

**LARSON, JANE E.**  
**Jane E. Larson papers, 1979-2010**

Emory University  
Emory Law Archives  
Hugh F. MacMillan Law Library  
1301 Clifton Road  
Atlanta, GA 30322  
404-727-0059

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**Descriptive Summary**

**Creator:** Larson, Jane E.  
**Title:** Jane E. Larson papers, 1979-2010  
**Call Number:** L-040  
**Extent:** 8.60 linear ft. (21 boxes)  
**Abstract:** Papers of Jane Larson include correspondence, book and article manuscripts, subject files, and collected writings by others.  
**Language:** Materials entirely in English.

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**Administrative Information**

**Restrictions on Access**

Special restrictions apply. Selected correspondence is restricted in Series 2.

**Terms Governing Use and Reproduction**

All requests subject to limitations noted in departmental policies on reproduction.

**Related Materials in This Repository**

Martha Fineman Papers, L-014; Feminism and Legal Theory Project Records, L-015.

**Source**

Gift, 2012

**Custodial History**

Transferred to the Emory Law Archives from Professor Larson's office at the University of Wisconsin by Katherine Franke and Janlori Goldman.

**Citation**

[after identification of item(s)], Jane E. Larson Papers, Emory Law Archives, Hugh F. MacMillan Law Library, Emory University.

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**Processing**

Processed by Joanna C.D. Rogers, 2013. Additions processed by Emily Corbin, 2018.

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**Collection Description****Biographical Note**

Jane Elizabeth Larson, professor of law and writer, was born on September 4, 1958 in Omaha, Nebraska. She graduated from Macalester College in 1980 with a B.A. in history. She earned a J.D. in 1985 at the University of Minnesota, where she graduated magna cum laude and was admitted to the Order of the Coif. After she finished law school, she clerked for The Honorable Rosalie Wahl of the Minnesota Supreme Court, and then for The Honorable Theodore McMillian of the United States Court of Appeals for the Eighth Circuit. Between 1987 and 1990 Larson worked as an associate attorney at Powell, Goldstein, Frazer & Murphy in Washington, D.C. She joined the faculty of the Northwestern University Law School in 1990. As a young scholar she quickly became known for significant contributions to feminist jurisprudence. Her work focused on the interaction of choice, consent, individualism, and sexual autonomy. An award-winning teacher, she taught courses in property, conflicts of law, feminist legal theory, and women's legal history.

Larson moved to the University of Wisconsin Law School in 1996. She continued to write on matters of feminism and the law, producing a major work, *Hard Bargains: The Politics of Sex*, in 1999. This book, co-authored with Linda Hirshman, earned both enthusiastic praise and trenchant criticism. During this period Larson also did extensive research on unregulated land markets in Texas, and she worked closely with the University of Wisconsin's Land Tenure Center. She was appointed William Voss-Bascom Professor in 2003.

Jane Larson died in 2011.

**Scope and Content Note**

The Jane E. Larson papers include correspondence, book and article manuscripts, and subject files. The bulk of the collection is made up of material related to Larson's writings and speaking engagements. Her activities as a scholar, teacher, and public intellectual are well documented.

**Arrangement Note**

Organized into seven series: (1) Biographical material, (2) Correspondence, (3) Writings, (4) Northwestern University, (5) University of Wisconsin, (6) Colonias Study, (7) Subject files, and (8) Collected Works of Others.

## **Description of Series**

[Series 1: Biographical Material, 1979-1998](#)

[Series 2: Correspondence, 1989-2010](#)

[Series 3: Writings, 1989-2004](#)

[Series 4: Northwestern University, 1989-1997](#)

[Series 5: University of Wisconsin, 1996-2007](#)

[Series 6: Colonias Study, 1998-2004](#)

[Series 7: Subject Files, 1990-2000](#)

[Series 8: Collected Works of Others, 1956-2006](#)

**Series 1**  
**Biographical Material, 1979-1998**  
**Box 1**

**Scope and Content Note**

This series consists primarily of materials from Larson's early life, including a curriculum vitae, undergraduate course papers, law school papers and transcripts, and a photographic portrait.

<b>Box</b>	<b>Folder</b>	<b>Content</b>
1	1	Curriculum vitae, undated
1	2	Judicial clerkship, 1987
1	3	Law school papers, 1985
1	4	Law school transcript, undated
1	5	Photographs, circa 1998
1	6	Recommendation, 1989
1	7	Undergraduate course papers, 1979
1	8	Undergraduate honors thesis, 1980

**Series 2**  
**Correspondence, 1989-2010**  
**Boxes 2, 14**

**Scope and Content Note**

This series contains primarily letters Larson received, with a few copies of outgoing letters, on various topics. Two letters from Box 2, Folder 1 have been removed and are restricted until 2065. Correspondents include family, friends, and colleagues. Most of the letters mention Larson's scholarly pursuits. There is one file that consists only of recommendations that Larson wrote for students and colleagues.

**Arrangement Note**

Arranged in chronological order.

<b>Box</b>	<b>Folder</b>	<b>Content</b>
2	1	1989-1991 [Two folders are restricted until 2065, located in M118A]
2	2	1993-1996
2	3	1997
2	4	1998
2	5	1999-2000
2	6	2001-2010, undated
2	7	Letters of recommendation, 1997-1999

**Series 3**  
**Writings, 1989-2004**  
**Boxes 3-7**

**Scope and Content Note**

Over the course of her career, Larson wrote many articles, gave many lectures and conference presentations, and produced one book. The files in this series contain material related to these writings. Drafts of published work and texts of lectures are present in many of the files. The bulk of the material in this series relates to Larson's book *Hard Bargains: The Politics of Sex* (1999), which she co-wrote with Professor Linda Hirshman. The Hard Bargains files include correspondence with Hirshman, correspondence with readers, responses to reviews, and communications with the publisher on various aspects of the publication process.

**Arrangement Note**

Arranged alphabetically by title of work.

Box	Folder	Content
3	1	"'A Good Story' and 'The Real Story,'" 1999-2001
3	2	"A House Divided: Using Dred Scott to Teach Conflicts of Law," 1996
3	3	"A Victim All the Way to the Bank," with Linda Hirshman, 1993
3	4	"Abortion Access is America's Tradition," 1995-2004
3	5	"After vice: politics, feminism and the legal regulation of sex", draft, 1993
3	6	"Battling Bias in the Tenure Process," 1997-1998
3	7	"City inclusionary zoning powers", memorandum, 2002
3	8	"Choosing Our Own: The Membership Selection Process," 1996
3	9	"Class, Economics, and Social Rights," 2002
3	10	"'Even a Worm Will Turn at Last': Rape Reform in Late Nineteenth Century America," 1996-2002
3	11	"Female Virtue and Public Order," 1996
3	12	"Feminism in Relation," 2002
3	13	"Free Markets Deep in the Heart of Texas," 1994-1997
4	1	<i>Hard Bargains: The Politics of Sex</i> : conferences, 1997-1999
4	2	<i>Hard Bargains: The Politics of Sex</i> : contract, 1994
4	3	<i>Hard Bargains: The Politics of Sex</i> : cover illustration, 1997-1998
4	4	<i>Hard Bargains: The Politics of Sex</i> : freelance editor, 1998
4	5	<i>Hard Bargains: The Politics of Sex</i> : paperback edition, 1999
4	6	<i>Hard Bargains: The Politics of Sex</i> : hardback edition, 1998
4	7	<i>Hard Bargains: The Politics of Sex</i> : proposal, 1993-1994
4	8	<i>Hard Bargains: The Politics of Sex</i> : publicity, 1998-1999
4	9	<i>Hard Bargains: The Politics of Sex</i> : reader correspondence, 1997-1999
4	10	<i>Hard Bargains: The Politics of Sex</i> : reviews, 1999
4	11	<i>Hard Bargains: The Politics of Sex</i> : statute, 1998

- 4 12 Hard bargains in the new millenium a new world of sexual regulation, outline,  
undated
- 5 1 "Historians and the Legal Process," 1996
- 5 2 "Homeland securty and property rights abroad", draft, 2002
- 5 3 "How Far Have We Come?" 2003
- 5 4 "Imagine Her Satisfaction: The Transformative Task of Feminist Tort Doctrine,"  
1993
- 5 5 "Informality, Inequality, and Illegality," 2000-2001
- 5 6 "Is the Law Male?" 1992-1993
- 5 7 "Law, Politics, and the Supreme Court," 1991
- 5 8 "Making legitimacy into legality: the meaning of formal title in an informal land  
economy", 2003
- 5 9 Memorandum on federal asbestos compensation program, 1989
- 5 10 "Oklahoma City, the First Amendment, and the Bottom Line," 1995
- 5 11 "Other Sociological Approaches and Law and Economics," in *The Encyclopedia  
of Law and Economics*, 1996-1997
- 5 12 "Perspectives on Professionalism," 1995
- 5 13 Presentation at Women's Legal Studies Institute, 1994
- 5 14 Presentation at the International Association for the Study of Common Property,  
2002
- 5 15 "Prostitution, Labor, and Human Rights," Brigitte M. Bodenheimer Memorial  
Lecture on the Family, 2003
- 5 16 "Prostitution, Work, and Human Rights," 2001
- 6 1 *Ragsdale* amicus brief, 1989
- 6 2 Remarks at Communitarian Summit, 1999
- 6 3 Remarks at conference honoring Martha Fineman, 2003
- 6 4 Remarks at Northwestern University student orientation, 1993-1995
- 6 5 Remarks on Clinton impeachment, 1998
- 6 6 Remarks on *Feminist Jurisprudence: Taking Women Seriously*, 1994
- 6 7 Remarks on Take Your Daughters to Work Day, 1995-1998
- 6 8 Remarks on feminist scholars at elite law schools, undated
- 6 9 Response to George Will, 1989
- 6 10 "Sex in Public," 1998-2001
- 6 11 "Sexual Labor," *drafts*, 1998
- 6 12 "Sexual Labor," in *Directions in Sexual Harassment Law*, 2001-2002
- 6 13 "Sexual Labor," presented to Yale Sexual Harassment Symposium, 1998
- 6 14 "Sexual Labor," presented to University of Minnesota Faculty Workshop, 1999
- 6 15 "Sexual Labor," presented to Working Group on Contemporary Forms of  
Slavery, 1999
- 6 16 "Sexuality as a Language of Citizenship," 1995

- 6 17 Speech honoring Dean Robert Bennett, 1995
- 6 18 Speech to Federalist Society conference, 1991
- 6 19 Speech to Feminists for Social Change, 1990
- 6 20 "The Adversary Use of History: *Webster v. Reproductive Health Services, Inc.*,"  
1990
- 7 1 "The Jurisprudence of Rosalie E. Wahl," 1989-2000
- 7 2 "The Ultimate Glass Ceiling," 1994
- 7 3 "Things Don't Turn Out Exactly as You Would Have Thought," 1998
- 7 4 "Time to Think Again: Gender Bias in Legal Education," 1995-1998
- 7 5 Tribute to Judge Theodore McMillian, 1997
- 7 6 "Two Faces of Freedom," 1994
- 7 7 "What's Law Got to Do With It?" 1993
- 7 8 "When Formal and Informal Collide: Regulation of Informal Land Settlements  
Along the U.S.-Mexico Border," 2000
- 7 9 "Women and Property: Jane Austen's *Pride and Prejudice*," 1993-1995
- 7 10 "Women Lawyers: Progress is Not Parity," 2002



**Series 4**  
**Northwestern University, 1989-1997**  
**Box 8**

**Scope and Content Note**

The files in this series relate to Larson's position at Northwestern University School of Law. Her time at Northwestern was marked by controversy, as she and several other female faculty members were denied tenure. These events were reported in the national media, and led to Larson's decision to join the law faculty of the University of Wisconsin in 1996. Larson retained few records of the tenure process; most of the material that relates to her problems at Northwestern is in her tenure file in Series 5. However, there are two files in this series related to women faculty who were considered for tenure. Those women were Linda Hirshman, who collaborated with Larson on several scholarly projects, and Maria Hylton.

**Arrangement Note**

Arranged alphabetically by subject.

<b>Box</b>	<b>Folder</b>	<b>Content</b>
8	1	Appointments: Hirshman, 1990-1991
8	2	Appointments: Hylton, 1992-1993
8	3	Exam taking, 1990-1993
8	4	Feminist Symposium, 1992-1994
8	5	Graduation, 1997
8	6	Interview, 1989-1990

**Series 5**  
**University of Wisconsin, 1996-2007**  
**Boxes 9-10**

**Scope and Content Note**

This series contains material from Larson's time at the University of Wisconsin. She joined the Wisconsin law faculty in 1996, and remained there until her death in 2011. Included here are records of committee work, activities promoting feminism and feminist approaches to law, fellowships, and her tenure file. The tenure file contains correspondence between Larson and members of the Wisconsin faculty, some of which refers to Larson's tenure review at Northwestern.

**Arrangement Note**

Arranged alphabetically by subject.

<b>Box</b>	<b>Folder</b>	<b>Content</b>
9	1	Committee on Gender Fairness in Law School, 1997 [1 of 2]
9	2	Committee on Gender Fairness in Law School, 1997 [2 of 2]
9	3	Committee on Women in the University, 1999
9	4	Federation of Southern Cooperatives externship, 1997
9	5	Gender equity at UW-Madison, 2000-2001, undated
9	6	Incest study, 1997-2007
9	7	Interdisciplinary Feminism Project, 2001
9	8	Joan Williams presentation, 1999
9	9	LL.M. students, 1999
9	10	Post tenure review, 2001
9	11	Romnes Faculty Fellowship, 2000
10	1	Sabbatical, 2004-2005
10	2	Salary, 1999-2001
10	3	Tenure file, 1995-1996
10	4	Tinker Fellowship, 2000-2001
10	5	Tutorial groups, 2000
10	6	Voss-Bascom Professorship, 2003-2004

**Series 6**  
**Colonias Study, 1998-2004**  
**Boxes 11-12**

**Scope and Content Note**

Starting in the mid-1990s, Larson researched and wrote about unregulated land markets in Texas called “colonias.” Colonias are not governed by any zoning regulations, building codes, or planning laws; they lack basic services such as clean water, sewers, and housing with safe wiring and plumbing. Larson wrote several articles on the colonias and participated in a Ford Foundation study that helped colonia residents gain clear and legal title to their homes. She also supervised law students who worked on the colonias project through the University of Wisconsin’s Land Tenure Center.

The documents in this series constitute a record of Larson’s involvement with the colonias. The bulk of the material consists of correspondence between Larson and colleagues who worked on the Ford Foundation project. Copies of interviews with colonia residents are also present.

**Arrangement Note**

Arranged alphabetically by subject.

<b>Box</b>	<b>Folder</b>	<b>Content</b>
11	1	Brenda Haskins memos, 1998-1999, undated
11	2	Community land specialist training, 2002
11	3	Contract for services, undated
11	4	Correspondence: Austin trip, 1999-2000
11	5	Correspondence: Ford Foundation, 1999-2003
11	6	Externship, 1998-2003
11	7	Final report, 1993
12	1	Focus group transcript, 2002
12	2	Installment contracts memo, 1993
12	3	“Las Colonias” exhibit, 2001
12	4	Notes, 2002, undated
12	5	Photographs of Trevino subdivision, 1998
12	6	Starr County interviews, 2000
12	7	“Who Owns America?” conference, 2001-2004

**Series 7**  
**Subject Files, 1990-2000**  
**Box 13**

**Scope and Content Note**

This series consists mostly of research material on particular topics. Some correspondence and notes are filed here.

**Arrangement Note**

Arranged alphabetically.

<b>Box</b>	<b>Folder</b>	<b>Content</b>
13	1	Abortion funding at Cook County Hospital, 1991-1992
13	2	Chicago Bar Association Alliance for Women, 1993 [1 of 2]
13	3	Chicago Bar Association Alliance for Women, 1993 [2 of 2]
13	4	Chicago Theological Seminary sexual harassment case, 1994
13	5	Garcia-Villegas, Mauricio, 2000, undated
13	6	Prostitution, 1998-1999, undated
13	7	Seduction research, 1990-1994
13	8	Single sex legal education, 1994
13	9	Summer Program in United States Law and Legal Institutions, 1999
13	10	Teacher-student sex, 1994
13	11	Women-in-Development advisory board, 1995

**Series 8**  
**Collected Works of Others, 1956-2006**  
**Boxes 15-21**

**Scope and Content Note**

This series contains published materials collected by Jane Larson. This includes law reviews, novels, and academic writings.

**Arrangement Note**

Arranged by date.

<b>Box</b>	<b>Folder</b>	<b>Content</b>
14	1	Hurst, James Willard, "Law and the conditions of freedom in the nineteenth-century United States", 1956
14	2	St. Augustine, "Confessions", 1961
14	3	Lukacs, Georg, "Soul and Form", 1971
14	4	Geertz, Clifford, "The interpretations of cultures", 1973
14	5	Cixous and Clement, "The Newly Born Woman", 1975
14	6	Thompson, E. P., "The poverty of theory and other essays", 1978
15	1	Leach, William, "True love and perfect union", 1980
15	2	Talese, Gay, "Thy neighbor's wife", 1980
15	3	Marks, Elaine and de Courtivron, Isabelle, "New french feminisms", 1981
15	4	"Signs: Journal of women in culture and society", 1981
15	5	Moi, Toril, "Sexual textual politics", 1985
16	1	Luker, Kristen, "Abortion and the politics of motherhood", 1984
16	2	Malcolm, Andrew H. "Final harvest", 1986
16	3	Penelope, Julia, "Women, language and reality", 1987
16	4	Twitchell, James B., "Forbidden Partners", 1987
17	1	Brown, Peter, "The body and society", 1988
17	2	Pheterson, Gail, "A vindication of the rights of whores", 1989
17	3	Yale journal of law and feminism, 1989
17	4	William Mitchell law review, Minnesota supreme court task for gender fairness in the courts, 1989
17	5	Morrison, Toni, "Race-ing justice, En-gendering power", 1992
18	1	Higginbotham, Evelyn Brooks, "Righteous discontent: the women's movement in the black Baptist church, 1880-1920", 1993
18	2	A judge's guide to gender fair court proceedings, 1993
18	3	Langum, David J., "Crossing over the line", 1994
18	4	Ferber, Marianne and Nelson, Julie, "Beyond economicMan", 1993
19	1	Garrow, David J., "Liberty and sexuality", 1994
19	2	Studying the role of gender in the federal courts: a research guide, 1995
19	3	Final report of the eighth circuit gender fairness task force, 1997

- 19 4 Carmichael, Calum M., "Law, legend, and incest in the Bible", 1997
- 20 1 Creighton law review, final report and recommendations of the eighth circuit gender fairness task force, 1997
- 20 2 Stefanic, Jean, "Latino and Latina critical theory: an annotated bibliography", 1998
- 20 3 Virginia law review, marriage as relational contract, 1998
- 20 4 Mitchell, Thomas, "From reconstruction to deconstruction: undermining black landownership, political independence and community through partition sales of tenancies in common", 1999
- 20 5 Haag, Pamela, "Consent: sexual rights and the transformation of American liberalism", 1999
- 20 6 The social justice, legal and judicial career of Rosalie Erwin Wahl, 2000
- 21 1 The power of the president: reproductive freedom and choice, 2000
- 21 2 Northwestern university law review, 2001
- 21 3 Florida law review, symbolic power without symbolic violence?, 2003
- 21 4 Wisconsin law review, new legal realism symposium: is it time for a new legal realism?, 2005
- 21 5 Abortion then and now: creative responses to restricted access, 2005
- 21 6 Halley, Janet, "Split decisions", 2006
- 22 1 Lovelace, Linda, "Ordeal", 1980
- 22 2 Minnesota supreme court task force on racial bias in the judicial system, 1993
- 22 3 Pioneers in the law, the first 150 women, 1998
- 22 4 The status of women in Wisconsin, 2002
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