

Ruth RUBIO-MARIN

Florence, Italy

European University Institute

Chair in Constitutional and Public Comparative Law (appointment as of September 2008-2013)

Personal

Citizenship: Spanish

Place and date of birth: Sevilla, October 6, 1969

Former affiliation

Spain

Associate Professor of Public Law

Universidad de Sevilla: Profesora Titular de Derecho Constitucional (since March 2000)

US, New York

Global Law School Faculty, New York University (appointed as of June 2002)

Work

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Courses and Seminars Taught: University of Sevilla, Spain; Universidad Mayor de San Simon, Bolivia; Princeton University; Columbia University; New York University; Vermont Law School; University of Alabama Law School; European University Institute, Florence.

- * Spanish Constitutional Law
- * Comparative Constitutional Law
- * Immigration and Constitutionalism: a Comparative Perspective
- * Multiculturalism and Constitutional Justice: Ethnocultural Conflicts in Constitutional Democracies
- * Citizenship and the Challenge of Migration in the United States and Europe
- * Constitutions and the Treatment of Gender
- * Citizenship, Nationalism and Collective Responsibility
- * Human Rights Law
- * Transitional Justice
- * Accommodation of Cultural Diversity in Liberal Societies: Law and Political Theory
- * The Gender of European and Constitutional Jurisprudence
- * Global Justice

Primary Research Areas: immigration and nationality law; constitutional law; comparative constitutional law; antidiscrimination law; law and gender; citizenship theory; minority rights.

Secondary Research Areas: political theory; human rights; transitional justice.

Other Experience and Education

Fellow, Program in Law and Public Affairs, Princeton University, 2000-2001
Visiting Professor, Queen's University, Kingston, Ontario, Canada, Winter 1999
Visiting Professor, Universidad Mayor de San Simón, Cochabamba, Bolivia, Summer, 1998
Ph.D. European University Institute, Florence, Italy, 1993-1997
Visiting Scholar, Boalt School of Law, University of California Berkeley, January-June 1995
Erasmus exchange student, Université de Paris II, France, Fall, 1992
Law Degree, Universidad de Sevilla, June 1992 (best student in the graduating class)
Elementary and Secondary School: Sevilla and Toronto (North Collegiate Institute), Canada

Language Skills:

English, German, French, Italian, Spanish: fluent

Portuguese: passive knowledge

Russian: basic knowledge

Publications (sole authorship except as indicated)

Books

Lengua y Ciudadanía Multicultural: Debates Constitucionales en España y Canada [Language and Multicultural Citizenship: Constitutional Debates in Spain and Canada] (in progress).

Migration and Human Rights (ed.) (contract with Oxford University Press, 2013) (in progress)

The Conquest of Female Suffrage in the EU (ed. with B. Rodriguez Ruiz) (Brill, forthcoming 2012)

The Gender of Reparations (ed.) (Cambridge University Press, 2009)

What Happened to the Women? Gender and Reparations for Human Rights Violations (ed.), Social Science Research Council, New York, 2006.
(translated into Indonesian, 2008 and Spanish, 2009)

The Gender of Constitutional Jurisprudence (ed. with Baines, B.), Cambridge University Press, 2004.

Immigration as a Democratic Challenge: Citizenship and Inclusion in Germany and the United States, Cambridge University Press, 2000.

Mujer e Igualdad: la Norma y su Aplicación [Women and Equality: the Norm and its Application],

(with Vivas Tesón I. and Herrera Moreno, M.), Instituto Andaluz de la Mujer, Sevilla, 1999.

Articles

- “A New European Parity-Democracy Sex Equality Model and Why it Won’t Fly in the US”, *American Journal of Comparative Law*, vol. 60, Issue 1 (forthcoming 2012).
- “Engendering the Reparations Jurisprudence of the Inter-American Court of Human Rights: The Promise of the Cotton Field judgment”, with Clara Sandoval, *Human Rights Quarterly*, Vol. 33, 2011, 1062-1091.
- “*Alles oder Nichts*”? The Outer Boundaries of the German Citizenship Debate”, with Enikő Horváth, (I*CON), Vol. December 2009), 1-22.
- “Constitutional Justifications for Parity Democracy”, with Blanca Rodríguez Ruiz, *Alabama Law Review*, Vol. 60, No. 5, 2009, 1167-1190.
- “The gender of representation: On democracy, equality and parity”, with Blanca Rodríguez Ruiz, *International Journal of Constitutional Law* (I*CON), Vol. 6, No. 2, April 2008, 287-316.
- “Women and Reparations”, with P. de Greiff, *International Journal for Transitional Justice*, Vol. 1, No. 3, 2007, 318-337.
- “De la paridad, la igualdad y la representación en el Estado moderno” [On parity, equality and representation in the modern state] with B. Rodríguez Ruiz, *Revista Española de Derecho Constitucional*, n.81, 2007, 115-159.
- “Transnational Politics and the Democratic Nation-State: Normative Challenges of Expatriate Voting and Nationality Retention of Emigrants”, *N.Y.U. L. Rev.* Vol. 81, 2006,101-131.
- “Taking Immigrants’ Rights Seriously”, *The Responsive Community*, Vol. 13, No. 2, Spring 2003, 43-57
- “Exploring the Boundaries of Language Rights: Insiders, Newcomers, and Natives” in *NOMOS XLV: Secession and Self-Determination*, ed. by Stephen Macedo and Allen Buchanan, New York: New York University Press, 2003, 136-173.
- “Women and the Cost of Transition to Democratic Constitutionalism in Spain”, *International Sociology*, Vol. 18, No. 1, 2003, 239-257.
- “El reto democrático de la inmigración ilegal (a la luz del debate constitucional actual en España)” [The democratic challenge of illegal immigration: in view of the current constitutional debate in Spain] en *El derecho de una democracia cosmopolita [Law in Cosmopolitan Democracy]*, Anales de la Cátedra Francisco Suárez, No.36, 2002, 173-197.
- “The need for cultural honesty post-11 September”, in Symposium on 11 September 2001, *Ethnicities*, Vol. 2., No.2, June 2002, 156-160.

“Derechos de Grupo de las Minorías Lingüísticas: Reflexiones Teóricas para un Debate Constitucional”, [Group Rights of Language Minorities: Theoretical Reflections for a Constitutional Debate] *Cuadernos de Alzate*, No. 22, 2000, 36-64.

“The European Convention and the Relative Rights of Resident Aliens”, with R O’Connell, *European Law Journal*, Vol. 5, No. 1, 1999, 4-22.

“National Limits to Democratic Citizenship”, *Ratio Juris*, Vol. 11, No.1, 1998, 51-66.

“La Protección Constitucional de los Extranjeros Ilegales en EEUU”, [Constitutional Protection of Illegal Immigrants in the US] *Revista Española de Derecho Constitucional*, Vol. 46, No.1, 1996, 107-133.

Book Chapters

“Violence against Women, Human Security and Human Rights: Reinforced Obligations in the Context of Structural Vulnerability” in *Gender, Violence and Human Security: New Perspectives* (Benson C., Ewig C. and Marx Ferree M. eds.), New York University Press (forthcoming 2012).

“Education, Crucifixes and Headscarves: Appropriation of Meanings and Content of Rights in Divided Societies”, Ruth Rubio Marín and Leonardo Alvarez Alvarez, *Rights in Divided Societies*, (Schwartz A. and Harvey C., eds.), Hart Publishing, Oxford, (2012 forthcoming).

“On Parity, Interdependence and Women’s Democracy”, with B. Rodríguez Ruíz in *Feminist Constitutionalism*, (Baines B., Barak Erez D. and Kahana T., eds.), Cambridge University Press, 188-203 (2012 forthcoming).

“The Constitutional Status of Irregular Migrants: Testing the Boundaries of Human Rights Protection in Spain and the United States”, C. M. Rodríguez and R. Rubio Marín, in *Are Human Rights for Migrants? Critical reflections on the status of the irregular migrants in Europe and the United States* (Dembour M. and Kelly T, eds.) Routledge, 2011, 73-98.

“La democracia como democracia paritaria” (Democracy as Parity Democracy) with B. Rodríguez Ruíz in *Derecho, Género e Igualdad: Cambios en las Estructuras Androcéntricas*, (D Heim y E Bodelon Gonzalez, coordinadoras), UAB, 2010, 317-334.

“Indigenous groups and claims for reparation: tentative steps in Peru and Guatemala”, by Ruth Rubio-Marín, Claudia Paz y Paz Bailey and Julie Guillerot in *Identities in Transition: Challenges for Transitional Justice in Divided Societies* (Arthur P., ed.) Cambridge University Press, 2010, 17-53.

“Repairing Family Members: Gross Human Rights Violations and Communities of Harm” with Ruth Rubio-Marín, Clara Sandoval, and Catalina Díaz, in *The Gender of Reparations*, (Rubio-Marín, R. ed.), Cambridge University Press, 2009, 215-290.

“Introduction: A Gender and Reparations Taxonomy”, in *The Gender of Reparations* (Rubio-Marín R., ed.), Cambridge University Press, 2009, 1-17.

- “The Gender of Reparations in Transitional Societies”, in *The Gender of Reparations* (Rubio-Marín R., ed.), Cambridge University Press, 2009, 63-120.
- “Gender and Collective Reparations in the Aftermath of Conflict and Political Repression”, in *The Politics of Reconciliation in Multicultural Societies* (Kymlicka W. and Bashir B., eds.), Oxford University Press, 2008, 192-214.
- “Gender and Reparations: Setting the Agenda” in *Reparations for Women Victims of Human Rights Violations: Case Studies*, (Rubio-Marín R., ed.), Social Science Research Council, New York, 2006, 21-47.
- “The evolution of nationality law in Spain”, in *Acquisition and Loss of Nationality: Policies and Trends in 15 European States*, (Baubock R et al., eds.), vol. 2, Country Analysis, Amsterdam University Press, Imiscoe Series, 2006, 277-515.
- “Engendering the Constitution: The Spanish Experience”, in *The Gender of Constitutional Jurisprudence*, (Baines B. and Rubio-Marín R., eds.), Cambridge University Press, 2005: 256-278.
- “Introduction: Toward a Feminist Constitutional Agenda” with Beverley Baines, in *The Gender of Constitutional Jurisprudence*, (Baines B. and Rubio-Marín R., eds.), Cambridge University Press, 2005: 1-22.
- “La inclusión del inmigrante: un reto para las democracias constitucionales”, [The inclusion of immigrants: a challenge for constitutional democracies] in *Extranjería e Inmigración*, Actas de las IX Jornadas de las Asociación de Letrados del Tribunal Constitucional, Centro de Estudios Políticos y Constitucionales, Madrid, 2004: 11-53.
- “Constitutional Domestication of International Gender Norms: Categorizations, Illustrations and Reflections from the Nearside of the Bridge” with M. Morgan, in *Gender and Human Rights*, (Knopp K., ed.), Oxford University Press, 2004: 113-152.
- “Language Rights: Exploring the Competing Rationales”, in *Language Rights and Political Theory*, (Kymlicka W. and Patten A., eds.) Oxford University Press, 2003: 52-79.
- “Citizenship and the Difference that Residence Makes”, in *European Citizenship: An Institutional Challenge*, (La Torre M. ed), Kluwer, Dordrecht, 1998.

Other Publications (including book reviews, interviews and newspaper articles)

- “DSK, Berlusconi... les liens entre pouvoir et violences sexuelles” (with Stéphanie Hennette-Vauchez), *Libération*, May 18, 2011.
- “DSK: sexo, poder y violencia de género”, Cuarta Página, *El País*, May 19, 2011.
- “Inmigrantes y contratos electoralistas”, Cuarta Página, *El País*, February 29, 2008.
- “Liberalism and Minority Rights. An Interview”, *Ratio Juris*, 12:2, June 1999 (with W. Kymlicka).

“Inmigración Ilegal y Ciudadanía Nacional”, [Illegal Immigration and National Citizenship] *Claves de Razón Práctica*, Vol. 68, No. 1, 1999, 32-39.

Book review of “L’ingresso degli stranieri extra-comunitari ed il trattamento delle domande d’asilo nelle legislazioni dei paesi della C.E.E” (Alberta Fabricotti), in *European Journal of International Law*, Vol. 5, No. 3, 1994.

Courses Taught as a Visiting Professor in Foreign Institutions

Multiculturalism and Constitutional Justice, **Princeton** University, Spring term 2001.

Citizenship, Nationalism and Collective Responsibility, with Prof. George Fletcher, **Columbia** University, Spring term 2002.

Multiculturalism and Constitutional Justice, New York University, Spring term 2003

Citizenship and the Challenge of Migration in the Unites States and Europe, **New York University**, Spring term 2003.

Multiculturalism and Constitutional Justice: Ethnocultural Conflict in Constitutional Democracies, New York University, Fall term 2004

Constitutions and the Treatment of Gender, New York University, Fall term 2004

Constitutions and the Treatment of Gender (with Prof. Morgan), University of **Alabama**, Fall 2005 (invitation renewed for Summer of 2007).

Ethnocultural Diversity in Constitutional Democracies, New York Univeristy, Spring term 2006

Constitutions and the Treatment of Gender, New York University, New York Univeristy, Spring term 2006.

The Accommodation of Ethnocultural Diversity in Western Constitutional Democracies, (invited for Spring 2008, **Cardozo Law School**).

Spanish Constitutional Law: A Comparative Perspective, **Vermont Law School**, (Summer 2003, 2006, 2008, 2010)

Organisation of International Conferences and Workshops

The European Family: New Challenges to Old Paradigms (together with Prof. Hans Micklitz and Prof. Loïc Azoulay, both from European University Institute), European University Institute, Florence, June 17, 2011.

Evolutions in Anti-Discrimination Law in Europe and North America II (together with Prof. Grainne de Burca, from Harvard Law School), Harvard Law School, May 6-7, 2011.

Gender Issues in International Criminal Justice (together with Prof. Francesco Francioni and Martin Scheinin, both from European University Institute), European University Institute, Florence, February 22, 2011.

(Re)Designing Global Governance for Gender Justice (together with Prof. Louise Chappell from University of South Wales), European University Institute, Florence, February 21, 2011.

Abortion Rights through the Lenses of Comparative Law II (North and South America), (together with Prof. Reva Siegel from Yale Law School), Yale Law School, March 14-15, 2010.

Abortion Rights through the Lenses of Comparative Law I (Europe), (together with Prof. Reva Siegel from Yale Law School), European University Institute, Florence, November 5-6, 2009.

Evolutions in Anti-Discrimination Law in Europe and North America I (together with Prof. Grainne de Burca, from Harvard Law School), European University Institute, Florence, January 29-30, 2009.

International Workshop on Gender and Reparations in Post-Conflict Societies, Colombia, March 30-31, 2007.

Primeras Jornadas Internacionales de Mujer y Constitución (First International Workshop on Women and the Constitution), Sevilla, June 19-20, 2000.

Direction and Participation in Research Projects

Coordinator of the project “Access to Citizenship in Europe (EUCITAC)” by the Robert Schuman Centre of the European University Institute, Florence, January 2009 – June 2010.

Director of Research Project, Gender and Reparations, (250,000 USD. Funding agency International Development and Research Centre, Canada) (2003-2005).

Member of the Project “The acquisition of nationality in EU-member states: rules, practices and quantitative developments” coordinated by the Austrian Academy of Sciences, Institute for European Integration Research (October 2004/2005)

Member of “European Group of Experts on Combating Sexual Orientation Discrimination”, established and funded under the framework of the Community Action Programme to Combat Discrimination 2001-2006.

Designated member of the Comparative Citizenship Project’s International Working Group. (Carnegie Endowment for International Peace) (first gathering Washington, DC, November 1999; second gathering Lisbon, Portugal, July 2000).

Doctoral Supervision

Staiano, Fulvia, *Migrant women in the European Legal Space: Promoting the Adoption of a Gender Perspective in National and European Immigration Law* (expected date of completion: 2014)

Margaria, Alice, *The new father under European Law*, (expected date of completion: 2014).

Ruibal, Alba, *Reproductive rights: mobilization through courts* (expected date of completion 2014)

Tripkovic, Bosko, *Constitutional interpretation in pluralistic societies* (expected date of completion: 2013).

Angeli, Danai, *Positive obligations and disabilities* (expected date of completion: 2013)

Campisi, Maria Chiara, *The role of memory under international law*, (expected date of completion: 2013)

De Freitas, Tiago, *The constitutional adjudication of welfare rights* (expected date of completion: 2012).

Reyniers, *Equality as the accommodation of differences*, (expected date of completion: 2012).

Human Rights Consultancy Work and Other Relevant Experiences

Consultancy for **UN Special Rapporteur**, Rashida Manjoo, for the drafting of Report on Violence against Women on Reparations for Women Subjected to Violence (December 2009-March 2010). See:

http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.22_AEV.pdf

Consultancy with **Morocco**'s CCDH (Consultative Council on Human Rights) and UNIFEM, Morocco, November 2007-March 2008.

Consultancy with **Colombia**'s National Reparations and Reconciliation Commission, member of the *International Center for Transitional Justice Team* (September 2006-January 2007)

Consultancy with **Morocco**'s *Instance d'Équité et Réconciliation* on Gender and Reparations, member of the *International Center for Transitional Justice Team*, April-November 2005.

Consultancy for the **International Center of Transitional Justice**, New York, directing large-scale research project on gender and reparations (2003-2005).

Cooperation at the **Oficina Jurídica para la Mujer** (Legal Office for Women): legal advice and education to indigenous women, Cochabamba, **Bolivia**, Summer 1998.

Scholarships and Awards

Fellowship in the Law and Public Affairs Program of the University of Princeton, 2000-2001.

Research scholarship for Spanish Professors (Canadian Embassy), 1999.

Teaching and Research Grant, Intercampus-Bolivia (Spanish Agency for International Cooperation), 1998.

Research scholarship for Ph.D. Program (Spanish Ministry of Foreign Affairs and European University Institute), 1993-1997.

Research scholarship (Andalusian Regional Government), 1993.

Erasmus Scholarship, 1992.

Premio Ayuntamiento de Sevilla, 1992.

Premio Maestranza, 1992.

Invited Talks, Seminars and Workshops

- “Inmigración, pluralismo y educación democrática: la cuestión de los símbolos religiosos en el marco escolar” in Cursos de Verano – *Políticas de inmigración en Europa: ciudadanía europea y global*, Universidad del País Vasco, San Sebastián, August 23, 2011.
- “Parity democracy: a new European sex equality model and why it won’t fly in the United States”, Harvard Law School, May 7, 2011 in workshop on *Evolutions in Anti-Discrimination Law in Europe and North America*, Harvard Law School, May 6-7, 2011.
- “Transitional Justice *e riparazione nella prospettiva del diritto interno e internazionale*”, Istituto Italiano di Scienze Umane of the Università degli Studi di Napoli Federico II, April 14, 2011.
- “Migrants’ rights: between integration and multiculturalism”, in Academy of European Law, XXIst session, European University Institute, June 14-25, 2010.
- “Constitutional framing: abortion and symbolism in constitutional law”, Yale Law School, March 14, 2010 in workshop on *Abortion Rights through the Lenses of Comparative Law*, Yale Law School, March 14-15, 2010.
- “Reparations for women subjected to violence: a conceptual framework”, in workshop on *Gender Issues in International Criminal Justice*, European University Institute, Florence, February 22, 2011.
- “Language rights: a theoretical framing“, Trento December 16, 2010 in workshop on *Minority Rights to Language and Education: Models and Perspectives in Europe and in Israel*, University of Trento, December 15-16, 2010.
- “Reparations for mass human rights violations: a gendered approach and its implications for development”, Kampala (Uganda), December 1, 2010 in workshop on *International Workshop on Gender, Reparations and Development*, UNIFEM, Kampala (Uganda), December 1-2, 2010.
- “Reparations for women subjected to violence: identifying opportunities”, United Nations, November 24, 2010 in *Expert workshop: the elimination of all forms of violence against women – challenges, good practices and opportunities*”, Geneva, November 24 – 25, 2010.
- “Reparations for Mass Human Rights Violations: A Gendered Approach” Colchester, September 16, 2010 in conference on *Shaping the future of Transitional Justice: growing synergies between theory and practice*, Essex Transitional Justice Network, Colchester, September 16-17, 2010.
- “Reparations for Mass Human Rights Violations: a Gendered Approach”, University of Wisconsin, Madison – Global Legal Studies Centre, September 3, 2010.
- “European contemporary approaches to non-discrimination”, University of Iceland, July 30, 2010.

- Conclusions in workshop on *Vulnerable Groups and the European Labour Market*, European University Institute, Florence, June 24, 2010.
- “Overview and key issues related to gender-specific reparations in armed conflict and in times of peace” *United Nations, Panel Discussion on Reparations for Women Subjected to Violence*, Geneva, June 8, 2010.
- “The Gender of Reparations: Unsettling Sexual Hierarchies While Redressing Human Rights Violations”, Book launch at *Vermont Law School*, August 28, 2009.
- “Reparations for Victims of Sexual Abuse”, in *Symposium on Violence against Women during conflict and Beyond*, Brussels, June 21-23, 2006.
- “The Gender of Reparations in Transitional Democracies”, *NYU Faculty Workshops Series*, April 16, 2006.
- “Gender and Reparations: Challenges and Opportunities”, *Roundtable on Gender and Transitional Justice organized by Open Society Institute*, New York, February 7, 2006.
- “Providing Reparations to Victims: Challenges and Opportunities”, *Conference on Dealing with the Past in Lebanon: Various Approaches to Transitional Justice*, Beirut, Lebanon, December 2 and 3, 2005.
- “Gender and Reparations to Victims of Human Rights Abuses in Transitional Democracies”, University of Alabama at Tuscaloosa, November 9, 2005.
- “Gender, Commissions de Verité et Réparation”, [Gender, Truth Commissions and Reparations] at *Forum national sur la réparation* [national forum on reparations] organized by Morocco’s Justice and Reconciliation Comisión, Rabat, Morocco, September 30th-October 1-2, 2005.
- “Engendering the Bolivian Constitution”, Cochabamba Court District, Bolivia, July 26th, 2005.
- “Pluralismo e costituzionalismo: la sfida della diversità linguistica”, Università degli Studi di Parma, May 6, 2004, Parma, Italy.
- Curso de Experta en Género: Módulo de Ciudadanía, [Masters in Gender Studies: unit on citizenship] Fall of 2001, 2002, 2003 and 2004 Sevilla, Spain.
- “Women and the Price of Transitions to Western Democratic Ideology”, *European Academy of Law*, Gender and Human Rights session, European University Institute, Florence, Italy, June 2001.
- “New trends of German citizenship”, conference on Politics and Society in the New Germany, May, 2001, The Center for Global Change and Governance, Rutgers University, Newark, New Jersey, United States.
- “Immigration and Democratic Inclusion in the US and Germany: a Normative Perspective”, Orville H. Shell, Jr. Center for International Human Rights, Yale Law School, April, 2001.
- “Legal and constitutional issues on language rights”, Language Rights Workshop, Forum for

Philosophy and Public Policy, Queen's University, March, 2001, Kingston, Ontario, Canada.

“Engendering the Constitution: the Spanish Experience”, Law and Public Affairs Seminar, Princeton University, February, 2001, Princeton, New Jersey, United States.

“Gender in the Spanish Constitution”, University of Alabama School of Law, November, 2000, Tuscaloosa, Alabama, United States.

“Immigration as a Democratic Challenge: Citizenship and Inclusion in Germany and the United States”, Dartmouth College, Rockefeller Center Distinguished Visitor, November 21, 2000, Hanover, New Hampshire, United States.

“Immigration as a Democratic Challenge: Exploring Inclusion through Residence”, University of Toronto, 27 October 2000, Toronto, Canada.

“Language Diversity in Spain: Constitutional Accommodation”, Queen's University, October 2000, Kingston, Ontario, Canada.

“Women in the Constitution: the Spanish Experience”, Queen's University, October 2000, Kingston, Ontario, Canada.

“Immigration and inclusion: the constitutional experience in Germany and the United States”, Queen's University, Kingston, Canada, March 1999.

Workshop on “Curso de Derecho Constitucional Comparado” [comparative constitutional law], Universidad Mayor de San Simón, Cochabamba, Bolivia, August 1998.

“La Justicia Constitucional” [constitutional justice], Corte Suprema del Distrito de Cochabamba, Bolivia, August 1998.

“New challenges to democratic membership”, European Citizenship Forum, EUI, Florence, April 1996, Italy.

Professional Associations

Asociación de Constitucionalistas de España