

**SPEECH GIVEN BY PROF. DR. DÁRIO MOURA VICENTE
ON THE OCCASION OF THE VISIT OF THE PRIME MINISTER OF
PORTUGAL TO THE V. M. SALGAOCAR COLLEGE OF LAW,**

Panaji, Goa,
12 January 2017

Your Excellency, Dr. António Costa, the Prime Minister of Portugal

Shri Dattaraj Salgaocar, Vice-President of the Governing Council of the Salgaocar College of Law

Prof. Dr. Mandava Ramakrishna Prasad, Principal of the Salgaocar College of Law

Distinguished Guests

Dear Colleagues and Students

Ladies and Gentlemen

Allow me in the first place to thank the Salgaocar College of Law for hosting us today and for having immediately accepted the suggestion of the Law School of the University of Lisbon that the Prime Minister of Portugal be invited to come to the College on the occasion of his State Visit to India.

For ten years our two institutions have been implementing a successful cooperation programme, the *Diploma in Civil Law Course*, which has allowed more than 500 Goan jurists and law students to attend lectures given at the College by professors of the Law School of the University of Lisbon on Portuguese, European and Comparative Law.

We could not have a better way of commemorating the tenth anniversary of our exchange than by receiving at the College the Prime Minister of Portugal, himself a graduate and former lecturer of the Lisbon Law School and, if I may say so, a Goan by blood if not by birth.

This programme has only been possible due to the hospitality and dedication of the College's faculty and staff. I would like, in particular, to mention here the instrumental role played by the three Principals of the College with whom I've had the privilege of working together throughout the ten editions of our course: Professors Marian Pinheiro, Kotagiri Srinivasa Rao and Ramakrishna Prasad. Also, let me refer the names of the three course directors that have worked with us along the years: Professors Carmo d'Souza, Pearl Monteiro and Ranjana Ferrão. Without their support and commitment, none of our achievements would have been possible.

Secondly, I would like to address myself to Dr. António Costa, the Prime Minister of Portugal, and thank him for having accepted our invitation to be here today. Your presence, Excellency, testifies the relevance that has been acknowledged throughout the years by the Portuguese State to the academic cooperation between Portuguese and Indian Universities, particularly in Goa.

It is of course not by chance that the largest Portuguese Law School has chosen to cooperate with a Goan institution in teaching and research of legal issues. Goan law, like many other aspects of Goan culture, reflects the meeting of the Portuguese and the Indian legal systems, which has given birth to a unique hybrid legal culture. We firmly believe that this cultural link between our two countries should be preserved and consolidated. And that is precisely the purpose of our programme, which has not only brought Portuguese law professors to India, but has also enabled Indian scholars to come to Portugal in order to lecture and research at the Lisbon Law School.

So, thank you, Prime Minister, for your interest and support to our efforts. They may be unknown to many, at least in Portugal, but they have been serious and effective in promoting a greater mutual understanding and knowledge between Indian and Portuguese jurists and law students.

Thirdly, I would like to thank the entities that, in Portugal and in India, have helped us by providing the necessary funds and institutional support to our activities: IPAD – Instituto Português de Apoio ao Desenvolvimento; Camões – Instituto da Cooperação e da Língua, Fundação Calouste Gulbenkian and Fundação Oriente. Without them, we would also not have been able to conduct our program.

A special word of appreciation is also due to the Consulate General of Portugal in Goa. Three General Consuls of Portugal have closely worked with us along the past ten years: Drs. Paulo Pocinho, António Sabido Costa and Rui Baceira. To all of them, our deepest gratitude.

Besides the course on Civil Law, our academic exchange with Goa has comprised the publication of works on Portuguese and Indian law. In particular, I would like to mention in this respect the bilingual edition of the Civil Code provisions on Family and Succession Law, with commentaries by professors of the Law School of the University of Lisbon, the 2nd edition of which was published in 2014 by Broadway Books of Panaji. Our gratitude is due to our publisher for having allowed the Goan legal community to have at their disposal a reliable, up to date version of Portuguese law as it stands in Goa. I'm sure that he doesn't regret his investment, because the book has become a best seller in Goa and its first edition has sold out.

Prime Minister, Excellences, Ladies and Gentlemen:

Our work in Goa is an example of how the civil societies of India and Portugal can interact with mutual benefit for both parties. Dialogue between academics of the two countries is, we believe, an important way of enhancing the bilateral relations between India and Portugal, because it promotes, in a lasting way, reciprocal understanding and opens the door to many other forms of cooperation.

For that reason, we think that it should be intensified. An extension of our course in Goa has already been created in New Delhi, at the distinguished Indian Society of International Law, a premier national institution for teaching and research in International Law, established in 1959 by the Indian Government largely due to the efforts of the late Krishna Menon. That course was attended in June 2015 by over one hundred students that enthusiastically participated in the lectures given by four professors from our Law School.

Like its Goan counterpart, the Delhi course does not focus specifically on the Indo-Portuguese law that generated as a result of our 500 years of common history. It goes far beyond that: its essence are the legal problems posed by Globalization, probably the greatest challenge that both India and Portugal currently face. That is why in both courses great emphasis was put in European and Comparative Law disciplines.

But we think that we can and should go further. A permanent chair of Portuguese, European and Comparative Law has been called for in Goa. It would allow a more permanent exchange between academics of Portugal and India. A larger number of scholarships for Indian law students and scholars would enable their presence in higher numbers in Portuguese Universities. In this respect, the University of Lisbon is, as it has always been, open to work together with Portuguese and Indian authorities in order to enable these developments.

And there is more. It is well known that section 44 of the Indian Constitution provides that «*The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India*». This provision has stood in the Constitution since 1949, but has not been implemented so far. However, for 150 years Goa has had such a uniform civil code, thus testifying that this is no impossible enterprise in India.

It therefore comes as no surprise that in October 2016 the Indian Law Commission has called for the engagement of all legal actors in India with the purpose of giving effect to that constitutional provision and has asked for comments and proposals. A new era is probably dawning in India in what concerns Civil Law. One that will require ever greater training of lawyers in Comparative Law, because this is the basis on which rest all significant legal reforms. Our experience in Goa will, I'm sure, be of assistance in this regard.

Our great poet Fernando Pessoa wrote that «*The Portuguese people is essentially cosmopolitan. Never a true Portuguese has just been a Portuguese: he has always been everything*» («*O povo português é essencialmente cosmopolita. Nunca um verdadeiro português foi português: foi sempre tudo*»).

Prime Minister, probably no one in this room incarnates this definition of the Portuguese soul better than you. I'm sure that, for that reason, you will also be the best interpreter of the spirit of your *alma mater's* project in Goa.

Thank you.