**CV – Gabriel Encinas, PhD**

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| **Personal data** |  |  |
| **Name:** Gabriel Alejandro  **Last names:** Encinas Duarte  **Nationality:** Mexican |  | **Phone:** (+49)15754806928  [gabriel.alejandro.encinas@fau.de](mailto:gabriel.alejandro.encinas@fau.de)  [gabriel.encinas92@gmail.com](mailto:gabriel.encinas92@gmail.com) |

**Current affiliation:**

Alexander von Humboldt Research Fellow (Postdoc), August 2023-July 2025. At Friedrich Alexander Universität Erlangen-Nürnberg. Academic supervisor: Prof. Dr. Jan-Reinard Sieckmann.

# Academic Professional Experience

* April 2019 – present: **Professor** at Universidad Autónoma de Baja California (Ensenada, Mexico). Full-time professor August 2022 – July 2023.
  + Courses taught (Undergraduate, *licenciatura en derecho*):
    - Introduction to Law;
    - Legal Research Methods;
    - Constitutional Law;
    - International Human Rights Law;
    - Interpretation and Legal Argumentation;
    - Constitutional Law Seminar;
    - Institutions of Procedural Constitutional Law;
    - Roman Law
    - Research Techniques
    - Theory of the State
  + Graduate courses taught:
    - Constitutional Theory (2019);
    - Foundations of Constitutional and Administrative Law (2022)
    - Seminar on Legal Interpretation and Argumentation (2023)
* July 2022: **Professor** (*profesor de asignatura*) at Centro de Estudios Universitarios Xochicalco, Ensenada. Course taught:
  + Research Methodology (at *Maestría en Juicios Orales*, LLM in Oral Trials)

Invited speaker in lectures/sessions at Robert Gordon University (Aberdeen, Scotland, UK), Scuola Superiore Sant’Anna (Pisa, Italy), Universidad de Buenos Aires (Buenos Aires, Argentina), Pontificia Universidad Católica del Perú (Lima, Peru).

# Studies

* October 2017 – May 2021: **PhD in Human Rights and Global Politics**, Sant’Anna School of Advanced Studies, Pisa, Italy.
  + Dissertation: “Pluralist Arguments and Institutional Justification”, *cum laude* [highest grade awarded].
  + Supervisor: Prof. Dr. Alberto Pirni.
  + Research stay at the University of Heidelberg, Germany under the supervision of Prof. Dr. Martin Borowski (summer semester 2019).
* October 2016 – September 2017: **LLM in Legal Theory**, Goethe University Frankfurt am Main, Germany & European Academy of Legal Theory.
  + Dissertation: “The Pluralism of the Postwar Paradigm: An Interpretation”, *summa cum laude* (1,3) [highest grade awarded].
  + Supervisors: Prof. Klaus Günther, Ralf Seinecke.
* August 2010 – June 2015: **Bachelor’s degree in law** (*licenciado en derecho*), Universidad Autónoma de Baja California, Ensenada.
  + National prize for outstanding results in final examination (EGEL-CENEVAL Premio de Excelencia) 2015
  + Scholarship winner in the academic program “Colegio de la Globalización, Generación Octavio Paz” (December – February 2015);
  + Semester abroad (July – December 2013) at Universidad Nacional de La Pampa; La Pampa, Argentina.

# Formation: Research stays, Advanced Courses

* June 2022: “El derecho de defensa en los procedimientos disciplinarios y sancionatorios administrativos” UNAM (Mexico).
* July – September 2021: Intensivkurs für fortgeschrittene Forscher:
  + “Grundrisse der Hegels praktischen Philosophie” Prof. em. Dr. Erzébet Rózsa, Organized by Sociedad Iberoamericana de Estudios Hegelianos and Corporación Cultural Chileno-Alemana de Valparaíso (online).
* July 16, 2021: “Theory, Methods and Identity of European Legal Scholarship: Confronting Carl Schmitt”, taught by Prof. Dr. Armin von Bogdandy as part of the Max Planck Law Curriculum (online).
* Summer semester 2019: **Research stay** at Heidelberg University (Germany) under the supervision of Prof. Dr. Martin Borowski.
* Participation in seasonal schools during PhD studies:
  + February 2021: The Ethics of Climate Change: Reshaping Responsibilities for Present and Future Generations” (Scuola Superiore Sant’Anna, Pisa, Italy - online).
  + Communities and the Individual: Beyond the LiberalCommunitarian Divide (Reset DOC, Ca’Foscari University of Venice, Italy, May 2020 - online).
  + “Fountainheads of Toleration: Forms of Pluralism in Empires, Republics, Democracies” (Reset DOC, Ca’Foscari University of Venice, Italy, June 2018). **Scholarship awarded for stay and tuition waiver.**
* Participation in seasonal schools during LLM studies:
  + “Law and Logic” (European University Institute, Harvard Law School, European Academy of Legal Theory, July 2017), o “Advanced Seminar in Global Legal Theory”, “Global Law Week” in Université Libre de Bruxelles, in Brussels, Belgium (May 2017), o “Global Legal Skills” (Masaryk University, University of Vienna, European Academy of Legal Theory, October 2016).

# List of Publications

**2023:**

1. “The Idea of ‘Interlegal Balancing’ in Multilevel Settings” in J. Scholtes M. Kos (eds.), *Accommodating Diversity in Multilevel Constitutional Orders: Legal Mechanisms of Divergence and Convergence*, Routledge.
2. “Algunas implicaciones del pluralismo ético en lo jurídico: Entre la ‘abstinencia epistémica’ y ‘cultura de la justificación’” in J. A. Martínez Gómez, A. F. Carrillo Salgado and J. C. Muñoz Mendiola (eds.), *Racionalidad, argumentación jurídica e interpretación en el Estado constitucional de derecho.* Tirant lo Blanch.
3. “Autonomía y pluralismo jurídico en el Tribunal Universitario de la UABC, México” [*Autonomy and Legal Pluralism in UABC’s University Court*], (in coauthorship with P. L. Flemate Díaz), *Revista De Educación Y Derecho*, (27). <https://doi.org/10.1344/REYD2023.27.40732>

**2022:**

1. “*Interlegalità e proporzionalità*” [*Interlegality and Proportionality*] in [*L’era dell’interlegalità*](https://www.mulino.it/isbn/9788815294777) (G. Palombella, E. Chiti, A. di Martino, eds., Il Mulino)
2. [“Interlegal Balancing: A Concept, Two Contexts, Some Circumstances”](https://www.rivisteweb.it/doi/10.4477/104018), *Rivista Italiana di Filosofía del Diritto* XI 1/2022, pp. 75-90.
3. “Pluralismo jurídico y su posible sentido normativo desde la argumentación” [*Legal Pluralism and Its Possible Normative Sense upon Legal Argumentation*] in H. J. Perea Bonilla, M. Neria Govea, D. Gómez Martínez (eds.), [*La práxis de los derechos fundamentales: Análisis teóricos y particulares*.](https://www.editorialdike.com/index.php/catalogo/administrativo/la-praxis-de-los-derechos-fundamentales-an%C3%A1lisis-te%C3%B3ricos-y-particulares-detail) Diké, pp. 89-124.
4. “Coordenadas para la argumentación interjurídica a partir de N.

MacCormick, K. Günther y R. Alexy” [*Coordinates for interlegal reasoning upon N. MacCormick, K. Günther and R. Alexy*] in J. P. Lionetti de Zorzi & H. M. Lell (eds.), [*Actas de las II Jornadas Internacionales y III Nacionales Nuevas Perspectivas de la Argumentación en el Siglo XXI*,](https://www.unlpam.edu.ar/cultura-y-extension/edunlpam/catalogo/actas-de-eventos-academicos/diciembre-de-2022) UNLPam.

**2021:**

1. Coeditor (along M. Neria Govea), of [*Ordenamiento Jurídico: Fundamentos y Apertura*](https://www.dijuris.com/libro/ordenamiento-juridico-fundamentos-y-apertura_43411) [*Legal Order: Foundations and Opening*] (Mexico: Derecho Global). My chapters:
   1. “Introducción: El ordenamiento jurídico, cuestión abierta” [*Introduction: Legal Order, an Open Question*]
   2. “Las normas de apertura como elemento necesario del ordenamiento jurídico” [*Opening Norms as Necessary Elements of Legal Orders*]
2. [“La teoría Alexiana de los principios y dos concepciones de la democracia”](https://doxa.ua.es/article/view/2021-n44-la-teoria-alexiana-de-los-principios-y-dos-concepciones-de-la-democracia) [*Alexian Principles Theory and Two Conceptions of Democracy*], *Doxa:*

*Cuadernos de Filosofía del Derecho*, (44), 377-407.

1. “Ponderación interlegal, ¿argumentación interjurídica?” [*Interlegal Balancing, Interlegal Reasoning?*] in J. P. Lionetti de Zorzi & H. M. Lell (eds.), [*Nuevas Perspectivas de la Argumentación en el Siglo XXI: Avances y discusiones en torno a la argumentación jurídica*,](https://www.unlpam.edu.ar/cultura-y-extension/edunlpam/catalogo/actas-de-eventos-academicos/actas-i-jornadas-internacionales-ii-nacionales-nuevas-perspectivas-argumentacion-siglo-xxi) UNLPam.
2. [“Interlegality and Proportionality”](https://www.cir.santannapisa.it/sites/default/files/Encinas%20-%20Interlegality%20and%20Proportionality.pdf) Center for Interlegality Research Working Paper 07/2021. Available at: <cir.santannapisa.it/workingpapers>

**2020:**

1. [“Hacia una escala entre pluralismos y constitucionalismos”](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3543182), in M. Neria (ed.), *Estado de Derecho y Justicia*, Fontamara.
2. [“Interlegal Balancing”](https://www.cir.santannapisa.it/sites/default/files/G%20Encinas%20-%20Interlegal%20Balancing.pdf) Center for Interlegality Research Working Paper 02/2020. Available at: <cir.santannapisa.it/working-papers>
3. [“Interlegal Balancing: Rejoinder to Wei Feng’s Comments”](https://www.cir.santannapisa.it/sites/default/files/Encinas%20-%20Rejoinder%20on%20Interlegal%20Balancing_0.pdf) Center for Interlegality Research Working Paper 04/2020. Available at: <cir.santannapisa.it/working-papers>

**2019:**

1. “Is Argumentation Theory Applicable for Legal Pluralism?”, in A. F. L. De Paula & A. Santacoloma (eds.) [*Law and Morals: Proceedings of the Special Workshop held at the World Congress of the International Association for Philosophy of Law and Social Philosophy in Lisbon 2017*.](https://elibrary.steiner-verlag.de/book/99.105010/9783515122795) Franz Steiner.
2. [“Pluralismo razonable en el estado constitucional: de la tolerancia a la discrecionalidad judicial”](https://revistas.iue.edu.co/index.php/nuevoderecho/article/view/1229) [*Reasonable Pluralism in the Constitutional State: from Toleration to Judicial Discretion*], *Nuevo Derecho*, Vol. 15, No. 25, julio-diciembre 2019, pp. 88-109. ISSNe: 2500-672X.

**2017:**

1. [“Revaloración de la soberanía en el Estado constitucional. De soberanía tradicional a soberanía cooperativa”](https://www.academia.edu/41977499/Revaloraci%C3%B3n_de_la_soberan%C3%ADa_en_el_Estado_constitucional_De_soberan%C3%ADa_tradicional_a_soberan%C3%ADa_cooperativa), in M. Neria (ed.), *Derecho Constitucional en la Encrucijada,* Tirant Lo Blanch.

**2015:**

1. [“Pluralismo ante la erosión estatal y como exigencia del paradigma de la posguerra”](https://revistas-colaboracion.juridicas.unam.mx/index.php/anuario-derecho-constitucional/article/download/4113/3562), in *Anuario de Derecho Constitucional Latinoamericano*, (21) pp. 15-30.

# Presentations and Conferences

1. “Argumentación interjurídica y ponderación de normas de distintos ordenamientos” [*Interlegal reasoning and balancing of norms from diverse orders*] Tercer Congreso de Filosofía del Derecho para el Mundo Latino. Universidad Nacional Autónoma de Mexico (UNAM) and Instituto Tecnológico y de Estudios Superiores de Monterrey (TESM), June 30, Queretaro, Mexico.
2. “Ponderación interlegal: El potencial transformador de la argumentación jurídica hacia la justicia transnacional” [*Interlegal Balancing: The Transformative Potential of Legal Reasoning towards Transnational Law*], ENID-Institute for Legal Research, UNAM (Tijuana, Mexico). November 2022.
3. “Argumentación interjurídica” [*Interlegal reasoning*], Universidad Autónoma de Baja California (Ensenada, Mexico). October 2022.
4. Member of the scientific committee and participant (“Coordenadas para la argumentación interjurídica a partir de N. MacCormick, K. Günther y R. Alexy” [*Coordinates for interlegal reasoning upon N. MacCormick, K. Günther and R. Alexy*]) in “II Jornadas Internacionales y III Nacionales Nuevas Perspectivas de la Argumentación en el Siglo XXI” Universidad del Museo Social Argentino, Universidad Nacional de La Pampa (Argentina). September 2022.
5. Invited participant in the book presentation “Mujeres en el Sistema Interamericano: Sobrevivientes y Constructoras de la Jurisprudencia Progresista” [*Women in the Inter-American Human Rights System: Survivors and Builders of Progressive Jurisprudence*] authored by Dr. Isaac De Paz González. Universidad Autónoma de Baja California, (Ensenada, Mexico). May 2022.
6. “Interlegality and Proportionality”, in International Conference “(Playing) Constitutional Twister: The Mechanisms of Convergence and Divergence within Multilevel Legal Orders”, Ljubljana University / online. October 2021.
7. “Ponderación interlegal, ¿argumentación interjurídica?”, in “I Jornadas Internacionales y II Nacionales Nuevas Perspectivas de la Argumentación en el Siglo XXI”. Universidad del Museo Social Argentino, Universidad Nacional de La Pampa, Argentina / online. September 2021.
8. “Interlegal Balancing”. Center for Interlegality Research, Pisa, Italy / online. July 2020.
9. “Public Reason and Correctness: Shifting Institutional Pragmatics?” Human Rights and Global Politics Research Seminar, Scuola Superiore Sant’Anna, Pisa, Italy. December 2019.
10. “Recasting Legal Pluralism as a Piecemeal ‘Weighting’ of Validity? Institutional Fora, Criteria and Sequencing” 29th IVR World Congress in Lucerne, Switzerland. July 2019, and co-convenor of Special Workshop 51 “Globalization as a Challenge to Legal Philosophy?”.
11. “Recasting Legal Pluralism as Interlegal Balancing? Questions on Fora and Criteria”. Doktorandenkolloquium, Chair (Lehrstuhl) of Public Law, Constitutional Theory and Legal Philosophy, Heidelberg University. May 2019.
12. “Legal Pluralisms and Constitutionalisms: Toward a Soft Constitutionalist Thesis?” Annual European University Institute and Scuola Sant’Anna Joint PhD Workshop in Legal Studies. November 2018.
13. “Is Argumentation Theory Applicable for Legal Pluralism?”. Special Workshop “Law and Morals” at the 28th IVR World Congress in Lisbon, Portugal. July 2017.
14. “Pluralismo ante la erosión estatal y como exigencia del paradigma de la posguerra” Universidad Autónoma de Baja California, Ensenada, Mexico. November 2015.
15. “Soberanía cooperativa” Universidad Autónoma de Baja California, Ensenada, Mexico. April 2015.
16. “Tras la dignidad humana: Constitucionalismo mexicano y soberanía cooperativa”. Segundo Encuentro Estatal de Jóvenes Investigadores, Tijuana, Baja California. October 2014.

## Workshops Organized

* Co-convenor along Prof. Dr. Gianluigi Palombella and Dr. Keisuke Kondo, Special Workshop “Globalization as a Challenge to Legal Philosophy”, at the 29th IVR World Congress in Lucerne, Switzerland. July 2019.

# Supervision

* **LLM thesis co-supervisor:** Abigail Vazquez Nolasco, Thesis: Derecho a la vivienda y habitabilidad digna en México [*The Right to Adequate Housing in Mexico*].
* ***Especialidad* thesis examiner:** María Teresa Alvarado Bretado, thesis: La dimensión del régimen de custodia compartida en Baja California [*The Scope of the Shared Custody Regime in Baja California*].

# Languages

* Spanish (native)
* English (fluent)
* German (very good - B1/B2)

# Affiliations and Recognitions

* Humboldt Fellow 2023-2025.
* Member of the Mexican National System of Researchers (SNI – Candidato)
* Member of Center for Interlegality Research (CIR), Pisa, Italy.