

BERTA ESPERANZA HERNÁNDEZ-TRUYOL

University of Florida, Levin College of Law

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PROFESSIONAL EXPERIENCE

Academic

2000- present **UNIVERSITY OF FLORIDA, LEVIN COLLEGE OF LAW** Gainesville, FL
Levin, Mabie & Levin Professor of Law
(Visiting Professor of Law Fall1999)

Courses: International Law; International Human Rights;
Globalization: Trade, Labor and the Environment; Human
Rights: Women in the Americas; Trade and Human
Rights in the Americas; Property

Affiliate Faculty, Center for Latin American Studies and
Center for Women's Studies & Gender Research

1991-2000 **ST. JOHN'S UNIVERSITY, SCHOOL OF LAW** Jamaica, NY
Professor of Law (Associate Prof. 1991-94)

Courses: International Law; International Human Rights;
Property I & II; Issues of Gender and Race in the Law

Director, The International Women's Human Rights
Project of the Center for Law and Public Policy
(1993-95)

1997-99 **UNIVERSITY OF WISCONSIN, SCHOOL OF LAW** Madison, WI
Institute for Legal Studies, Honorary Senior Fellow
(6/97-8/99)

Research on International Human Rights Law

1994-95 **GEORGETOWN UNIVERSITY LAW CENTER** Washington, DC
Visiting Professor of Law

Courses: Latinas and Latinos in the Law

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- 1988-91 **BROOKLYN LAW SCHOOL** Brooklyn, NY
Adjunct Professor of Law
- Courses: International Law
- 1983-87 **UNIVERSITY OF NEW MEXICO SCHOOL OF LAW** Albuquerque, NM
Associate Professor (Assistant Professor 1983-86)
- Courses: Advocacy, Contracts, Employment
Discrimination, International Law, Property II
- 1982-83 **DePAUL UNIVERSITY SCHOOL OF LAW** Chicago, IL
Assistant Professor
- Courses: Employment Discrimination,
Property I & II

Practice

- 1988-91 **PROSKAUER ROSE GOETZ & MENDELSON** New York, NY
Litigation: Arbitration, Bankruptcy, General Commercial,
Employment, Health, International, Trademark
- 1987-88 **MILGRIM THOMAJAN & LEE P.C.** New York, NY
Litigation: General Commercial, EEO, ICC, Labor, RICO
and Securities
- 1979-81 **UNITED STATES DEPARTMENT OF JUSTICE -** Washington, DC
ANTITRUST DIVISION
- 1978-79 **UNITED STATES DEPARTMENT OF LABOR -** Washington, DC
OFFICE OF THE SOLICITOR

EDUCATION

- NEW YORK UNIVERSITY SCHOOL OF LAW** New York, NY
LL.M. (International Legal Studies) 1982
- ALBANY LAW SCHOOL OF UNION UNIVERSITY** Albany, NY
J.D. cum laude 1978 (Top 10%)
1996 Recipient - *Distinguished Service Award*

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**CORNELL UNIVERSITY-COLLEGE OF ARTS
AND SCIENCES**

Ithaca, NY

B.A. Sociology/Psychology 1974

PUBLICATIONS

Articles

Maria Lugones's Work as a Human Rights Idea(l) (with Mariana Ribeiro), 18 Berkeley La Raza L.J. 28 (2009)

The Gender Bend: Culture, Sex, and Sexuality—A LatCritical Human Rights Map of Latina/o Border Crossings, 83 Indiana L.J. 1283 (2008)

Sex & Globalization, 11 Harvard Latino L. Rev. 173 (2008)

Beyond the First Decade: A Forward-Looking History of LatCrit Theory, Community and Praxis (with Angela Harris & Francisco Valdés), 17 Berkeley La Raza L.J. 169 (2006); 26 Chicana/o-Latina/o L. Rev. 237 (2006)

On Disposable People & Human Well-Being: Health, Money & Power, 13 U.C. Davis J. Int'l Law & Policy 101-132 (2006)

Children & Immigration: International, Local, & Social Responsibilities (with Justin Luna), 15 Boston U. Public Interest L.J. 297-317 (2006)

Sexual Labor and Human Rights (with Jane Larson), 37 Columbia Human Rts. L. Rev. 391-445 (2006)

Globalized Citizenship: Sovereignty, Security and Soul, 50 Villanova L. Rev. 1009-1062 (2005)

Traveling the Boundaries of Statelessness: Global Passports and Citizenship (with Matthew Hawk), Symposium: LatCrit VIII – City and the Citizen: Operations of Power, Strategies of Resistance, 52 Cleveland State L. Rev. 97-119 (2005)

Law Is Not Enough, (Book Review) GENDER INJUSTICE: AN INTERNATIONAL COMPARATIVE ANALYSIS OF EQUALITY IN EMPLOYMENT, by Anne-Marie Mooney Cotter, 37 Geo. Washington Int'l. L.J. 1031-1052 (2005)

Cuba and Good Governance, Symposium: Whither Goes Cuba? Prospects for Economic and Social Development, 14 Transnat'l L. & Contemp. Problems 655-683 (2004)

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Querying Lawrence, Symposium: Equality, Privacy and Lesbian and Gay Right after Lawrence v. Texas, 65 Ohio State L. J. 1151-1263 (2004)

Asking the Family Question, Symposium: International Law, 38 Family L. Quarterly 481-499 (2004)

The Rule of Law and Human Rights, Proceedings of the Fourth Annual Legal & Policy Issues in the Americas Conference, 16 Florida J. Int'l L. 167-194 (2004)

Glocalizing Law and Culture: Towards a Cross-Constitutive Paradigm, 67 Albany L. Rev. 617-627 (2003)

Familias Sin Fronteras: Mujeres Unidas por Su Historia (Families Without Borders: Women United by Their History), 15 Florida J. Int'l L. 321-343 (2003)

Building Bridges V – Cubans Without Borders: Mujeres Unidas por Su Historia (Women United by Their History), 55 Florida L. Rev. 225-268 (2003)

Glocalizing Terror, Symposium: LatCrit VII – Coalitional Theory and Praxis: Social Justice Movements and LatCrit Community, 81 Oregon L. Rev. 941-983 (2002)

Cuban Economic Relations, Proceedings of the Third Annual Legal & Policy Issues in the Americas Conference, 15 Florida J. Int'l L. 94-101 (2002)

Out of the Shadows: Traversing the Imaginary of Sameness, Difference, and Relationalism – A Human Rights Proposal, Symposium: Feminist Theories of Relationships in the Shadow of the Law, 17 Wisconsin Women's L. J. 111-162 (2002)

Crossing Borderlands of Inequality with International Legal Methodologies – The Promise of Multiple Feminisms, 44 German Yearbook Int'l L. 113-169 (2001)

On Becoming the Other: Cubans, Castro and Elian – A LatCritical Analysis, Symposium: LatCrit V – Class in LatCrit: Theory and Praxis in a World of Economic Inequality, 78 Denver U. L. Rev. 687-717 (2001)

Latinas, Culture and Human Rights: A Model for Making Change, Saving Soul, 23 Women's Rts. L. Rep. 21-43 (2001)

Property, Wealth, Inequality and Human Rights: A Formula for Reform (with Shelbi D. Day), 34 Indiana L. Rev. 1213-1241 (2001)

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Building Bridges IV: Of Cultures, Colors, and Clashes – Capturing the International in Delgado’s Chronicles, 4 Harvard Latino L. Rev. 115-152 (2000)

Afterword – Straightness as Property: Back to the Future-Law and Status in the 21st Century (with Shelbi D. Day), Symposium: Liberalism and Property Rights, 12 U. Florida J. L. & Pub. Pol’y 71-90 (2000)

Law, Culture, and Equality – Human Rights’ Influence on Domestic Norms: The Case of Women in the Americas, 13 Florida J. Int’l. L. 33-51 (2000)

Foreward: Culture, Nationhood, and the Human Rights Ideal (with Sharon E. Rush), Symposium: Culture, Nation, and LatCrit Theory, 33 U. Michigan J. L. Reform 233-262 (2000); 5 Michigan J. Race & L. 817-846 (2000)

Nativism, Terrorism, and Human Rights – The Global Wrongs of Reno v. American-Arab Anti-Discrimination Committee, Symposium: Deportation, National Security, and Aliens’ Rights after Reno v. American-Arab Anti-Discrimination Committee, 31 Columbia Human Rts. L. Rev. 521-559 (2000)

LatIndia II – Latinas/os, Natives, and Mestizajes (Transculturation) – A LatCrit Navigation of Nuevos Mundos (New Worlds), Nuevas Fronteras (New Borderlands/Frontiers), and Nuevas Teorias (New Theories), Symposium: LatCrit IV – Rotating Centers, Expanding Frontiers: LatCrit Theory and Marginal Intersections, 33 U.C. Davis L. Rev. 851-874 (2000)

(Book Review & Note) GENDER POLITICS IN GLOBAL GOVERNANCE, by Mary K. Meyer & Elisabeth Prügl (eds.), 94 American J. Int’l L. 209-212 (2000)

The LatIndia and Mestizajes (Transculturation): Of Cultures, Conquests, and LatCritical Feminism, Symposium: Critical Race Feminism: Preparing Legal Thought for the 21st Century, 3 J. Gender, Race & Justice 63-105 (1999)

Latina Multidimensionality and LatCrit Possibilities: Culture, Gender, and Sex, Symposium: LatCrit III – Comparative Latinas/os: Identity, Law and Policy in LatCrit Theory, 53 U. Miami L. Rev. 811-829 (1999)

Building Bridges III: Personal Narratives, Incoherent Paradigms, and Plural Citizens, Symposium: Composing LatCrit Theory: Self-Critical Reflections on “Latinas/os”, 19 UCLA Chicano-Latino L. Rev. 303-329 (1998)

Global Rights, Local Wrongs, and Legal Fixes: An International Human Rights Critique of Immigration and Welfare “Reform” (with Kimberly A. Johns), 71 S. Cal.

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L. Rev. 547-615 (1998)

Las Olvidadas (The Forgotten Ones): Gendered in Justice/Gendered Injustice – Latinas, Fronteras, and the Law, Symposium: Penalties, Prohibitions, and Punishment: Who Can Get Justice in the United States, 1 J. Gender, Race & Justice 353-404 (1998)

Borders (En)Gendered – Normativities, Latinas, and a LatCrit Paradigm, 72 N.Y.U. L. Rev. 882-927 (1997)

International Law, Human Rights and LatCrit Theory: Civil and Political Rights – An Introduction, Colloquium: International Law, Human Rights and LatCrit Theory, 28 U. Miami Inter-Am. L. Rev. 223-243 (1997)

Sex, Culture, and Rights: A Re/Conceptualization of Violence for the Twenty-First Century, Symposium: Conceptualizing Violence: Present and Future Developments in International Law, 60 Albany L. Rev. 607-634 (1997)

The Diversity Among Us, 19 Western New England L. Rev. 19-24 (1997)

Indivisible Identities: Culture Clashes, Confused Constructs and Reality Checks, Symposium: LatCrit Theory: Naming and Launching a New Discourse of Critical Legal Scholarship, 2 Harvard Latino L. Rev. 199-230 (1997)

Natives, Newcomers and Nativism: A Human Rights Challenge for the Twenty-First Century, Symposium: The New York City Commission on Human Rights Law: Emerging Issues in Civil Rights Law Enforcement, 23 Fordham Urb. L. J. 1075-1137 (1996)

Building Bridges: Bringing International Human Rights Home, Colloquium: Representing Latina/o Communities: Critical Race Theory and Practice, 9 La Raza L. J. 69-79 (1996)

Women's Rights as Human Rights – Rules, Realities and the Role of Culture: A Formula for Reform, Symposium: Women's Rights are Human Rights, 21 Brooklyn J. Int'l L. 605-677 (1996)

Sanctions and Sovereignty: Analysis of the Embargo Under International Legal Norms, Special Pullout Section, 215 New York L. J. S4 (col. 1) (2/20/96)

Virtual Equality as Constitutional Reality: An Introduction, Symposium: Virtual Equality as Constitutional Reality, 11 St. John's J. Legal Commentary 1-18 (1995)

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Report of the Conference Rapporteur, Symposium: Conference on the International Protection of Reproductive Rights, 44 American U. L. Rev. 1389-1417 (1995)

Concluding Remarks – Making Women Visible: Setting an Agenda for the Twenty-First Century, Symposium: Women's Rights as International Human Rights, 69 St. John's L. Rev. 231-254 (1995)

Out in Left Field: Cuba's Post-Cold War Strikeout, 18 Fordham Int'l L. J. 15-117 (1994)

Building Bridges – Latinas and Latinos at the Crossroads: Realities, Rhetoric and Replacement, 25 Columbia Human Rts. L. Rev. 369-433 (1994)

RIP to IRP – Money Laundering and Drug Trafficking Controls Score a Knockout Victory Over Bank Secrecy, 18 N. Carolina J. Int'l L. & Com. Reg. 235-304 (1993)

To Bear or Not to Bear: Reproductive Freedom as an International Human Right, 17 Brooklyn J. Int'l L. 309-358 (1991)

Title VII vs. Seniority: The Supreme Court Giveth and the Supreme Court Taketh Away, 35 American U. L. Rev. 340-385 (1986)

1984-85 Survey of New Mexico Law – Property, 16 New Mexico L. Rev. 59-84 (1986)

1983-84 Survey of New Mexico Law – Property, 15 New Mexico L. Rev. 345-361 (1985)

Chapters

Frontera (En) Gendradas: normatividades, Latinas, y un paradigma LatCrit, in *Critica Juridica* (eds Mauricio Garcia Villegas, Isabel Cristina Jaramillo Sierra, Esteban Restrepo Saldarriaga) (2005)

The Gender of Trade & Development: A Human Rights Analysis, in *TRADE, DEVELOPMENT AND HUMAN RIGHTS* (Brazil, forthcoming)

On Becoming the Other: Cubans, Castro, and Elián: A LatCritical Analysis, in *ELIÁN GONZÁLEZ: THE CRITICAL READER* (Paul Allatson, ed., forthcoming) (reprinted from 78 Denver U. L.Rev. 687 (2001))

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Latinas – Everywhere Alien: Culture, Gender, and Sex, in *CRITICAL RACE FEMINISM: A READER*, 2d ed. (Adrienne Wing, ed., NYU Press, New York, 2003), pp. 57-69

Human Rights, Globalization, and Culture: Centering Personhood in International Narrative, in *MORAL IMPERIALISM: A CRITICAL ANTHOLOGY* (Berta E. Hernández-Truyol, ed., NYU Press, New York, 2002), pp. 353-369

Both Work and Violence: Prostitution and Human Rights (with Jane Larson), in *MORAL IMPERIALISM: A CRITICAL ANTHOLOGY* (Berta E. Hernández-Truyol, ed., NYU Press, New York, 2002), pp. 183-211

Latina Women of the Americas: Race, Gender, Ethnicity and Interdependent Human Rights, in *RACE, ETHNICITY, GENDER, AND HUMAN RIGHTS IN THE AMERICAS: A NEW PARADIGM FOR ACTIVISM* (Celina Romany, ed., American University Press, Washington, DC, 2001), pp. 85-88

Breaking Cycles of Inequality: Critical Theory, Human Rights and the Family In/Justice, in *CROSSROADS, DIRECTIONS, AND A NEW CRITICAL RACE THEORY* (Francisco Valdés, Jerome McCristal Culp, Jr., and Angela P. Harris, eds., Temple Univ. Press, Philadelphia, PA, 2001), pp. 345-365

Féminismes Sans Frontières (Feminisms Without Borders)? The Cuban Challenge - Women, Equality, and Culture, in *GLOBAL CRITICAL RACE FEMINISM: AN INTERNATIONAL READER* (Adrienne Wing, ed., NYU Press, New York, 2000), pp. 81-94

Human Rights Through a Gendered Lens: Emergence, Evolution, Revolution, in *WOMEN AND INTERNATIONAL HUMAN RIGHTS LAW* (Kelly Askin and Dorean Koenig, eds., Transnational Publishers, Ardsley, NY, 1999), pp. 3-39

Building Bridges: Latinas and Latinos at the Crossroads, in *THE LATINA/O CONDITION: A CRITICAL READER* (Richard Delgado and Jean Stefancic, eds., NYU Press, New York, 1998), pp. 24-31 (excerpts from 25 Colum. Hum. Rts. L. Rev. (1994))

Natives and Newcomers, in *THE LATINA/O CONDITION: A CRITICAL READER* (Richard Delgado & Jean Stefancic, eds., NYU Press, New York, 1998), pp. 125-132 (excerpts from 23 Fordham Urb. L. J. 1075 (1996))

Bringing International Human Rights Home, in *THE LATINA/O CONDITION: A CRITICAL READER* (Richard Delgado and Jean Stefancic, eds., NYU Press, New York, 1998), pp. 381-386 (excerpts from 9 La Raza L.J. 69 (1996))

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Culture and Economic Violence, in *THE LATINA/O CONDITION: A CRITICAL READER* (Richard Delgado and Jean Stefancic, eds., NYU Press, New York, 1998), pp. 536-538 (excerpts from 60 Alb. L. Rev. 607 (1997))

Women in Contemporary Cuba, in *WOMEN IN THE THIRD WORLD: AN ENCYCLOPEDIA OF CONTEMPORARY ISSUES* (Nelly P. Stromquist, ed., Routledge, Oxford, 1998), pp. 618-625

Reconciling Rights in Collision: An International Human Rights Strategy, in *IMMIGRANTS OUT!: THE NEW NATIVISM AND THE ANTI-IMMIGRANT IMPULSE IN THE UNITED STATES* (Juan Perea, ed., NYU Press, New York, 1997), pp. 254-276

Employee Handbooks/Personnel Manuals, in *WRONGFUL TERMINATION CLAIMS: WHAT PLAINTIFFS AND DEFENDANTS HAVE TO KNOW* (Practising Law Institute, New York, 1997), pp. 149-192

Books

JUST TRADE: A NEW COVENANT LINKING TRADE AND HUMAN RIGHTS IN THE AMERICAS (with Stephen Powell) (NYU Press, New York, 2009)

MORAL IMPERIALISM: A CRITICAL ANTHOLOGY (ed., NYU Press, New York, 2002), 400 pp.

INTERNATIONAL COMMERCIAL ARBITRATION: AN INTERNATIONAL PRACTITIONERS' WORKSHOP SERIES SPECIAL EDITION (ed., ABA, Chicago, 1997)

THE HUMAN RIGHTS FRAMEWORK OF THE BEIJING PLATFORM FOR ACTION – SELECTED SOURCES FROM INTERNATIONAL INSTRUMENTS, prepared for The Fourth World Conference on Women, Beijing 1995 (with Rhonda Copelon & Alda Facio eds., International Women's Human Rights Law Clinic, CUNY School of Law, New York, 1995), 138 pp.

SEXUAL AND REPRODUCTIVE RIGHTS AND HEALTH AS HUMAN RIGHTS: CONCEPTS AND STRATEGIES – AN INTRODUCTION FOR ACTIVISTS, prepared for the NGO Forum – International Conference on Population and Development: Cairo, Egypt, 1994 (with Rhonda Copelon eds., International Human Rights Clinic, CUNY School of Law, New York, 1996), 78 pp.

Miscellaneous

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Cuban Democracy Act of 1992 (essay), THE OXFORD ENCYCLOPEDIA OF LATINOS AND LATINAS IN THE UNITED STATES, 4 vols. (Suzanne Oboler & Deena Gonzalez, eds., Oxford Univ. Press, Oxford, 2005), pp. 1:451-453

Platt Amendment (essay), THE OXFORD ENCYCLOPEDIA OF LATINOS AND LATINAS IN THE UNITED STATES, 4 vols. (Suzanne Oboler & Deena Gonzalez, eds., Oxford Univ. Press, Oxford, 2005), 3:390-391

Latina Multidimensionality and LatCrit Possibilities: Culture, Gender, and Sex (essay), in A READER ON RACE, CIVIL RIGHTS, AND AMERICAN LAW: A MULTIRACIAL APPROACH (Timothy Davis, Kevin Johnson, and George Martinez, eds., Carolina Academic Press, Durham, NC, 2001), pp. 689-691 (excerpts from 53 U. Miami L. Rev. 811 (1999))

Las Olvidadas (The Forgotten Ones): Gendered in Justice/Gendered Injustice – Latinas, Fronteras, and the Law (essay), in A READER ON RACE, CIVIL RIGHTS, AND AMERICAN LAW: A MULTIRACIAL APPROACH (Timothy Davis, Kevin Johnson, and George Martinez, eds., Carolina Academic Press, Durham, NC, 2001), pp. 612-620 (excerpts from 1 J. Gender, Race & Justice 353 (1998))

HONORS AND AWARDS

- 2008 Clyde Ferguson Award, American Association of Law Schools, Minority Groups Section
- 2008 Adelante Award, Latin American Law Students Association, Pace Law School
- 2006 International Center Award for International Educator of the Year, University of Florida College of Law
- 1998 Dean's Teaching Award (Seminar), St. John's University School of Law

PROFESSIONAL AFFILIATIONS

Admitted

- New York State, all courts (1979)
- United States District Courts, Southern (1987) and Eastern (1987) Districts of New York
- United States Court of Appeals for the Second (1988), Fifth (1988) and Tenth (1979) Circuits
- Supreme Court of the United States of America (1988)

Member

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American Arbitration Association (Panel of Arbitrators - Commercial, International, Human Rights 1987-present)

American Civil Liberties Union (Inter-American Law Committee, vice-chair 2003-05; Women's Rights Project, Advisory Board 2003-present)

American Association of Law Schools (Academic Freedom and Tenure Committee 2003-present; Sections and Annual Meeting Committee 1997-99; Minority Section, Executive Committee, chair elect 1999-2000, chair 2000-01; Property Section Executive Committee 1997-2001, chair 1999-2000; Property Conference Planning Committee 1996-97; Scholarly Paper Review Committee 2005-present)

American Association of University Women (1995-present)

American Bar Association (International Law Section - Inter-American Law Committee, vice chair 2003-present, & International Arbitration, vice chair 1995-97; Section on Legal Education and Admissions to the Bar 1991-present; Section on Individual Rights and Responsibilities 1985-present)

American Society of International Law (Annual Program Committee 1997-99, co-chair 1999; Executive Council 1999-2002; Manley O. Hudson Medal Committee 2001-02)

Association of the Bar of the City of New York (International Law Committee 1989-92; International Human Rights Committee 1992-95; Women in the Profession Committee 1995-98)

Commission on Judicial Nomination of the State of New York (Appointment by Chief Judge Judith S. Kaye) 1994-99

Eastern District Magistrate Judge Merit Selection Panel (Appointment by Chief Judge Thomas C. Platt) 1994-97

Hispanic National Bar Association (Women in the Law Committee, chair 1995-96)

LatCrit: Latina & Latino Critical Theory, Inc. (Founding Member 1995; Board of Directors 1999-present; Co-Chair 2002-06; Annual Conference Planning Committee 1995-2004; LatCrit NGO Project Development & Obtaining Consultative Status with the United Nations (coordinator) 2003-06; LatCrit Student Scholar Program Committee 2002-04; LatCrit/U. Baltimore Joint Critical Global Classroom Program Committee 2002-04)

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National People of Color Legal Scholarship Conference (National Steering Committee 2003-04; Planning Committee, 2nd NPCLS Conference 2003-04)

Second Circuit Task Force on Gender, Racial and Ethnic Fairness in the Courts, U.S. Court of Appeals for the Second Circuit 1996-98

Society of Women in Philosophy (Southeastern Regional Conference Committee 2002-03)

LANGUAGES Spanish (native, fluent), French (proficient)

REFERENCES Available upon request