MARTHA GRACE DUNCAN
EMORY UNIVERSITY SCHOOL OF LAW
ATLANTA, GEORGIA 30322
AUTHOR WEBSITE: https://www.marthagraceduncan.com

EDUCATION

YALE LAW SCHOOL

J.D., 1983
Article and Book Review Editor, YALE LAW JOURNAL, 1982-83
Editor, YALE LAW JOURNAL, 1982

NEW YORK UNIVERSITY MEDICAL CENTER, Department of Psychiatry

Research Candidate in Psychoanalysis, 1977-79

COLUMBIA UNIVERSITY, Department of Political Science

Ph.D., 1976; M. Phil., 1975; M.A., 1969
President's Fellow
Fellow of the Faculty of Public Law and Government
Institute of Latin American Studies Fellowship for research in Northeast Brazil, June-September 1968
U.S. Dept. of Education Foreign Language and Area Studies Fellowships in Portuguese and Spanish
Woodrow Wilson Fellow

OCCIDENTAL COLLEGE

B.A., *Summa cum laude*, 1967
Phi Beta Kappa. Elected Junior Year
Occidental International Fellowship for research in Bogotá, Colombia, April-September 1966
UCLA Department of Spanish and Portuguese Special Award for essay "Miguel de Unamuno y el Sentimiento Trágico de la Vida"

Seltzer Award, given to freshman woman with the highest grades

EMPLOYMENT

Emory University

Professor of Psychoanalysis, 2020-present
Professor of Law, 1996-present
Associate Professor of Law, 1989-1996
Assistant Professor of Law, 1986-1989

Subjects: Criminal Law; Law and Literature;
Law and the Unconscious; Juvenile Law

Ben F. Johnson Faculty Excellence Award, 2019

Emory Williams Distinguished Teaching Award, **2012-2013**

Black Law Students Professor of the Year Award, **2011-2012**

University of Warsaw, Poland: Center for American Law Studies
Visiting Professor of Law, November 2024

Covington & Burling, Associate, 1985-1986

Judicial Clerk for the Honorable Robert H. Bork,
United States Court of Appeals for the D.C. Circuit, 1983-1984

Wagner College, Assistant Professor of Political Science,
New York, 1977-1980

Columbia University, Instructor, Graduate Courses on Personality
and Politics, Summer sessions, 1976 and 1977

Cooper Union for the Advancement of Science and Art,
Adjunct Assistant Professor, 1976-1977

PUBLICATIONS

BOOKS

DEATH OF A DREAMER: UNRAVELING THE MYSTERY OF MY FATHER'S LIFE (Athens, Greece: Vine Leaves Press) *under contract*

Winner, 2026 International Creative Nonfiction Prize, awarded by Vine Leaves Press

ROMANTIC OUTLAWS, BELOVED PRISONS: THE UNCONSCIOUS MEANINGS OF CRIME AND PUNISHMENT (New York: New York University Press, 1996; reissued in paperback, 1999)

Reviews: *New York Times Book Review, Arizona Daily Sun, British Journal of Criminology, Buffalo Criminal Law Review, Clio, Corrections Today, Florida Law Review, Journal of the American Psychoanalytic Association, Journal of Psychohistory, Legal Studies Forum, Psychoanalytic Quarterly, South African Journal of Criminal Justice*, and others

SCHOLARLY ARTICLES AND REVIEWS

What Not to Do When Your Roommate is Murdered in Italy: Amanda Knox, her "Strange" Behavior, and the Italian Legal System, 41 HARVARD JOURNAL OF LAW AND GENDER 1–78 (2017), http://harvardjlg.com/creative-content/.

- An earlier version of this essay won **First Prize in the Judith Siegel Pearson Competition,** awarded by Wayne State University (for "best writing about women in any genre in 2014").

Beauty in the Dark of Night: The Pleasures of Form in Criminal Law, 59 EMORY LAW JOURNAL 1203-1244 (2010). Published with response essay.

"So Young and So Untender": Remorseless Children and the Expectations of the Law, 102 COLUMBIA LAW REVIEW 1469-1526 (2002).

- **Quoted in** the ***New Yorker***. Rachel Aviv, *No Remorse. Should a Teenager be given a Life Sentence*? (Jan. 3, 2012), 54, 60.

- Quoted in Brief for Respondent in the 2005 United States Supreme Court case of *Roper v. Simmons* (arguing that the death penalty for minors is unconstitutional).

- Cited in *U.S. v. Mikos*, 593 F.2d 706, 723 (7th Cir. 2008) (Posner, J. concurring in part and dissenting in part).

- Cited in *State v. Majors*, 940 NW2d 372, 414 (Iowa 2020) (Appel, J., dissenting).

- Cited in *People v. Eliason*, 833 N.W.2d 357, 384 n. 6 (Mich. Ct. App. 2013) (Gleicher, P.J., concurring in part and dissenting in part).

In Pro Per: Prison Paradox, 17 CALIFORNIA LAWYER 96 (Sept. 1997).

In Slime and Darkness: The Metaphor of Filth in Criminal Justice, 68 TULANE LAW REVIEW 725-802 (1994).

"A Strange Liking": Our Admiration for Criminals, 1991 UNIVERSITY OF ILLINOIS LAW REVIEW 1-53 (1991).

"Cradled on the Sea": Positive Images of Prison and Theories of Punishment, 76 CALIFORNIA LAW REVIEW 1201-1247 (1988).

Spanish Anarchism Refracted: Theme and Image in the Millenarian and Revisionist Literature, 23 JOURNAL OF CONTEMPORARY HISTORY 323-346 (1988).

Only the Marlboro Man: A Psychological Study of a Political Agitator, 8 POLITICAL PSYCHOLOGY 165-190 (1987).

Book review: Albert Memmi, *Dependence*, 6 POLITICAL PSYCHOLOGY 535-539 (1985).

L'attivismo radicale come difesa contro la disperazione, L'ESTREMISMO POLITICO. Edited by G. Calvi & M. Martini. (Milano: Franco Angeli, 1982). [Translation of *Radical Activism and the Defense against Despair*, 13 SOCIOLOGICAL FOCUS 255-263 (1980)].

Radical Activism and the Defense against Despair, 13 SOCIOLOGICAL FOCUS 255-263 (1980).

Miguel de Unamuno, 1 QUEST 13-14, 19, 30 (1965).

MEMOIRS AND ESSAYS

A Touch of Madness, 47 PRAIRIE FIRE : A CANADIAN MAGAZINE OF NEW WRITING (forthcoming in 2026)

Ward Eleven, 21 FIVE POINTS: A JOURNAL OF LITERATURE AND ART 92-103 (2021)

Cattle Upon a Thousand Hills, 49 APPALACHIAN REVIEW 30-54 (2021).

The Eyes Have It, 48 NOTRE DAME MAGAZINE 89-90 (2019).

My Father and the Hair Grafter, 47/48 TAMPA REVIEW 123-127 (2014).

So Have I Been a Good Stepmother? 19 THE GETTYSBURG REVIEW 449-456 (2006).

- Honorable Mention (top 14 out of 1757 entries), Tom Howard/John H. Reid Fiction and Essay Contest, 2025.
- Reprinted in WRITING IT REAL (March 15, 2007), http://writingitreal.com.

The View from My Parking Space, 19 ROMANTIC HOMES 86-87 (2006).

A Perfect Start, 71 NORTH DAKOTA QUARTERLY 156-161 (2004).

- **Winner, 1st Prize,** 2018 Gail Wilson Kenna Creative Nonfiction Category, Soul-Making Keats Literary Competition.

Return to Eden, 23 PASSAGES NORTH 97-103 (2002).

- Reprinted under the title *Falling Forward* in HOME: AN ANTHOLOGY OF MINNESOTA FICTION, MEMOIR, AND POETRY 192-201. Edited by William E. Burleson (Minneapolis: Flexible Press, 2019).

- **Winner, 1st Prize,** 2022 Gail Wilson Kenna Creative Nonfiction Category, Soul-Making Keats Literary Competition.

A Hope Chest for Middle Age, 4 MARY ENGELBREIT'S HOME COMPANION 104 (February-March 2000).

Born for Friendship (Memorial tribute to Professor Donald W. Fyr), 43 EMORY LAW JOURNAL 1141-1143 (1994).

"Notables": Six of the above memoirs and two of the law review articles have been selected as "Notables" in *Best American Essays*.

Series editor, Robert Atwan (Boston: Houghton Mifflin Co.) (2003, 2005, 2007, 2011, 2015, 2018, 2020, 2022).

PRESENTATIONS

Vaught Guilty Verdict: What's Next? A Conversation and Panel Discussion for the Emory Nursing Community (Webinar)

Nell Hodgson Woodruff School of Nursing, April 14, 2022.

Law and Literature: A Comparative Debate (Webinar)

Università degli Studi di Firenze, Scuola di giurisprudenza, Webinar, June 3, 2020.

Prisons and the Strange Nature of Happiness

Law and Society Annual Meeting, Washington, D.C., May 30, 2019.

Università degli Studi di Firenze, Scuola di giurisprudenza (University of Florence Department of Law), Firenze, Italy. May 20, 2014.

Il Vero Danno: Why we should make Amends to the Wrongly Convicted

Università degli Studi di Firenze, Scuola di giurisprudenza, Firenze, Italy, May 23, 2018.

What Not to Do When your Roommate is Murdered in Italy

Max Planck Institute for Social Anthropology, Public lecture, Halle, Germany, May 22, 2018.

Harvard Law School, Speech hosted by Harvard Women's Law Association, *Harvard Journal of Law and Gender*, and Harvard Italian Law Association, Oct. 16, 2017.

Emory University Law Faculty Colloquium. October 7, 2015.

Università degli Studi di Torino, Scuola di giurisprudenza, Turin, Italy. Dec. 12, 2014.

Institute of Liberal Arts Colloquium, Emory University. Nov. 12, 2014.

Psychoanalytic Studies Program, Emory University. March 20, 2014.

From Brazilian Peasants to American Convicts: An Unexpected Journey

Speech given upon induction into the Wall of Fame, Santa Barbara High School, Santa Barbara, CA, March 16, 2018.

Morbid Laughter, Proper Tears: The Demand for "Correct" Emotions in Criminal Law

Law and Society Annual Meeting, Mexico City. June 22, 2017.

Università degli Studi di Firenze, Scuola di giurisprudenza, Firenze, Italy, March 10, 2016.

Cornell University Medical School. The Richardson History of Psychiatry Research Seminar, New York City. Sept. 3, 2014.

"Spitting against the Wind": A Feminist Interpretation of the Amanda Knox Case

European University Institute. Working Group on Gender, Race, and Sexuality. Fiesole, Italy. May 29, 2014.

Lord Richard **(memoir)**

Panel on Southern Heritage, J. Allen Smith Law and Literature Conference, hosted by the Law and Humanities Institute of New York and the Law School of Rutgers University, Newark. April 24, 2009.

The Beauty and the Humor of Criminal Law

Emory University Law Faculty Colloquium, March 26, 2008.

Storytelling and the Law Workshop: Feminism and Legal Theory Project, Emory University School of Law, October 28, 2006.

***Why Brooks and Red Are Afraid in Freedom: Interpreting Paradoxes of the* Shawshank Redemption**

The Psychoanalytic Film Society, Emory University, January 26, 2007.

Romantic Outlaws, Beloved Prisons

Roger Williams University School of Law, Class on "The Unconscious Meanings of Crime and Punishment," June 28, 2004.

WGST Radio: "The Legal Edge," February 22, 2004.

National Public Radio: "What's the Word?" Proposed and participated in syndicated program on prison literature, recorded May 18, 1999.

Executive Board, Aid to Children of Imprisoned Mothers, Atlanta, June 4, 1998.

Adams Memorial Lecture of the Graduate Program in Interdisciplinary Studies, San Diego State University, March 9,

1998.

William Mitchell College of Law, St. Paul, Minnesota, Faculty Colloquium, February 9, 1998.

Wordsworth Books, Little Rock, Arkansas, October 18, 1997.

University of Arkansas at Little Rock, School of Law, Faculty Colloquium, October 17, 1997.

The International Club of Atlanta, September 24, 1997.

Borders Books, Santa Barbara, California, August 13, 1997.

"The Voice of Santa Barbara Radio Show," August 13, 1997.

Borders Books, Atlanta, June 18, 1997.

"So Young and So Untender": Remorseless Children and the Expectations of the Law

Atlanta Psychoanalytic Society, featured speaker, October 29, 2010.

National Center for Justice and the Rule of Law, University of Mississippi School of Law**,** February 14, 2003.

Law and Humanities Institute, New York City, May 17, 2001.

Psychoanalytic Studies Colloquium, Emory University, Feb. 21, 2001.

Emory University School of Law, Faculty Colloquium, April 12, 2000.

Roger Williams University School of Law, Faculty Colloquium, Bristol, Rhode Island, March 13, 2000.

Death of a Dreamer

Violence Studies, Faculty Dinner Meeting, Emory University, March 22, 2000.

Boston Psychoanalytic Society: Group on Parenthood, Weston, Massachusetts, March 14, 2000.

***The Villagers' Adoration of the Man who killed his Father: Interpreting* Playboy of the Western World**

The Psychoanalytic Film Society of Emory University, November 10, 1995.

In Slime and Darkness: The Metaphor of Filth in Criminal Justice

Psychoanalytic Studies Colloquium, Emory University, April 16, 1997.

Law and Society Association, Chicago, May 27, 1993.

"A Strange Liking": Our Admiration for Criminals

New York University: Featured speaker at Interdisciplinary Colloquium sponsored by the School of Law, Psychoanalytic Institute, and Humanities Council, April 23, 1992.

University of Illinois School of Law, Faculty Colloquium, October 28, 1991.

Rutgers, The State University of New Jersey School of Law, Camden, Faculty Colloquium, January 14, 1991.

Association of Georgia Women Law Professors, Atlanta, November 1, 1990.

Atlanta Analytic Interest Group (an organization of psychiatrists,

psychologists, and social workers), October 27, 1990.

Law and Literature Conference, Sponsored by Franklin Pierce Law Center and New Hampshire Council for the Humanities, Concord, NH, October 13, 1990.

"Cradled on the Sea": Positive Images of Prison and Theories of Punishment

New York University Medical Center, class in Applied Psychoanalysis, April 25, 1992.

Atlanta Analytic Interest Group, Parkwood Hospital, Atlanta, October 8, 1988.

Law and Society Association, Washington, D.C., June 13, 1987.

Glenn Memorial Church, the Graduate Student Fellowship, Atlanta, fall, 1987.

Institute of Liberal Arts, Emory University, October 28, 1986.

Spanish Anarchism Refracted: Theme and Image in the Millenarian and Revisionist Literature

American Historical Association: proposed, organized, and presented on panel about Theories of Spanish Anarchism, Chicago, December 28, 1984.

Only the Marlboro Man: A Psychological Study of a Political Agitator

Syracuse University, International Society for the Comparative Study of Civilizations, May 25, 1980.

New York Psychoanalytic Institute, Colloquium for Psychoanalysis and Social Science, New York City, June 11, 1979.

Radical Activism and the Defense against Despair

International Society of Political Psychology, Washington, D.C., May 24, 1979.

GUEST LECTURES IN EMORY UNIVERSITY COURSES

The Uses of Autobiography in Scholarly Writing

*S*eminar on "Experimental Texts," Graduate Institute of Liberal Arts**,** by invitation of Dr. Angelika Bammer, March 18, 2009.

Remorseless Children and Expectations of the Law

La Literatura Picaresca, Spanish Department, by invitation of Dra. María Mercedes Carrión, February 27, 2007 (presented in Spanish).

Don Quijoté: *The Encounter with the Galley Slaves* (presented in Spanish**).**

Imperial Spain: Inquisition, Surveillance, and the Question of Literature*,* by invitation of Dra. María Mercedes Carrión, November 2, 2005.

Romantic Outlaws, Beloved Prisons

La Literatura Picaresca, Spanish Department, by invitation of Dra. María Mercedes Carrión, March 17, 2004 (presented in Spanish).

Evolution, Consciousness, Crime, & Identity; Interdisciplinary Studies in Culture and Society (Institute of Liberal Arts), by

invitation of Dr. Howard Kushner, November 18, 2003.

La Inquisición, by invitation of Dra. María Mercedes Carrión, November 6, 2002 (presented in Spanish).

The Overweening Commander and the Peasants in Fuente Ovejuna (presented in Spanish).

The Spanish *Comedia* and the Subject of Performance, by invitation of Dra. María Carrión, March 8, 2005.

Matrimonio, Historicidad, y Derecho, by invitation of Dra. María Carrión, March 18, 1998.

The Spanish Theater of the Baroque Era, by invitation of Dra. Emilia Navarro, September 22, 1992.

The Concept of Violence in Criminal Law

Violence Studies, by invitation of Dr. Mary Odem, October 5, 2000.

Violence Studies, by invitation of Dr. Robert Agnew, September 11, 1997.

Captain Vere's Anguished Decision

Literature and Law, English Department, class on *Billy Budd*, by invitation of Dr. Walter Reed, October 23, 1996.

Why Raskolnikov Murdered the Old Pawnbroker and her Sister, Lizaveta

Law and Literature, English Department, class on *Crime and*

Punishment, by invitation of Dr. Walter Reed, October 19, 1995.

Noble Bandits in Literature

Genres of Protest, English Department, by invitation of Ms. Runge-Gordon, February 26, 1993.