

MARCELA PRIETO RUDOLPHY
Associate Professor of Law and
Philosophy
USC Gould School of Law
699 Exposition Blvd, Los Angeles,
CA 90089-0071
(917) 624-8072
mprieto@law.usc.edu

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW
JSD Doctor of Juridical Science, 2015-2020

Thesis: "The Laws of War: The Fragility in Regulating Killing"

Supervisor: Jeremy Waldron

Committee: Moshe Halbertal, Liam B. Murphy

Awards: NYU Outstanding Dissertation Award in the Social Sciences Category, 2021.

NEW YORK UNIVERSITY SCHOOL OF LAW
LLM (Master of Laws), May 2015

G.P.A.: 4.0.

Relevant coursework: International Law (Howse), International Humanitarian Law (Benvenisti), Jurisprudence (Waldron), Rule of Law (Waldron), Human Dignity (Waldron), Introduction to Moral and Political Philosophy (Murphy), Transitional Justice (van Zyl)

Awards: Arthur T. Vanderbilt Scholarship (full tuition), 2014-2015
Transitional Justice Fellowship, 2014-2015

UNIVERSIDAD DE CHILE
Graduate Diploma in International Human Rights Law, 2012
Summa cum laude

PONTIFICIA UNIVERSIDAD CATÓLICA DE CHILE
Licenciado en Derecho (JD equivalent), 2010

GPA: 6.8 on a scale of 7.0.

Ranking: 1st of 287.

Honors: Máxima distinción (*summa cum laude*)

Awards: Montenegro y Tocornal Award, Best Student of the Graduating Class, 2011
Jaime Guzmán Award, Best Student in Constitutional Law, 2011
Honors Tuition, Highest GPA of the Class, 2006, 2007

Activities: Teaching Assistant, Human Rights Law, 2012
Teaching Assistant, Constitutional Law, 2006-2011
Teaching Assistant, Constitutional Remedies, 2010
Research Assistant, Economic Constitutional Law, 2007-2010

EXPERIENCE

UNIVERSITY OF SOUTHERN CALIFORNIA, GOULD SCHOOL OF LAW
Associate Professor of Law and Philosophy, 2023-

UNIVERSITY OF SOUTHERN CALIFORNIA, GOULD SCHOOL OF LAW
Assistant Professor of Law, 2020-2023

UNIVERSITY OF SOUTHERN CALIFORNIA, GOULD SCHOOL OF LAW
Fellow in Transnational Law, 2019-2020

THE NEW SCHOOL FOR SOCIAL RESEARCH
Guest Lecturer on International Humanitarian Law, invited by Prof. Edefe Ojomo

(International Law), Fall 2018

NEW YORK UNIVERSITY SCHOOL OF LAW

Instructor, Upper-Level JD & LLM Reading Seminar: "Killing in War," 2018

INTERNATIONAL CENTER FOR TRANSITIONAL JUSTICE

Research Intern for Mr. David Tolbert, President, 2015

Research Intern, 2014-2015

HUMAN RIGHTS PROGRAM, MINISTRY OF INTERIOR, CHILE

Counsel, 2012-2014

Worked in the prosecution and criminal litigation of cases concerning crimes against humanity and war crimes committed during Augusto Pinochet's military dictatorship.

Appeared in hearings before courts of appeals and the Chilean Supreme Court.

Counsel in landmark cases, including: the criminal investigation regarding former President of Chile Eduardo Frei Montalva's murder; the criminal investigation regarding the poisoning of political and ordinary inmates by the Chilean Army's intelligence services in 1981 (*Cárcel Pública* case); among others.

HUMAN RIGHTS OFFICE, LEGAL AID AGENCY, CHILE

Intern, 2011

Worked assisting counsel, drafting pleadings, and appearing in hearings before Chilean courts in human rights cases. Handled cases of police abuse, military justice, *habeas corpus*, protection of constitutional rights, transitional justice, and migratory issues.

Internship graded with a 7.0 on a scale of 7.0.

ACADEMIC SERVICE

ASIL (AMERICAN SOCIETY OF INTERNATIONAL LAW)

Research Forum Committee (mid-year meeting), 2022

INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW (OUP)

Co-editor in Chief (Spanish Issue), 2020-

Member of the Editorial Board, 2017-

INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW (OUP)

Associate Editor, 2017-2021

PUBLICATIONS AND WORK IN PROGRESS

War and Coercion, SOUTHERN CALIFORNIA LAW REVIEW (forthcoming, 2024)

Highlighted as "download of the week" by Lawrence Solum's Legal Theory Blog

Parity Constitutionalism, GLOBAL CONSTITUTIONALISM (2023) (symposium contribution. Co-authored with Rosalind Dixon).

Who Is at War? On the Question of Co-belligerency, YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW (forthcoming, 2024).

Precautions in IHL: Lesser Evil and Aggregation, in Research Handbook on International Legal Theory and War, (Tom Dannenbaum and Eliav Lieblisch eds., Elgar). (Under review. Invited book chapter.)

Women in Legal Academia. 22 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW (forthcoming 2024). Co-authored with Gráinne de Búrca and Rosalind Dixon.

Reviewed in Jotwell.

THE MORALITY OF THE LAWS OF WAR: WAR, LAW, AND MURDER (Oxford University Press, 2023.)

Winner of the 2023 ABILA (American Branch of the International Law Association) New Author Award

A World without Forfeiture (in progress, final draft.)

A Reply to Arthur Ripstein, JURISPRUDENCE (under review. Book Symposium contribution)

Populism's Antagonism to International Law: Lessons from Latin America, AJIL UNBOUND 116 (2022): 346–51.

The Questions of Dignity, in CANONS OF GLOBAL CONSTITUTIONAL LAW (Sujit Choudhry, Michaela Hailbronner & Matthias Kumm eds., forthcoming). (Invited book chapter.)

Constitutional Heroines, or Constitutional Villains? The Role of Right-Wing Women in Chilean Authoritarian Constitutionalism, in CONSTITUTIONAL HEROINES. FEMALE CHIEF JUSTICES AND CONSTITUTIONAL COURT PRESIDENTS IN COMPARATIVE PERSPECTIVE (Erin Delaney and Rosalind Dixon, eds., Elgar, forthcoming). Co-authored with Marianne González, Universidad de Chile. (Invited book chapter, in progress).

Between Predictability and Perplexity, 20 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW (2022)

Transitional Justice in the 21st Century: Its History, Challenges, and Effectiveness, in OXFORD HANDBOOK OF ATROCITY (Barbora Hola, Hollie Nyseth Brehm & Maartje Weerdesteijn eds., 2022). Co-authored with David Tolbert.

How Political Narratives Affect the Self-enforcing Nature of Interim Constitutions, 13 HAGUE JOURNAL ON THE RULE OF LAW (2021). Co-authored with Sergio Verdugo.

Right-wing Populism, the Reasonable, and the Limits of Ideal Theory: A Reply to Gila Stople, 19 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW (2021).

The Dual Aversion of Chile's Constitution-Making Process, 19 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW (2021). Co-authored with Sergio Verdugo.

[This work has been translated to Spanish. Available at:
<https://repositorio.uniandes.edu.co/handle/1992/54857>]

A Feminist Rethinking of the Chilean Constitution? INT'L J. CONST. L. BLOG, Nov. 5, 2020, at: <http://www.iconnectblog.com/2020/11/symposium-on-chilean-referendum-part-iii-a-feminist-rethinking-of-the-chilean-constitution/> In Spanish at: <https://www.ibericonnect.blog/2020/11/simposio-plebiscito-constitucional-en-chile-parte-iv-una-reconceptualizacion-feminista-de-la-constitucion-chilena/>

Gender in Academic Publishing, 17 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 1025 (editorial). Co-authored with Gráinne de Búrca & Michaela Hailbronner.

[This work has been translated to Spanish (https://derecho.udd.cl/actualidad-juridica/files/2021/01/AJ41_17.pdf) and Portuguese (<https://bibliotecadigital.fgv.br/ojs/index.php/revdireitogv/article/view/85702>).]

Populist Governments and International Law: A Reply to Heike Krieger, 30 EUROPEAN JOURNAL OF INTERNATIONAL LAW 997 (2019). (Invited submission.)

Dignidad Animal y Dignidad Humana (Animal Dignity and Human Dignity), in DERECHO ANIMAL: TEORÍA Y PRÁCTICA (Javier Gallego Saade & María José Chible Villadangos eds., 2018).

Seeking Human Rights Justice in Latin America. Truth, Extra-Territorial Courts, and the Process of Justice. 15 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 566 (2017) (book review).

CONFERENCES AND PRESENTATIONS

ASIL MIDYEAR MEETING RESEARCH FORUM

Presenter, *War and Coercion*

University of Pittsburgh, School of Law, Pittsburgh (2023)

FORDHAM'S LEGAL THEORY WORKSHOP

Presenter, *War and Coercion*

Fordham University, School of Law, NYC (2023)

DIÁLOGOS DE DERECHO INTERNACIONAL (CONFERENCE)

Presenter, *War and Coercion*

Universidad Torcuato di Tella, Facultad de Derecho, Buenos Aires, Argentina (2023)

USC-KCL-RUTGERS PHILOSOPHY OF LAW WORKSHOP

Presenter, *Precautions in IHL: Minimizing Incidental Harm to Civilians, Lesser-Evil, and Aggregation*

USC, Gould School of Law, Los Angeles, USA (2023)

CONSTITUTIONAL HEROINES (WORKSHOP)

Presenter, *Constitutional Heroines, or Constitutional Villains? The Role of Right-Wing Women in Chilean Authoritarian Constitutionalism* (co-authored with Marianne González).

New Zealand (2023) (online)

ICON-S ANNUAL MEETING CONFERENCE

Presenter, *Parity Constitutionalism* (co-authored with Rosalind Dixon)

New Zealand (2023) (online)

BOOK DISCUSSION

Presenter, *The Morality of the Laws of War: War, Law, and Murder*

IE University Law School, Madrid, Spain (2023)

SOUTHERN CALIFORNIA INTERNATIONAL LEGAL SCHOLARS WORKSHOP

Presenter, *War and Coercion*

USC, Los Angeles, U.S., 2023

UCLA CCL WORKSHOP

Presenter (*Engendering the Legal Academy*) and commentator

UCLA, Los Angeles, U.S., 2023

USC LAW AND PHILOSOPHY CENTER

Book workshop, Presenter

USC, Los Angeles, U.S., 2022

LEGAL PHILOSOPHY WORKSHOP

Commentator

USC, Los Angeles, U.S., 2022

CONSTITUTIONAL HEROINES WORKSHOP (ONLINE)

Participant

2022

CFCP WORKSHOP, UNIVERSITY OF SOUTHERN CALIFORNIA

Presenter, "A World Without Forfeiture."

USC, Los Angeles, U.S., 2021

AMERICAN SOCIETY OF COMPARATIVE LAW ANNUAL MEETING

Presenter, "How Political Narratives Affect the Self-Enforcing Nature of Interim Constitutions." (co-authored with Sergio Verdugo).

2021

CONSTITUTIONALISM AND THE FREE SOCIETY CONFERENCE

Presenter, "Chile's Constitution-Making Process: Revolution, Evolution, and Pragmatism." (co-authored with Sergio Verdugo).

2021

MARYLAND CONSTITUTIONAL LAW SCHMOOZE

Presenter, "Chile's Constitution-Making Process: Revolution, Evolution, and Pragmatism." (co-authored with Sergio Verdugo).

2021

WORKSHOP ON CHILEAN CONSTITUTION-MAKING

Presenter, "Chile's Constitution-Making Process: Revolution, Evolution, and Pragmatism." (co-authored with Sergio Verdugo).

2021

GLOBAL CANONS ONLINE WORKSHOP

Presenter, "Human Dignity."

2021

ICON-S ANNUAL MEETING CONFERENCE

Panelist, "Gender, COVID-19, and Academic Publishing" (Panel: *COVID-19 and Gender Webinar*)

2020

ICON-S ANNUAL MEETING CONFERENCE

Moderator, "Gender and Public Law"

2020

ICON-S ANNUAL MEETING CONFERENCE

Panelist, "Are we over-using the term 'populism'?" (Panel: *The State of Constitutional Democracy: Directions*).

Santiago, Chile, 2019

FACULTY WORKSHOP, ITAM (INSTITUTO TECNOLÓGICO AUTÓNOMO DE MÉXICO)

Presenter, "Combatants and The Privilege to Kill"

Mexico City, Mexico, 2018

JSD FORUM, NEW YORK UNIVERSITY

Presenter, "Regulating War"

New York, U.S.A., 2018

Commentator: Samuel Scheffler, New York University

JSD FORUM, NEW YORK UNIVERSITY

Presenter, "Just War, Just Combatants, Just Killings?"

New York, U.S.A., 2017

Commentator: Moshe Halbertal, New York University

JSD FORUM, NEW YORK UNIVERSITY

Presenter, "War: Regulating Killing"

New York, U.S.A., 2015
Commentator: Gary Bass, Princeton University

TEACHING AND RESEARCH INTERESTS

PRIMARY

International Law
International Humanitarian Law
Legal, Moral, and Political Philosophy
Transitional Justice
Comparative Constitutional Law

SECONDARY

Criminal Law
Criminal Procedure
Feminist Theory