

# Mathias Möschel

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Austrian/German  
Admitted to practice in New York

## EDUCATION

- 2007 – 2011**                      **EUROPEAN UNIVERSITY INSTITUTE, FLORENCE - ITALY.**  
**PHD THESIS: “THE RELEVANCE OF CRITICAL RACE THEORY TO EUROPE”.**  
Supervision by Professor Wojciech Sadurski - University of Sydney - and Professor Kendall Thomas - Columbia Law School. Defended June 21, 2011.
- 2004 – 2005**                      **UNIV. OF CALIFORNIA, BOALT HALL SCHOOL OF LAW, BERKELEY – UNITED STATES.**  
**LL.M. IN CORPORATE LAW AND SPECIALISATION IN ANTI-DISCRIMINATION LAW.**
- 2002**                                **FACULTÉ INTERNATIONALE DE DROIT COMPARÉ, STRASBOURG – FRANCE.**  
**DIPLÔME SUPÉRIEUR DE DROIT COMPARÉ.**
- 1995 – 2001**                      **UNIVERSITÀ DEGLI STUDI DI MILANO - ITALY.**  
**BACHELOR’S DEGREE IN LAW – FINAL GRADE 110/110 (SUMMA CUM LAUDE).**

## ACADEMIC EXPERIENCE

### Research and Administrative:

**CENTRAL EUROPEAN UNIVERSITY, BUDAPEST – HUNGARY.** (2014 – today).

Associate Professor in comparative constitutional law, human rights law and non-discrimination law.

- Director of the Doctoral Programme (2017- today)
- Acting Chair of the Comparative Constitutional Law LL.M. Programme (2015-2016)

**UNIVERSITE PARIS OUEST NANTERRE LA DEFENSE – FRANCE.** (2012 – 2014).

Post-doctoral researcher with REGINE, a project on feminist legal theory in France.

**EUROPEAN UNIVERSITY INSTITUTE, FLORENCE - ITALY.** (2009 – 2012).

Doctoral Researcher with a grant by the Austrian government.

- Research Assistant for Professor Ruth Rubio-Marín on issues relating to gender and constitutional law.
- Academic Assistant for the Law Department in coordinating the First Year/LLM Programme and the drafting of the Law Department Self-Assessment Report.

**COLUMBIA UNIVERSITY SCHOOL OF LAW, NEW YORK – UNITED STATES.** (2009).

Visiting Scholar. Research for PhD thesis.

**UNIVERSITE DE PARIS II, PANTHEON-ASSAS, PARIS – FRANCE.** (2002 – 2004).

Researcher of the international research team at the university’s *Institut de droit comparé*.

**UNIVERSITÀ DEGLI STUDI DI MILANO – ITALY.** (2001 – 2002).

University assistant in comparative law with Professors Antonio Gambaro and Albina Candian.

### Teaching:

**CENTRAL EUROPEAN UNIVERSITY, BUDAPEST – HUNGARY.** (2014 – today).

Masters’ level courses on:

- Academic Legal Writing
- Critical Race Theory and Race and Law in Europe
- Elements of Comparative Constitutional Law
- EU Human Rights Law and Policy
- European Anti-Discrimination Law
- French Constitutional Law (and Its Influences Abroad)
- Protection of Constitutional Rights
- The Law and Politics of Combating Violence Against Women
- United States’ Constitutional Law

**UNIVERSITÀ DEGLI STUDI DI MESSINA – ITALY.** (2013).

30 hour Summer School on “Critical Race and Feminist Legal Theory” (undergraduate level).

**UNIVERSITÀ DEGLI STUDI DI MILANO – BICOCCA – ITALY.** (2009, 2011, 2012).

Seminars on anti-discrimination law in contract law from a comparative perspective and on “The Constitutionalization of Private Law” during a summer school (undergraduate level).

**NEW YORK UNIVERSITY – VILLA LA PIETRA, FLORENCE – ITALY.** (2011).

Lecturer on international human rights (undergraduate level).

**UNIVERSITE DE PARIS II, PANTHEON-ASSAS, PARIS – FRANCE.** (2002 – 2004).

Lecturer in Italian Law (undergraduate level).

## **PUBLICATIONS AND WORK IN PROGRESS**

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### **Books:**

- *Anti-Discrimination Law in Civil Law Jurisdictions* (with Barbara Havelkova (eds.)), Oxford: Oxford University Press, 2019 (accepted for publication, forthcoming).
- *Critical Race Theory: une introduction aux grands textes fondateurs* (with Hourya Bentouhami (eds.)), Paris: Dalloz, 2017.
- *Law, Lawyers and Race: Critical Race Theory from the United States to Europe*, London, New York: Routledge, 2014.
- *Ce que le genre fait au droit* (with Stéphanie Hennette-Vauchez and Diane Roman (eds.)), Paris: Dalloz, 2013.
- *Fighting discrimination in Europe: the case for a race-conscious approach* (with Costanza Hermanin and Michele Grigolo (eds.)), London, New York: Routledge, 2013.

### **Articles and book chapters:**

- “Critical Race Theory”, in Emiliios Christodoulidis, Ruth Dukes and Marco Goldoni (eds.), *Research Handbook on Critical Legal Theory*, Cheltenham, Northampton: Edward Elgar, 2018 (forthcoming).
- “‘Gender Quotas’ in French and Italian Public Law: A Tale of Two Overlapping and then Diverging Trajectories”, *German Law Journal*, 2018, vol. 19, no.6, pp. 171-199.
- “17 Years of Race Equality Directive: A Mitigated Balance”, in Uladzislau Belavusau and Kristin Henrard (eds.), *EU Antidiscrimination Law Beyond Gender*, London: Hart Publishing, 2018, pp. 141-160.
- “Race in French ‘Republican’ Law: The Case of *Gens du Voyage* and Roma”, *ICON*, 2017, vol. 15, no. 4, pp. 1206-1255.
- “Litigating anti-discrimination cases in Germany: what role for collective actors?”, *Anti-Discrimination Law Review*, vol. 1, no. 2, 2017, pp. 72-82.
- “La *Critical Race Theory*: un mouvement politique dans les facultés de droit américaines” (with Hourya Bentouhami), in Hourya Bentouhami and Mathias Möschel (eds.), *Critical Race Theory: une introduction aux grands textes fondateurs*, Paris: Dalloz, 2017, pp. 13-20.
- “Devenir professeur(e) agrégé(e) en droit: un parcours semé d’embûches”, in Hourya Bentouhami and Mathias Möschel (eds.), *Critical Race Theory: une introduction aux grands textes fondateurs*, Paris: Dalloz, 2017, pp. 379-387.
- “Le post-racialisme : divergences et convergences entre Etats-Unis et Europe”, in Hourya Bentouhami and Mathias Möschel (eds.), *Critical Race Theory: une introduction aux grands textes fondateurs*, Paris: Dalloz, 2017, pp. 463-471.
- “The Strasbourg Court and Indirect Race Discrimination: Going Beyond the Education Domain”, *Modern Law Review*, 2017, vol. 80, no. 1, pp. 121-132.
- “Racial Stereotypes and Human Rights”, in Eva Brems and Alexandra Timmer (eds.), *Stereotypes and Human Rights Law*, Cambridge: Intersentia, 2016, pp. 119-141.
- “Anti-Discrimination Exceptionalism: Racist Violence before the ECtHR and the Holocaust Prism” (with Ruth Rubio-Marín), *European Journal of International Law*, 2015, vol. 26, no. 4, pp. 881-899.
- “The French Supreme Court clarifies the implications for the ordre public of the act abolishing the prohibition of same-sex marriages” (with Sara Migliorini), *GenIUS*, 2015, no.2, pp. 268-275.
- “La lotta giuridica contro gli stereotipi di genere”, *Rivista critica del diritto privato*, 2015, no. 3, pp. 443-466.
- “Le Comité pour l’élimination de toutes formes de discriminations à l’égard des femmes: trente ans d’activités en faveur des femmes” (with Béatrice Delzangles), in Diane Roman (ed.), *La Convention sur l’élimination de toutes formes de discriminations à l’égard des femmes*, Paris: Pedone, 2014, pp. 49-80.
- “La famille: « unité fondamentale » de discriminations?”, in Diane Roman (ed.), *La Convention sur l’élimination de toutes formes de discriminations à l’égard des femmes*, Paris: Pedone, 2014, pp. 219-245.
- “L’intersectionnalité dans le contentieux de la non-discrimination relatif au domaine de l’emploi en France” in REGINE, *Le droit français au prisme du genre*, Paris: Editions du CNRS, 2014, pp. 699 - 716.

- “La burqa en Italie : d’une politique locale à une législation nationale”, in David Koussens and Olivier Roy (eds.), *Quand la burqa passe à l’ouest...Enjeux éthiques, politiques et juridiques*, coll. “Sciences religieuses”, Rennes: Presses universitaires de Rennes, 2013, pp. 237-250.
- “Is the European Court of Human Rights’ Case-law on Anti-Romani Violence ‘Beyond Reasonable Doubt?’”, in Morag Goodwin & Paul De Hert (eds.), *European Roma Integration Efforts – A Snapshot*, Brussels: Brussels University Press, 2013, pp. 27-50.
- “Discriminations indirectes et statistiques : entre potentialités et résistances” (with Carole Nivard), in REGINE, *Ce que le genre fait au droit*, Paris: Dalloz, 2013, pp. 77-91.
- “REGINE or ‘Gender goes legal in France’”, *Romanica silesiana*, 2013, vol. 8, no. 1, pp. 59 – 70.
- “Is the European Court of Human Rights’ case law on anti-Roma violence ‘beyond reasonable doubt?’”, *Human Rights Law Review*, 2012, vol. 12, no. 3, pp. 479-507.
- “Introduction: how does race ‘count’ in fighting discrimination in Europe?” (with Costanza Hermanin and Michele Grigolo), *Ethnic and Racial Studies*, 2011, vol. 34, no. 10, pp. 1635 – 1647.
- “Race in mainland European legal analysis: Towards a European Critical Race Theory”, *Ethnic and Racial Studies*, 2011, vol. 34, no. 10, pp. 1648 - 1664.
- “Life Partnerships in Germany: Separate and Unequal”, *Columbia Journal of European Law*, 2009, vol. 16, no. 1, pp. 37 – 65.
- “Race judicata. The ban on the use of ethnic and racial statistics in France”, *European Constitutional Law Review*, 2009, vol. 5, no. 2, pp. 197 – 217.
- “L’assenza della *Critical Race Theory* nei paesi di *civil law*”, *Rivista trimestrale di scienza dell’amministrazione*, 2007, no. 4, pp. 109 – 123.
- “Color Blindness or Total Blindness? The Absence of Critical Race Theory in Europe”, *Rutgers Race & the Law Review*, 2007, vol. 9, no. 1, pp. 57 - 127.
- *La franchise au carrefour du droit de la concurrence et du droit des contrats : Etats-Unis, Union européenne, France, Allemagne, Italie*, L. Vogel (ed.), Paris: Editions Panthéon-Assas, 2011.
- “Le monde des codes civils”, Louis Vogel (ed.), in: *1804-2004: Le Code civil : un passé, un présent, un avenir*, Paris: Editions Dalloz, 2004, pp. 789-802.
- *Les introuvables du droit comparé (1993-2003)*, Louis Vogel (ed.), coll. “Droit Global/Global Law” no. 2002/2 - 2003/1, Paris: Editions Panthéon-Assas, 2004.
- *Cinq ans de droit comparé dans le monde (1997-2002)*, Louis Vogel (ed.), coll. “Droit Global/Global Law” no. 2002/1, Paris: Editions Panthéon-Assas, 2002.

### Case notes, news articles, short entries, working papers, and reports/studies

- “Enforcement of Anti-Discrimination Law at the ECHR/CoE Level”, in Marie Mercat-Bruns, David B. Oppenheimer and Cady Sartorius (eds.), *Comparative Perspectives on the Enforcement and Effectiveness of Antidiscrimination Law*, Springer (Series: Ius Comparatum – Global Studies in Comparative Law), 2018, pp. 531-542.
- “If and when sexual orientation and age intersect: *Parris*”, *Common Market Law Review*, 2017, vol. 54, no. 6, pp. 1835-1851.
- “Hate Crimes”, in Andrea Wiesand *et al.* (eds.), *Culture and Human Rights: The Wroclaw Commentaries*, Berlin/Boston: De Gruyter, 2016, pp. 176-177.
- “La CEDH et la lutte contre les violences domestiques”, *Recueil Dalloz*, 2014, no. 16, pp. 960-961.
- “Abdu v. Bulgaria – Yet another case of racial violence before the Court!”, *Strasbourg Observers Blog*, 20 March 2014.
- “Race discrimination and access to the European Court of Justice: *Belov*”, *Common Market Law Review*, 2013, vol. 50, no. 5, pp. 1433-1450.
- “Les stérilisations forcées sur les femmes roms dans la jurisprudence de la CEDH”, *Recueil Dalloz*, 2013, no. 18, pp. 1246-1247.
- “European Added Value on a directive on combating violence against women. Assessing the necessity and the direct and spill-over effects of intervention at the EU level of a directive on combating violence against women” (with Myriam Benlolo Carabot, Clémentine Bories and Stéphanie Hennette-Vauchez), *Report written upon demand by the European Parliament*, August 2013.
- “Réponse présentée par REGINE et Trans Europe Experts à la Consultation publique sur le déséquilibre entre les hommes et les femmes au sein des organes décisionnels des entreprises dans l’Union européenne”, *Answer provided pursuant to the public consultation by the European Commission*, May 2012, available at [http://www.regine.u-paris10.fr/fichier/documents/pdf/30\\_tee-regine-consultation-publique.pdf](http://www.regine.u-paris10.fr/fichier/documents/pdf/30_tee-regine-consultation-publique.pdf)
- “Freedom of Religion and Anti-discrimination Law: Promoting or Restricting Religious Diversity in Europe?”, *EUI Review*, Spring 2011, pp. 9-10.

- “Veiled Issues in European Courts”, in Giulia Calvi and Nadia Fadil (eds.), *Politics of Diversity. Sexual and Religious Self –Fashioning in Contemporary and Historical Contexts*, EUI Working Papers, HEC 2011/01, pp. 5 – 18.
- “Cours suprêmes : comment le filtrage des recours révèle le pouvoir des juges”, *Report written upon demand by the French Supreme Court (Cour de cassation)*, 2004, later published as *Cours suprêmes : comment le filtrage des recours révèle le pouvoir des juges*, sous la dir. de Louis Vogel, coll. « Droit Global/Global Law » n° 2003/2 - 2004/1 - 2004/2, Paris : Editions Panthéon-Assas, 2005.

#### Book reviews:

- JAMES WHITMAN, *Hitler’s American Model*, Princeton: Princeton University Press, 2017, forthcoming in *German Law Journal*, 2019, vol. 20, no. 4.
- BARBARA HAVELKOVÁ, *Gender Equality in Law. Uncovering the Legacies of Czech State Socialism*, Oxford: Hart Publishing, 2017; published in *European Law Review*, 2018, vol. 43, pp. 289 – 291.
- THOMAS CASADEI – LUCIA RE (eds.), *Differenza razziale, discriminazione e razzismo nelle società multiculturali*, 2 voll., Reggio Emilia: Diabasis, 2007; published in *Diritto, immigrazione e cittadinanza*, 2008, no. 3-4, pp. 471 – 475.
- KENDALL THOMAS – GIANFRANCESCO ZANETTI (eds.), *Legge, razza e diritti, La Critical Race Theory negli Stati Uniti*, Reggio Emilia: Diabasis, 2005; published in ‘La Critical Race Theory – Quando la razza diventa politica e diritto’, *Teoria politica*, 2007, pp. 198 – 200.
- SILVIA SONELLI, *L’accesso alla corte suprema e l’ambito del suo sindacato*, coll. “Comparazione e cultura giuridica”, Torino: G. Giappichelli Editore, 2001; published in *Revue Internationale de Droit Comparé*, 2004, pp. 539 – 541.

#### Legal academic translations:

- Kimberlé Crenshaw *et al.*, “Introduction”, in Hourya Bentouhami and Mathias Möschel (eds.), *Critical Race Theory: une introduction aux grands textes fondateurs*, Paris: Dalloz, 2017, pp. 21-43 (from English to French – with Hourya Bentouhami).
- Devon Carbado and Mitu Gulati”, “Titularisation”, in Hourya Bentouhami and Mathias Möschel (eds.), *Critical Race Theory: une introduction aux grands textes fondateurs*, Paris: Dalloz, 2017, pp. 388- 413 (from English to French).
- Sumi Cho, “Post-racialisme”, in Hourya Bentouhami and Mathias Möschel (eds.), *Critical Race Theory: une introduction aux grands textes fondateurs*, Paris: Dalloz, 2017, pp. 472-493 (from English to French).
- Madhavi Sunder, “Garder la foi: réconcilier les droits humains et des femmes et la religion”, in REGINE, *Ce que le genre fait au droit*, Dalloz, 2013, p. 229-253 (from English to French – with Stéphanie Hennette-Vauchez).
- Edoardo Ales, “Die italienische Arbeitsmarktreform; eine hoffnungsfroh stimmende Erfolgsgeschichte », *Recht der internationalen Wirtschaft*, 2012, n° 12, p. 1 (from Italian to German).
- Emmanuelle Bribosia, Julie Ringelheim and Isabelle Rorive, “Reasonable Accommodation for Religious Minorities: A Promising Concept for European Antidiscrimination Law?”, *Maastricht Journal of European and Comparative Law*, 2010, vol. 17, no. 3, pp. 137 – 161 (from French to English).
- Sebastiano Midolo, “L’actualité du droit de la contumace en Italie”, in Robert J.H., Tzitzis S. & Bernard G. (dir.), *L’identité sexuelle - Contumace et défaut criminel*, Essais de philosophie pénale et de criminologie, 2008, vol. 7, p. 325 (from Italian to French).

#### CONFERENCE/WORKSHOP ORGANIZATION

- “Italian Constitutional Justice in Global Context”; Budapest, 6 June 2016; organizer of a conference with the participation of *inter alia* Vittoria Barsotti, Isabelle Boucobza, Susanna Mancini, Péter Paczolay and Michel Rosenfeld,
- Undergraduate Conference “The Voices of a New Generation”; Budapest, 25-26 August 2016; co-organizer of two-day conference with the participation of 17 law students or graduates from 13 countries.
- “Les grammaires de l’égalité”; Paris, 28 November 2014 - 13 March 2015 - 29 May 2015; co-organizer of three separate workshops with the participation of *inter alia* Angela Harris, Tanya Hernandez, Elisabeth Holzleithner, Karin Lukas, Maleiha Malik, Paulo Pinto de Albuquerque and Iyiola Solanke.
- Undergraduate Conference “The Voices of a New Generation”; Budapest, 27-28 August 2015, co-organizer of two-day conference with the participation of 22 law students or graduates from 13 countries.
- “Le droit français au prisme du genre”; Paris, 7-8 November 2013; co-organizer of a two-day conference with the participation of *inter alia* Stéphanie Hennette-Vauchez, Christine Lazerges, Nicole Maestracci, Marc Pichard and Diane Roman.
- “Ce que le genre fait au droit”; Paris, 19 September 2012; co-organizer of a conference with the participation of *inter alia* Stéphanie Hennette-Vauchez, Marc Pichard, Diane Roman, Sally Sheldon, Julie Suk and Madhavi Sunder.

- “Critical Race Theory Retreat”; Berlin, 3-6 June 2010; co-organizer of a four-day workshop with the participation of *inter alia* Eddie Bruce-Jones, Kimberlé Crenshaw, Maureen Maisha Eggers, Nadine El-Enany, Luke Harris and Iyiola Solanke.
- “Should and Does Race or Ethnic Origins ‘Count’ in Fighting Discrimination?”, Florence, 11-12 June 2008; co-organized a two-day workshop with the participation of *inter alia* Julie Ringelheim, Daniel Sabbagh, Kendall Thomas, Katrin Wladasch and John Wrench.

## SELECTED CONFERENCES AND PRESENTATIONS

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- “(Re-)Characterizing Headscarf and Veil Bans as Religious, Sexual and/or Racial Harassment”, *ICON-S*, Hong Kong University (China), June 2018.
- “Women and Racial/Ethnic Diversity in International Arbitration”, *ICON-S*, Hong Kong University (China), June 2018.
- “La *Critical Race Theory* et le racisme anti-blancs : une analyse critique socio-juridique comparée”, conference on *La condition blanche en France*, Ecole des Hautes Etudes des Sciences Sociales (EHESS) (France), June 2018.
- “Continental European Post-Racialism”, Conference on *Race, Racism and Xenophobia in a Global Context*, New York University (United States), October 2016.
- “Droit comparé et regard critique sur le droit”, conference on *Le droit comparé : de la périphérie au centre?*, Université La Rochelle (France), September 2016.
- “Racial Otherness in French Public Law: A Long History of Legal Discrimination of *gens du voyage* and the Roma”, *ICON-S*, Humboldt University (Germany), June 2016.
- “Racial Stereotyping and Human Rights”, *Stereotyping as a Human Rights Issue*, Ghent University (Belgium), December 2013.
- “Is the European Court of Human Rights’ case-law on anti-Roma violence’ beyond reasonable doubt?”, conference on *Europe and the Roma: Where do we stand now?*”, Vrije Universiteit Brussels (Belgium), March 2012.
- “La nascita della discriminazione indiretta a causa dell’origine etnica o razziale nella giurisprudenza della Corte Europea dei Diritti dell’Uomo. Quale futuro per i diritti dei migranti e per un’espansione oltre il diritto all’educazione?”, *Convegno internazionale “L’Europa delle minoranze: diritti fondamentali, istituzioni e buone pratiche contro la discriminazione”*, Bologna (Italy), June 2010.
- “The Birth and Death of Indirect Race Discrimination”, *Law and Society Annual Meeting*, Chicago (United States), May 2010.
- “Le donne e il diritto: disuguaglianze e differenze. L’attualità del diritto di genere”, *Presentation with Maria Acierno (Judge at the Italian Supreme Court)*, Frascati (Italy), March 2010.
- “Veil(ed) Issues in European Courts”, *Workshop “Politics of diversity. Sexual and religious self-fashioning in contemporary and historical contexts” with and in honour of Joan Scott*, European University Institute, Florence (Italy), April 2009.
- “Aktuelle verfassungsrechtliche und gesetzliche Entwicklungen in Frankreich rund um die problematischen Begriffe “Rasse”, “ethnische Herkunft” und ihrer Klassifizierung“, *4ème rencontre franco-allemande de jeunes chercheurs en droit public comparé*, Deutsche Hochschule für Verwaltungswissenschaften, Speyer (Germany), March 2009.
- “The Impact of Critical Race Theory on European Legal Scholarship”, *Law and Society Annual Meeting*, Las Vegas (United States), June 2005.

## OTHER PROFESSIONAL EXPERIENCES

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<b>2005 – 2007</b>	<b>COOLEY GODWARD KRONISH LLP, PALO ALTO – UNITED STATES.</b> Represented and advised public and emerging companies on venture capital financings, IPOs and M&A.
<b>2002 – 2004</b>	<b>CASTALDI MOURRE SPRAGUE, PARIS – FRANCE.</b> Provided legal counsel on public procurement matters. Analyzed German and Austrian conflict of law decisions.
<b>2002</b>	<b>EUROPEAN COMMISSION, JOINT RESEARCH CENTRE (JRC), ISPRA – ITALY.</b> Advised internal scientific units on public procurement, contracts and other legal issues related to their research.

## LANGUAGES

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German	Native speaker
Italian	Fluent
English	Fluent (TOEFL 283/300)

French  
Spanish  
Hungarian

Fluent  
Good  
Basic