



UNIVERSIDADE
NOVA
DE LISBOA

MARIE SKŁODOWSKA-CURIE INDIVIDUAL FELLOWSHIPS 2019
EXPRESSION OF INTEREST FOR HOSTING MARIE CURIE FELLOWS

HOST INSTITUTION

NOVA School of Law | CEDIS – Research Center on Law and Society

RESEARCH GROUP AND URL

Law in history: legal representations, categories and agents
<http://cedis.fd.unl.pt/law-in-history-legal-representations-categories-and-agents/>

SUPERVISOR (NAME AND E-MAIL)

Cristina Nogueira da Silva
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SHORT CV OF THE SUPERVISOR

Education

PhD in History of Law (Faculdade de Direito da Universidade Nova de Lisboa, 2005); MA in Social Sciences (Instituto de Ciências Sociais da Universidade de Lisboa, 1997); Degree in History (Faculdade de Ciências Sociais e Humanas da Universidade Nova de Lisboa, 1989)

Current position

Professor at the Law School of Universidade Nova de Lisboa (Legal history; History of political ideas; historical perspectives on citizenship; Law and Society) and researcher at its research institute, CEDIS. Her main research areas are classical liberalism and citizenship in the nineteenth century; the history of the legal personal status in the Portuguese overseas territories and the legal pluralism in the Portuguese Empire (XIX and XX th centuries). PhD's thesis: "Constitutionalism and Empire. Citizenship in Portuguese Ultramar").

Major Scientific Collaborations:

Member of several research teams of scientific funded projects on modern and contemporary Portuguese history since 2005. Main topics of these projects were institutional and law history in a cultural approach. Recent projects took the Empire as a crucial context of research. National and international publications and participation in scientific meetings, as well as other works are available at https://docentes.fd.unl.pt/docentes_docs/cv/CV_10011.pdf.

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5 SELECTED PUBLICATIONS

- SILVA, Cristina Nogueira da, *A Construção jurídica dos territórios ultramarinos portugueses no século XIX, Modelos, Doutrinas e Leis*, Lisboa, Imprensa de Ciências Sociais, 2017;

- SILVA, Cristina Nogueira da, *Constitucionalismo e Império. A cidadania no Ultramar português*, Coimbra, Almedina, 2009;
- SILVA, Cristina Nogueira da & Ângela Barreto Xavier, orgs., *O Governo dos Outros. Poder e Diferença no Império Português*, Lisboa, Imprensa de Ciências Sociais, 2016;
- SILVA, Cristina Nogueira da, Keila Grinberg, "Soil Free from Slaves: Slave Law in late 18th – early 19th century Portugal", *Slavery & Abolition*, vol, 32, nº 3, 2011, pp. 431-446 <http://dx.doi.org/10.1080/0144039X.2011.588480>
- SILVA, Cristina Nogueira da, "Universalism, Legal pluralism and Citizenship: Portuguese Imperial Policies in citizenship and law in the nineteenth century", in Clifford Ando, org., *Citizenship and Empire in Europe, 200-1900. The Antonine Constitution after 1800 years*, Stuttgart, Franz Steiner Verlag, 2016, pp. 199-221.

PROJECT TITLE AND SHORT DESCRIPTION

The primacy of law and the liberal model of the individual-autonomous citizen theoretically emancipated from the domestic contexts to which many were subjected in the societies of the modern period (XV-XVIII centuries) are two main elements of the modern legal order. Associated with both these elements was, in the late eighteenth century, but especially throughout the Nineteenth one, the codification of the law and the correspondent multiplication of legal codes, namely the civil ones. This was the context that gave rise to the publication of the Portuguese Civil Code of 1867, a code in which innovative and egalitarian ideas coexisted in dialogue with old categories and the preservation of many domestic bonds. The objective of the research we propose here is to identify the emancipatory power of the most progressive determinations of this Civil Code, as well as the difficulties placed by its most conservative aspects to the construction of a liberal citizenship. We hope that this identification, which will be conducted through the study of the liberal legislation and its legal doctrine but also, and above all, of the jurisprudence from the Portuguese Supreme Court of Justice in cases involving women, servants, family children and other subjects previously subjected to the domestic sphere of governance, will contribute to a better understanding of the place of the Portuguese liberal movement in the history of citizenship in Portugal.

SCIENTIFIC AREA WHERE THE PROJECT FITS BEST

Social Sciences and Humanities (SOC) - History of citizenship | Citizenship studies | History of Law | History of Political Ideas.