Philosophy, organized by the IVR - International Association of Philosophy of Law and Social Philosophy, in Granada, Spain [May 27th, 2005].

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• "Ponderación e incommensurabilidad" [Weighing and Incommensurability] - Congreso Internacional de Culturas y Sistemas Jurídicos Comparados, organized by the Instituto de Investigaciones Jurídicas de la Universidad Nacional Autónoma de México, in Mexico [February 9th, 2004].

• "Individuum und Kollektiv in Spannungsverhältnis: Das Bundesverfassungsgericht als Instanz zur Durchsetzung von individuellen Präferenzen gegen demokratische Entscheidungen?" [Individual and Collective in Tension], within the Conference Series on "Instruments of Energy Policy", at the University of Flensburg, Germany [January 24th, 2002].

b. individual lectures and papers presented in conferences in Brazil

b.1. individual lectures


• "Limitação de direitos fundamentais" [Limitations to Constitutional Rights] - at the Law School of the Paulista University, in Campinas [March 13th, 2003].

• "Princípios e regras: mitos e equívocos acerca de uma distinção" [Principles and Rules: myths and misunderstandings concerning a distinction] - at the School of Law and Philosophy, in Rio de Janeiro [December 6th, 2004].

• "Direitos humanos: universalismo e relativismo cultural" [Human Rights: Universalism and Relativism] - at the Faculty of Law of the University of São Paulo / International Law and Human Rights Project (DIDH) [June 2nd, 2005 and May 10th, 2007].

• "Fundamentos dos direitos humanos" [The Foundations of Human Rights] - at the Faculty of Law of the University of São Paulo / International Law and Human Rights Project (DIDH) [March 23rd, 2006].

b.2. papers presented in congresses and conferences


• "O proporcional e o razoável" [The Proportional and the Reasonable] - Semana de Estudos Jurídicos Prof. Dr. Hermínio Alberto Marques Porto, organized by the Law School of the Paulista University, in Campinas [September 30th, 2003].

• "Decisões em última instância e legitimidade" [Judicial Decisions and Legitimacy] - Congresso Brasileiro de Operadores e Estudantes de Direito, in Fortaleza [April 2nd, 2004].
c. Roundtables

- "Ensino do Direito" [Legal Education in Brazil], organized by the Getulio Vargas Foundation, in Campos do Jordão [December 5, 6 and 7th, 2002.

- "O sistema constitucional brasileiro" [The Brazilian Constitutional System], with students from the Yale Law School, within the Linkage Program between the University of São Paulo an the Yale Law School [July 2004 / July 2005 / July 2006].


- "Interpretação constitucional e sincretismo metodológico no Brasil" [Constitutional Interpretation and Methodological Syncretism] - II Congresso Paranaense de Direito Constitucional e Cidadania, organized by the Constitutional Law and Citizenship Institute, in Londrina [April 28th, 2005].

- "Democracia, eleições e partidos" [Democracy, Elections and Political Parties in Brazil] - XIV Encontro de Direito Constitucional, organized by the Pimenta Bueno Institute - Associação Brasileira dos Constitucionalistas, in São Paulo [August 18th, 2005].

- "República, democracia e regime presidencial" [Republic, Democracy and Brazilian Presidentialism] - XIX Conferência da Ordem dos Advogados do Brasil, organized by the Brazilian Bar Association, in Florianópolis [September 26th, 2005].

- "Conflitos sobre direitos fundamentais entre ordem nacional e ordem transnacional" [Human Rights Conflicts Between the National and the Transnational Order] - DAAD-Alumni-Fachtagung, organized by the German Academic Exchange Service at the Law School of the Catholic University of São Paulo [October 13th, 2005].

- "A punição a crimes cometidos durante períodos totalitários: entre Estado de Direito, anterioridade da lei penal e desejo de justiça" [Punishing Crimes Committed During Totalitarian Periods: between rule of law, non-retroactivity of criminal law, and desire for justice] - DAAD-Alumni-Fachtagung "Erinnern oder Strafen? Vom Umgang mit Unrechtsregimen", organized by the German Academic Exchange Service, at the Faculty of Philosophy and Humanities of the University of São Paulo [November 9th, 2006].

• "Liberdade de expressão e regulação dos meios de comunicação" [Freedom of Expression, Freedom of Press, and Media Regulation], organized by the Sociedade Brasileira de Direito Público - sbdp [Brazilian Society of Public Law], in São Paulo [June 24th, 2005].

pro-bono work

• Work at the Legal Department XI de Agosto - legal assistance to the lower-class population in the city of São Paulo [1995-1996].

affiliations

• Member of the Heidelberger Society of Comparative Public Law and International Public Law [since March 2004].

• Member of WAYS - World Academy of Young Scholars [since January 2005].

• Member of Society of Legal Scholars [since May 2005].

• Member of the International Association of Constitutional Law [since January 2006]

[June 2007]