

*LAUDATIO:*  
PROF. JOSÉ MANUEL SÉRVULO CORREIA

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ON the day the renowned violin player Yehudi Menuhin passed away, I recall having commented his death with Professor Sérvulo Correia at the ending of an occasional conversation at the bar of our School of Law. After a few remarks on the subject, I remember the Professor told me, exactly, “nonetheless, he had a full life”. I went to my class and the Professor went to his; but I remained the rest of my day submerged in this concept of a “full life”. More than the rest of the day, I must confess, a “full life” has since become a frequent thought, a sort of *leitmotiv* that always comes up when I wonder about the choices one makes in life and even on the meaning things have therein. When I think about the life Professor Sérvulo Correia has lived, and the one he will live after today, since today is always the first day of the rest of our lives, nothing comes to my mind other than a “full life”. And, in his case, we are talking about a life that is so “full” that, to be precise, one can only understand it if it is decomposed, in a Cartesian way, in different fields.

The first, naturally, since it is the one that has brought us here today, is the scholarly field. Professor Sérvulo Correia is a remarkable scholar. He graduated in 1959, completed an MA in 1968, and was awarded a PhD in Law in 1987, all of which from the University of Lisbon School of Law. The Professor has a vast bibliography, with several dozens of publications in Portugal and abroad, and in several languages, which have made a decisive impression on the following generations of researchers. He had thousands of students, several dozens of supervisees, positions I can proudly in-

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clude myself in, argued countless defenses of theses and participated in numerous academic juries. This nearly statistical exercise, however, falls short of describing the importance of Professor Sérvulo Correia as a scholar. In fact, a true scientific paradigm shift in Portuguese Administrative Law is due to Professor Sérvulo Correia. Before, the science of Portuguese Administrative Law was divided in two separate schools: Coimbra, under German influence, and Lisbon, under French and Italian influences. In the second half of the eighties, and particularly with his PhD thesis, Professor Sérvulo Correia merged these two schools of thought, seeking new paths, always with great precision and accuracy, but completely innovative in many ways. He reconstructed the meaning and the extent of the rule of law; he fully revolutionized the theory of administrative discretion; he refined the concept of administrative contract, which was, until then, undertheorized; he opened doors to a new pattern of judicial review of administrative action, which led to the important legislative reform of 2002/2003; and he has been a pioneer in the study of many special branches of Administrative Law; naturally, much more could be said. As a matter of fact, Professor Sérvulo Correia has created a new school, open to new influences and new methods, following his footsteps and led by himself. As a scholar, and in the science of Portuguese Administrative Law, Professor Sérvulo Correia stands at a unique place. In my personal opinion, and considering the Portuguese democratic constitutionalism of the past forty years, Professor Sérvulo Correia is the sole scholar who, in the area of Administrative Law, has effectively created a school of thought.

The second field is his life as a lawyer. He registered at the Portuguese Bar Association in 1962, three years after his graduation. From 1963 to 1972, he worked at the Ministry of Corporations and Social Services. From 1972 to 1976, he served as a lawyer in the legal department of the Portuguese Central Bank. From 1979 to 1990, he was a lawyer and legal consultant at “Grupo Entrepósito”, a relevant Portuguese private consortium. In 2002, he founded “Sérvulo Correia & Associados”, one of the largest law firms in Portugal, which is a reference in the field of Public Law, has received several international prizes, and has had a significant inter-

vention in the national legal activity, including in lawmaking processes, such as the Portuguese Public Procurement and Public Contract Law. As a lawyer, Professor Sérvulo Correia has represented Portugal in an action against Australia in the *Case concerning East Timor* before the International Court of Justice. This case indirectly played a significant role on the self-determination and independence process of this former Portuguese colony, then occupied by Indonesia. But this was only the beginning of another legal practice of Professor Sérvulo Correia, now as a judge, and that he still develops: in 2000, he was appointed as an *ad hoc* judge in an action which opposed Portugal and Yugoslavia before the International Court of Justice; in 2002, he was designated by the Portuguese government as a member of the Conciliation Commission, foreseen in the Vienna Convention on the Law of Treaties; he is a Member of the Permanent Court of Arbitration since 2005; and, in 2011, he was appointed *ad hoc* Judge in the International Tribunal for the Law of the Sea, in the *Case Panama v. Guinea Bissau*.

The third field is that of the political arena. Although this refers to a short period of time, between 1974 and 1980, during the first six years after the Portuguese democratic revolution, Professor Sérvulo Correia was Secretary of State of Emigration at the Ministry of Foreign Affairs, and a member of the Portuguese Parliament, the first under the 1976 Constitution, where he was also President of the Parliamentary Commission of Health and Social Security. At the same time, he was a Member of the Parliamentary Assembly of the Council of Europe. The Professor has not had an active role in Portuguese political life since 1980 because he did not want to. Frequently buzzed on the media for governmental departments, he has always chosen to dedicate his time to the university and to the lawyering.

The fourth and last field, about which I am, naturally, less qualified to describe, is his personal life. However, it is clear that also here Professor Sérvulo Correia has and will keep on having a “full life”. He married, for the first time, in 1964, and has re-married, in 2002, with the lovely Cheryl Roup. From his first marriage, he had 7 children and, currently, has 18 grandchildren.

Well, the truth is that everything I have said is nothing but some impressionistic brush strokes describing the “full life” of Professor Sérvulo Correia. Out of these fields, or, better said, inside all of them at once, there is another legacy that has marked all of those who have contacted him: and that is his intellectual seriousness. Professor Sérvulo Correia and intellectual seriousness, as a moral principle, are more or less one and the same thing. As with all principles, be it moral or legal, intellectual seriousness may be applied, or lived, in different levels of intensity. With Professor Sérvulo Correia, it is almost a way of existence: full effectivity and inexist-ent defeasibility. Intellectual seriousness is a serious matter and has to be taken seriously. In times like these, when everything is - or seems to be - easy, when we choose time over accuracy, and when complex ways of life prevail upon depth and righteousness, intel-lectual seriousness is the last weapon to defend the integrity of rational thought on which our civilization was built. And if this is true for life, in science intellectual seriousness draws the line between what exists and what does not exist. Science demands doubt, method, and truth, and these are nothing but refractions of intel-lectual seriousness. The relevance of this topic is even more unavoid-able when one thinks of legal science: a science associated with the ambiguity of language and, at last, connected to the resolution of human conflicts, easily contaminated by manipulative games and subversions, defending interests that have nothing to do with the truth. Therefore, in legal science, the capacities to be accurate, deep, and truthful are particularly decisive to deal with the law as it is, to build coherent and rational scientific propositions, and to make science without concessions to anything but the truth. It is at this point, in the heart of legal science, that Professor Sérvulo Correia has implanted this inescapable legacy: his intellectual seri-ousness, a particular way of being that will live on as a human shaped brand. Through statistic evidence that I recognize daily, there is not one person in my generation - or in younger generations - who does not acknowledge this.

*For myself, and surely for all of them, thank you Professor.*