

**MARTHA ALBERTSON FINEMAN**  
Robert W. Woodruff Professor of Law  
Emory University School of Law, Gambrell Hall  
1301 Clifton Road, Atlanta, Georgia 30322  
mfineman@law.emory.edu | (404) 712-2421

**EDUCATION:**

Juris Doctorate -- University of Chicago 1975  
Bachelor of Arts -- Temple University 1971

**SELECT PROFESSIONAL HONORS AND AWARDS:**

2022 Elected to the Academy of Arts and Sciences  
2022 Outstanding Scholar Award, American Bar Foundation  
2021 - present Senior Faculty Fellow, Emory University Center for Ethics  
International Advisory Board of the Cardiff Centre for Law and Society  
2019-2020 Distinguished Lecturer, Hagler Institute for Advanced Study, Texas A&M  
University  
2018 Kate Stoneman Award and Annual Lecture, SUNY Albany  
2017 Seeger Lecture on Jurisprudence, Valparaiso University  
2017 Ruth Bader Ginsburg Lifetime Achievement Award, AALS  
American Bar Foundation Lifetime Fellow  
2016 Neilson Professorship, Kahn Liberal Arts Institute, Smith College  
2013 Awarded the degree of Doctor Honoris Causa, Faculty of Law, Lund  
University  
2012 Hedda Andersson Distinguished Professorship at Lund University, Sweden  
for the 2012-2013 academic year.  
2012 Cecil H. and Ida Green Visiting Professorship at University of British  
Columbia (in residence October 2012).  
2010 Marie Curie Fellowship -- Equality Studies Centre, UCD School of Social  
Justice (awarded by the European Union)  
2009 Emory University Scholar- Teacher Award  
2008 Anne E. Hirsch Centennial Lecture, New England School of Law  
2008 Emory University – Life of the Mind Lecture  
2008 Cornell University – Alice Cook Lecture  
2006-2007 Leverhulme Visiting Professor, Kent, Keele and Westminster Universities,  
UK – awarded, but declined  
2005 Ruth Bader Ginsberg Distinguished Visiting Professor, Thomas Jefferson  
Law School  
2004-2010 Honorary Professorship, Queen’s University - Belfast  
2003 Distinguished Associated Professor, Cornell Institute for Public Affairs

- 2002 Distinguished Affiliated Scholar, Institute for Legal Studies, University of Wisconsin-Madison
- 2001 Panelist and Discussant for the Tanner Lectures (Lecturer was Sarah Hardy), University of Utah
- 1999-2004 Dorothea S. Clarke Professor of Feminist Jurisprudence, Cornell University Law School
- 1991-1999 Maurice T. Moore Professor, Columbia University Law School
- 1999 Harry Kalven Prize for Distinguished Research in Law and Society
- 1997 Pritzker Distinguished Visiting Professor, Northwestern University School of Law
- 1993-1996 Member of the Executive Committee of the Law and Society Association
- 1993-1996 Elected to the Board of Trustees, Law and Society Association, Class of 1996
- 1992 Mueller Fellow at Franklin and Marshall College
- 1988-1990 Executive Committee, Law and Society Association
- 1988-1990 Director of the Family Law and Policy Program, University of Wisconsin Law, School Institute for Legal Studies
- 1988-1989 Member of the Hurst Prize Committee, Law and Society Association
- 1984-1990 Board member, Institute for Legal Studies, Founder and Director of the Feminism and Legal Theory Program
- 1981 Professor of the Year Award; University of Wisconsin Legal Educational Opportunities Program
- 1975-1976 Law Clerk for the Honorable Luther M. Swygert, United States Court of Appeals for the Seventh Circuit

## **RESEARCH AND PUBLICATIONS**

### **Books:**

*Vulnerability Theory: The Trinity Lectures*, Bristol University Press -- Law, Society, Policy Series (forthcoming 2024).

*The Autonomy Myth: A Theory of Dependency*, The New Press (2004). Published in Japan as 作品社 Sakuhinsha Publishing Company (2008).

*The Neutered Mother, The Sexual Family, and Other Twentieth Century Tragedies*, Routledge Press (1995). Published with updates in Japan as 学陽書房 Gakuyo Shobo Publishing Company (2003).

MARTHA ALBERTSON FINEMAN

PAGE 3

*The Illusion of Equality: The Rhetoric and Reality of Divorce Reform*, University of Chicago Press (1991).

**Books: Editor and Contributor**

*Vulnerability and the Organization of Academic Labor* (with Graham Ferris) Routledge forthcoming, 2024.

*Law and Structuring Individual and Institutional Responsibility: Beyond Equality* (with Laura Spitz), Routledge 2023.

*Vulnerability and the Legal Organization of Work* (with J. Fineman), Routledge 2018.

*Privatization, Vulnerability, and Social Responsibility: A Comparative Perspective* (with U. Andersson and T. Mattsson), Routledge 2017.

*Masculinities and Feminisms: Critical Perspectives* (with M. Thomson), Ashgate Press 2013.

*Vulnerability: Reflections on a New Ethical Foundation for Law and Politics* (with A. Grear) Ashgate Press 2013.

*Feminist Perspectives on Transitional Justice: Through a Theoretical, Policy and Practice-Oriented Lens* (with E. Zinsstag), Intersentia Press (*Series on Transitional Justice* 2013).

*Transcending the Boundaries of Law: Generations of Feminism and Legal Theory* (a GlassHouse Book - Taylor and Frances) Routledge 2010.

*What Is Right for Children? The Competing Paradigms Religion and International Human Rights*, (with K. Worthington) Ashgate Press 2009.

*Feminist and Queer Legal Theory: Intimate Encounters, Uncomfortable Conversations*, with J. Jackson and A. Romero (Ashgate Press 2009).

*Feminism Confronts Homo Economicus (Economic Man)*, with T. Doherty (Cornell University Press 2005).

*Feminism and The Media*, Oxford University Press (1997).

*Mothers in Law: Feminism and the Legal Regulation of Motherhood*, Columbia University Press (1995).

*The Public Nature of Private Violence*, Routledge Press (1994).

*At the Boundaries of Law: Feminism and Legal Theory* Routledge (1990; Re-issued 2012).

**Book Chapters:**

"The Importance of Incorporating Feminist Perspectives in Corporate Law;" Chapter 2 in *Feminist Judgments: Rewritten Corporate Law* (with Anne Choike and Cheryl Wade, 2023).

"Reasoning from the Body," in *Jurisprudence of the Body*, Palgrave Press: M.A. Thomson, M. Travis Eds. (2020)

"The Limits of Equality: Vulnerability and Inevitable Inequality," in *FEMINIST JURISPRUDENCE*, Elgar Press: Bowman, C. and West, R. Eds. (2019).

"Injury in the Unresponsive State: Writing the Vulnerable Subject into Neo-Liberal Legal Culture," in *Injury and Injustice: The Cultural Politics of Harm and Redress*, Cambridge University Press: A. Bloom, D. Engel, M. McCann eds. (2018).

"Care and Gender" in *Negotiating Motherhood in the 21<sup>st</sup> Century*, J. Egras, J. Jenson, and S. Michel, Eds., Columbia University Press (2017).

"Homeschooling: Putting Parental Rights Over Children's Best Interests" in *Handbook of School Choice*, R. Fox and N. Buchanan Eds., Wiley Press (2017).

"*Emancipation of Women from Fixed Sex Roles*" Japan Association of Gender and Law Series on Gender and Law, (Vol. 2, Nihon Kajo Shuppan – Tokyo) written in English and translated into Japanese for a series of books celebrating the 10<sup>th</sup> anniversary of the Japan Association of Gender and Law.

"Vulnerability and Resilience" in *Vulnerability: Reflections on a New Ethical Foundation for Law and Politics*, Fineman and Grear, Eds., Ashgate Press (2013).

"Responsibility, Family, and the Limits of Equality: An American Perspective" In *Taking Responsibility, Law and the Changing Family*, edited by C. Lind, H. Keating, and I. Bridgeman (Ashgate Press 2011).

"Gender, Equality, and the Human Condition" In *Gender, Sexualities, and Law*, edited by J. Jones, A. Grear and R. Fenton (Routledge/Glasshouse 2011).

"Taking Children's Interests Seriously" *What Is Right for Children: The Competing Paradigms of Religion and Human Rights*, edited by MA Fineman and K Worthington (Ashgate Press 2009).

"The Sexual Family" in *Strange Bedfellows: An Uncomfortable Conversation Between Feminism and Queer Theories*, edited by MA Fineman, J. Jackson and A. Romero (Ashgate Press 2009).

"Gender Equality: Dimensions of Women's Equal Citizenship" in *Social Citizenship and Gender*, edited by Joanna Grossman and Linda McClain (Cambridge University Press 2009).

“Equality: Still Illusive after All These Years” in *Social Citizenship and Gender*, edited by Joanna Grossman and Linda McClain (Cambridge University Press 2009).

“Dependency” In *The Chicago Companion to the Child*, edited by Richard A. Shweder (University of Chicago Press 2008).

“Intimacy” In *The Encyclopedia of the Supreme Court of the United States, vol. 2*, edited by David Tanenhaus, (Macmillan/Gale 2008).

“Poverty, Gender, and the Family” In *Conceptual Challenges in Poverty and Inequality*, edited by David Grusky and Ravi Kanbur (Stanford University Press 2005).

“The Meaning of Marriage” In *Marriage Proposals: Questioning a Legal Status*, edited by Anita Bernstein (New York University Press 2005).

“What Place for Family Privacy?” In *Women and the United States Constitution*, edited by Sibyl Schwarzenbach (Columbia University Press 2003).

“Dependencies” In *Women and Welfare: Theory and Practice in the United States and Europe*, edited by Nancy J. Hirschmann and Ulrike Liebert (Rutgers University Press 2001).

“Law of the Father” In *Mother Troubles*, edited by J. Hanigsberg and S. Ruddick (1999).

“Contract, Marriage and Background Rules” In *Analyzing Law: New Essays in Legal Theory*, edited by Brian Bix (1998).

“Justice in Law and Marriage” In *Law and Society Scholarship*, vol. I, edited by Bryant Garth and Austin Sarat (1997).

“The End of Child Support As We Know It” In *New Perspectives on Child Support*, edited by Margo Melli and Thomas Oldham (1997).

“Divorce and Child Custody” In *Law, Mental Status and Mental Health Services*, edited by Bruce Sales and Dan Shuman (1995).

“The Concept of the Natural Family and the Limits of American Family Law” In *International Review of Comparative Public Policy*, vol. 4, edited by Barbara Stark (1992).

“The Neutered Mother” In *Symbolism, Language and Politics*, edited by Richard Merelman (1992).

“The Feminist as Legal Reformer” In *Lawyering and Its Limits*, edited by Christine Harrington and Maureen Cain (1991).

“The Role of the Guardian Ad Litem in the Family Court System” In *Child Advocacy*,

edited by J. Westman (1990).

"The Politics of Child Custody in the United States" In *The Politics of Child Custody Decision Making*, edited by Carol Smart and Selma Sevenhuijsen, 1989 (a version of *Child Advocacy and the Transformation of Custody Decision Making*).

**Scholarly Papers:**

1. "The Significance of Understanding Vulnerability: Ensuring Individual and Collective Well-Being," *International Journal for the Semiotics of Law - Revue internationale de Sémiotique juridique* (2023).
2. "Rights, Resilience, and Responsibility," 71 *Emory Law Journal* 1435 (2022).
3. "Populations, Pandemics, and Politics," 21 *International Journal of Discrimination and the Law* 3 (2021).
4. *The Social Pharmacy*, (Sweden: The Art Museum at Skovde, 2022). Exhibition catalog.
5. "Reasoning From the Body: Universal Vulnerability and Social Justice," 22-18 *Emory Legal Studies Research Paper* (2022)
6. "Universality, Vulnerability, and Collective Responsibility" for *Les ateliers de l'éthique/The Ethics Forum. Special Issue: "After Covid": ethical, political, economic and social issues in a post-pandemic world, Vol 16, No. 1. Winter 2021* (peer reviewed).
7. "Introduction to the Special Issue" Vulnerability and the Organisation of Academic Labour, *The Law Teacher*, Volume 55, Issue 1 (2021).
8. "Vulnerability in Law and Bioethics," 30 *Journal of Health Care for the Poor and Underserved* 52 (2020).
9. "Beyond Equality and Discrimination," 73 *SMU Law Review Forum* 51 (2020).
10. "Vulnerability and Social Justice," 53 *Valparaiso Law Review* 341 (2019).
11. "Vulnerability and Inevitable Inequality," *Oslo Law Review* (peer reviewed, 2017).
12. "Homeschooling the Vulnerable Child" – *University of Baltimore Law Review* (2016 with George Shepherd)
13. "Equality and Difference – The Restrained State" 66 *Alabama Law Review* 609 (2015)
14. "Vulnerability and LGBT Youth" *Temple Political and Civil Rights Law Review* (2014)

15. "Vulnerability as a Basis for Justice and Equality in the Nordic Countries -- Afterword: Vulnerability and Resilience" 36 *Retfaerd* 84 (The Nordic Journal of Law and Justice) 2013
16. "Feminism, Masculinities and Multiple Identities" 13 *University of Nevada – Las Vegas Law Review* 101 (Symposium Issue on Masculinities – 2013).
17. "Elderly" as Vulnerable: Rethinking the Nature of Individual and Societal Responsibility" 20 *The Elder Law Journal* 71 (2012).
18. "Beyond Identities: The Limits of an Anti-discrimination Approach to Equality" 92 *Boston University Law Review* 1713 (2012).
19. "The Vulnerable Subject and the Responsive State," 60 *Emory Law Journal* – (Symposium Issue on "The New New Deal" -- 2011).
20. "Motherhood and Entitlement," 2011 *Singapore Journal of Legal Studies* (2011).
21. "States of Being" (a response to C. Huntington "Familial Norms and Normality"), 59 *Emory Law Journal* 1171 (2010).
22. "Evolving Images of Gender and Equality: A Feminist Journey," 43 *New England Law Journal* 437 (2009).
23. "Religious Resistance to Family Law Reform in the United States," 8 *Korean Law Journal* 47 (2008).
24. "The Vulnerable Subject," 20 *Yale Journal of Law and Feminism* 1 (2008).
25. "The Family in Law and Society," 7 *F-GENS; Frontiers of Gender Studies Journal* 45 - Ochanomizu University, Japan (2007).
26. "Gender and the New Legal Realism," 2005 *University of Wisconsin Law Review* 405 (2005).
27. "The Social Foundations of Law," 54 *Emory Law Journal* 201 (2005).
28. "Feminist Legal Theory," 13 *American Journal of Gender, Social Policy, and Law* (2005.)
29. "Equality Across Legal Cultures: The Role of International Human Rights," 27 *Thomas Jefferson Law Review* (2004).
30. "Progress and Progression in Family Law," 2004 *University of Chicago Legal Forum* 1 (2004).

31. "Domestic Violence, Custody, and Visitation," 36 *Family Law Quarterly* 211 (Spring 2002).
32. "Taking Children's Interests Seriously," *Nomos* (New York University Press) (2002).
33. "Contract and Care" 76 *ITT Chicago-Kent Law Review* 1403 (2001).
34. "Why Marriage?" 9 *University of Virginia Journal of Law and Social Policy* 239 (2001).
35. "The Family in Civil Society," 75 *ITT Chicago-Kent Law Review* 531 (2000).
36. "Cracking the Foundational Myths," 8 *American Journal and Law and Social Policy* 13 (2000).
37. "What Role for Family Privacy," *George Washington Law Review* (1999).
38. "Dependencies," *Stanford Law and Policy Review*, Symposium on Welfare Reform (1998).
39. "The Nature of Dependencies and Welfare Reform," 36 *Santa Clara University Law Review* (1996).
40. "Masking Dependency: The Political Role of Family Rhetoric" *University of Virginia Law Review* (1995).
41. "Feminist Theory and Law," 18 *Harvard Journal of Law & Public Policy* 349 (1995).
42. "A Legal (and Otherwise) Realist Response to "Sex as Contract" 4 *Columbia Journal of Gender and Law* 128 (1994).
43. "Our Sacred Institution: The Ideal of the Family in American Law and Society" 2 *University of Utah Law Review* 387 (1993).
44. "Opening the Closed System" 10 *Women's Review of Books* 27 (Feb. 1993).
45. "Legal Stories, Change, and Incentives--Reinforcing the Law of the Father" 37 *New York Law School Law Review* 227 (1992).
46. "Law of the Father: Sexuality and Incentives" NIH Conference Proceedings (1992).
47. "The Neutered Mother" 46 *University of Miami Law Review* 653 (1992).
48. "The Concept of the Natural Family and the Limits of American Family Law" 4 *International Review of Comparative Public Policy* 15 (1992).



49. "Women in Law, The Difference it Makes" 2 *Columbia Journal of Gender and Law* 1 (1992).
50. "Who Pays for Free Speech?" 9 *Women's Review of Books* 17 (Feb. 1992).
51. "Intimacy Outside of The Natural Family: The Limits of Privacy" 23 *University of Connecticut Law Review* 955 (1991).
52. "Images of Mothers in Poverty Discourse" 2 *Duke Law Review* 274 (1991).
53. "Challenging Law, Establishing Differences: The Future of Feminist Legal Scholarship." 42 *Florida Law Review* 25 (1990).
54. "Child Advocacy and the Transformation of Custody Decision Making" 22 *University of California-Davis Law Review* 829 (1989).
55. "Societal Factors Affecting the Creation of Legal Rules for Distribution of Property at Divorce" 23 *Family Law Quarterly* 279 (1989).
56. "The Politics of Law Reform: Law as an Extension of Ideology" 12 *American Psychological Association; Division of Child, Youth and Family Services Newsletter* 4 (1989).
57. "Custody Determinations at Divorce: The Limits of Social Science Research and the Fallacy of the Liberal Ideology of Equality" 3 *Canadian Journal of Women and the Law* 88 (1989).
58. "Dominant Discourse Professional Language and Legal Change" 101 *Harvard Law Review* 727 (1988). Portions of this article are published in *Dispute Resolution and Lawyers*, Murray, Rau and Sherman, ed., (1988).
59. "Introduction to the Papers: The Origins and Purpose of the Feminism and Legal Theory Conference" 3.5 *Wisconsin Women's Law Journal* 1 (1987).
60. "The Use of Social Science Data in Legal Policy Making: Child Custody at Divorce" With Anne Opie. 1987 *Wisconsin Law Review* 107 (1987).
61. "Implementing Equality: Ideology, Contradiction and Social Change" 1981 *Wisconsin Law Review* 789 (1983)
62. "Law and Changing Patterns of Behavior: Sanctions on Non-Marital Cohabitation" *Wisconsin Law Review* 275 (1981).
63. "Beginnings and Endings: The Effect of the Law on Forms and Consequences of Family

Relations" Proceedings of the Fourth Annual Conference of the Family Study Center, Nickols, S.Y., & Engelbrecht, J.O. (Eds.). (1980).

**Substantive Book Reviews:**

"Family Values: Between Neoliberalism and the New Social Conservatism," 25<sup>th</sup> Anniversary Issue of *Social & Legal Studies* Vol. 26(6) (2017).

"The Hermeneutics of Reason: A Commentary on *Sex and Reason*, 25 *University of Connecticut Law Review* 503 (1993).

"Justice, Gender and the Family" *Ethics* (1991).

"Unmythological Procedure" 63 *University of Southern California Law Review* 141 (1989).

"Neither Silent, Nor Revolutionary." *Law and Society Review* (1989).

"Illusive Equality: Review of *The Divorce Revolution, The Unexpected Social and Economic Consequences for Women and Children in America*" *American Bar Foundation Research Journal* 781 (1986).

"Contexts and Comparisons" 55 *University of Chicago Law Review* 1431 (1988).

**ONGOING PROJECTS:**

**Feminism and Legal Theory Project:**

Begun in 1984, the Project holds workshops and "uncomfortable conversations" and hosts visiting scholars from around the world. The Project has produced 11 books thus far, including *At the Boundaries of Law: Feminism and Legal Theory*, the first published anthology of feminist legal theory and *Transcending the Boundaries of Law: Generations of Feminism and Legal Theory*, celebrating the 25<sup>th</sup> anniversary of the Project.

**Vulnerability and the Human Condition Initiative:**

This Program was begun in 2008 and hosts national and international workshops and visitors. Its purpose is to provide a forum for scholars interested in engaging the concepts of "vulnerability" and "resilience" and the articulation of a universal approach to state and collective responsibility that presents a compelling alternative to both a rights-based and social contract paradigm.