

WILLIAM J. NOVAK
University of Michigan Law School
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EMPLOYMENT

- 2013 - Charles F. And Edith J. Clyne Professor of Law, University of Michigan
- 2010 - Co-Director, Program in Race, Law, and History, University of Michigan
- 2020 - Affiliated Research Professor, American Bar Foundation
- 2009 - 2013 Professor of Law, University of Michigan.
- 1997 - 2009 Associate Professor of History, The University of Chicago.
- 2000 - 2009 Research Professor, American Bar Foundation.
- 2007 (Fall) Visiting Professor of Law, University of Michigan Law School.
- 2004 (Fall) Visiting Professor of Law, New York University Law School.
- 1991 - 1997 Assistant Professor of History, The University of Chicago.
- 1994 - 2000 Director, Center for Comparative Legal History.
- 2003 - 2005 Editor (with Jack Heinz & Laura Beth Nielsen), *Law and Social Inquiry*.
- 1995 - 1998 Book Review Editor, *Law & History Review*.
- 1989 - 1991 Assistant Director, Institute for Legal Studies, University of Wisconsin Law School; Coordinator of the Civil Rights Conference "A Century of Civil Rights Struggle," November, 1989.

EDUCATION

- 1991 **Ph.D.** Brandeis University, History of American Civilization. Dissertation: "*Salus Populi*: The Roots of Regulation in America, 1787-1873."
- 1983 **M.A.** Case Western Reserve University, History. Thesis: "Lawyers for Progress: Newton D. Baker and John H. Clarke in American Progressivism."

1983 **B.A.** Case Western Reserve University, History.

BOOKS

Monographs

New Democracy: Law and the Creation of the Modern American State (Harvard University Press, 2022).

The People's Welfare: Law and Regulation in Nineteenth-Century America (Legal History Series, University of North Carolina Press, December, 1996). Winner of the American Historical Association's Littleton-Griswold Prize, Best Book in the History of Law and Society.

Edited Collections

Antimonopoly and American Democracy. Edited with Dan Crane (forthcoming, Oxford University Press, 2023).

Corporations and American Democracy. Edited with Naomi Lamoreaux (Harvard University Press, 2017).

Boundaries of the State in US History. Edited with James T. Sparrow and Stephen W. Sawyer (University of Chicago Press, 2015).

The Democratic Experiment: New Directions in American Political History. Edited with Meg Jacobs and Julian Zelizer (Princeton University Press, 2003).

ARTICLES

44. "Willard Hurst, Technological Change, and the Transformation of American Public Law," *Wisconsin Law Review Forward* (forthcoming, summer, 2022).
43. "Foreword: Willard Hurst's Unpublished Manuscript on Law, Technology, and Regulation," with BJ Ard, *Wisconsin Law Review*, 2022 (2022), 443-462.
42. "Of Rights and Regulation: Technologies of Socio-economic Governance in a Revolutionary Age," with Stephen W. Sawyer, in Steven L.B. Jensen and Charles Walton, eds., *Social Rights and the Politics of Obligation in History* (Cambridge: Cambridge University Press, 2022).
41. "Morals, Sex, Crime, and the Origins of Modern American Social Police," in Margot Canaday, Nancy F. Cott, and Robert O. Self, *The Intimate State* (Chicago: University of Chicago Press, 2021), 65-84.

40. "The American Law of Overruling Necessity," in Gary Gerstle and Joel Isaac, eds., *States of Exception in American History* (New York: Cambridge University Press, 2020), 95-122.
39. "Epilogue: The Need for a New and Critical Democracy," with Stephen W. Sawyer, *Tocqueville Review/La Revue Tocqueville*, 41 (2020), 109-118.
38. "Institutional Economics and the Progressive Movement for the Social Control of Business," *Business History Review*, 93 (2019), 665-696.
37. "The Progressive Idea of Democratic Administration," *University of Pennsylvania Law Review*, 167 (2019), 1823-1848.
36. "Social Freedom, Democracy and the Political: Three Reflections on Axel Honneth's *Idea of Socialism*," with Stephen W. Sawyer and James T. Sparrow, *Tocqueville Review/La Revue Tocqueville*, 40 (2019), 241-259.
35. "Revolutionary State Formation: The Origins of the Strong American State," with Steven Pincus, in John L. Brooke, Julia C. Strauss, and Greg Anderson, eds., *State Formations: Global Histories and Cultures of Statehood* (Cambridge University Press, 2018), 138-155.
34. "Response: *The People's Welfare Redux*," *American Journal of Legal History*, 57 (2017), 248-255.
33. "The Administrative State in America," in *Max Planck Handbooks in European Public Law, Volume I: The Administrative State*, Armin von Bogdandy, Peter M. Huber, and Sabino Cassese, eds. (Oxford University Press, 2017), 98-124.
32. "The Public Utility Idea and the Origins of Modern Business Regulation," in *The Corporation and American Democracy*, Naomi Lamoreaux and William J. Novak, eds. (Harvard University Press, 2017), 139-176.
31. "Corporations and American Democracy: An Introduction," with Naomi Lamoreaux, in *Corporations and American Democracy* (Harvard University Press, 2017), 1-36.
30. "Putting the 'Public' in Public Administration: The Rise of the Public Utility Idea," in Nicholas R. Parrillo, ed. *Administrative Law from the Inside Out: Essays on Themes in the Work of Jerry L. Mashaw* (New York: Cambridge University Press, 2017), 373-397.
29. "Democratic States of Unexception: Towards a New Genealogy of the American

- Political,” with Stephen W. Sawyer and James T. Sparrow, in Ann Shola Orloff and Kimberly Morgan, eds. *The Many Hands of the State: Theorizing Political Authority and Social Control* (Cambridge University Press, 2017), 229-257.
28. “The Concept of the State in American History,” in Sparrow, Novak, and Sawyer, eds., *Boundaries of the State in U.S. History* (University of Chicago Press, 2015), 325-350.
 27. “Introduction,” with James T. Sparrow and Stephen W. Sawyer, in Sparrow, Novak, and Sawyer, eds. *Boundaries of the State in U.S. History* (University of Chicago Press, 2015), 1-16.
 26. “Beyond Max Weber: The Need for Democratic (not Aristocratic) Theory of the Modern State,” in *The Tocqueville Review/La Revue Tocqueville* 36 (2015), 43-91.
 25. “Beyond Stateless Democracy,” with Stephen W. Sawyer and James T. Sparrow, in *The Tocqueville Review/La Revue Tocqueville* 36 (2015), 21-41.
 24. “Emancipation and the Creation of Modern Liberal States in America and France,” with Stephen W. Sawyer, *Journal of the Civil War Era*, 3 (2013), 467-500.
 23. “A Revisionist History of Regulatory Capture,” in Daniel Carpenter and David Moss, eds., *Preventing Capture: Special Interest Influence and How to Limit It* (Cambridge University Press, 2013), 25-48.
 22. “Toward a History of the Democratic State,” with Stephen W. Sawyer and James T. Sparrow, *The Tocqueville Review/La revue Tocqueville*, 33 (2012), 7-18.
 21. “Making the Modern American Legislative State,” in Jeffrey Jenkins and Eric Patashnik, *Living Legislation: Durability, Change, and the Politics of American Lawmaking*, Ch. 2 (University of Chicago Press, 2012), 20-43.
 20. “Legal Realism and Human Rights,” *History of European Ideas*, 37 (2011), 168-174.
 19. “Political History after the Cultural Turn,” with Steven Pincus, *American Historical Review Perspectives* (May, 2011).
 18. “Constitutional Theology: The Return of Whig History to American Public Law,” 2010 *Michigan State Law Review* 623 (Actual publication date, 2011).
 17. “Law and the Social Control of American Capitalism, 1877-1932,” *Emory Law Journal* 60 (2010), 377-405.

16. "Long Live the Myth of the Weak State: A Response to Adams, Gerstle, and Witt," *American Historical Review* 115 (June 2010), 792-800.
15. "Public-Private Governance: A History," in Martha Minow and Jody Freeman, eds., *Government by Contract: Outsourcing and American Democracy*. (Harvard University Press, 2009), 23-40.
14. "The Myth of the 'Weak' American State," *American Historical Review* 113 (June 2008), 752-772.
13. "A State of Legislatures," *Polity* 40 (2008), 340-347.
12. "Police Power and the Transformation of the American State," in Markus Dubber and Mariana Valverde, eds., *Police and the Liberal State* (Stanford University Press, 2008), 54-73.
11. "The Not-So-Strange Birth of the Modern American State," *Law and History Review* 24 (2006), 193-200.
10. "The Legal Transformation of Citizenship in Nineteenth-Century America," in Meg Jacobs, William J. Novak, and Julian Zelizer, eds., *The Democratic Experiment: New Directions in American Political History* (Princeton University Press, 2003), 85-119.
9. "The Pluralist State: The Convergence of Public and Private Power in America," in Wendy Gamber, Michael Grossberg, and Hendrik Hartog, eds., *American Public Life and the Historical Imagination* (University of Notre Dame Press, 2003), 27-48.
8. "Private Wealth and Public Health: A Critique of Richard Epstein's Defense of the 'Old' Public Health," *Perspectives in Biology and Medicine* 46 (Summer, 2003 Supplement), S176-S198.
7. "The Legal Origins of the Modern American State," in Bryant Garth, Robert Kagan, and Austin Sarat, eds., *Looking Back at Law's Century: Time, Memory, Change* (Cornell University Press, 2002), 249-283.
6. "The American Law of Association: The Legal-Political Construction of Civil Society," *Studies in American Political Development* 15 (2001), 163-188; reprinted in American Bar Foundation, *Analyzing Law's Reach: Empirical Research on Law and Society* (ABA, 2008), 493-539.
5. "Law, Capitalism, and the Liberal State: The Historical Sociology of James Willard

Hurst," *Law and History Review*, 18 (2000), 97-145.

4. "Common Regulation: The Legal Origins of State Power in America," *Hastings Law Journal* 45 (1994), 1061-1097.
3. "Public Economy and the Well-Ordered Market: Law and Economic Regulation in Nineteenth-Century America," *Law and Social Inquiry* 18 (1993), 1-32.
Reprinted in James W. Ely, Jr., ed., *Property Rights in American History: From the Colonial Era to the Present* (6 vols., New York, 1997), I, 233-264.
2. "John Marshall," in Richard Fox and James Kloppenberg, eds., *A Companion to American Thought* (Blackwell, 1995).
1. "Intellectual Origins of the State Police Power: The Common Law Vision of a Well-Regulated Society," Institute for Legal Studies Working Paper, Legal History Series (June, 1989).

Book Reviews in ***Balkanization*** (Kate Masur, *Until Justice Be Done*, 2021); ***Tocqueville 21*** (Wendy Brown, *The Ruins of Neoliberalism*, 2020, with Stephen Sawyer); ***Tocqueville 21*** (Axel Honneth, *The Idea of Socialism*, 2019); ***Business History Review*** (David A. Moss, *When All Else Fails*, 2003) ***Journal of American History*** (Gregory Alexander, *Commodity and Propriety*, 2000; James R. Stoner, *Common Law and Liberal Theory*, 1993; Herbert Hovenkamp, *Enterprise and American Law*, 1992; Paul Kens, *Judicial Power and Reform Politics*, 1992); ***Law and History Review*** (William James Booth, *Households: On the Moral Architecture of the Economy*, 1996); ***Journal of Interdisciplinary History*** (David J. Bodenhamer, *Fair Trial*, 1994); ***American Journal of Legal History*** (Paul and Dickman, *Liberty, Property, and Government*, 1990).

HONORS AND GRANTS

University of Chicago Law School, Visiting Professorship (expected, Fall 2022)

William Novak/University of Michigan Law School Fellowship, American Society for Legal History (2022 -)

University of Michigan Law School, Visiting Professorship (Fall 2007)

New York University Law School, Visiting Professorship (Fall 2004)

American Bar Foundation, Visiting Research Fellowship (1999-2000)

Littleton-Griswold Prize, Best Book on the History of American Law and Society,

American Historical Association (1996-97).

J. David Greenstone Memorial Grant, University of Chicago Social Sciences Division (1997-98).

William H. Donner Foundation Development Grant for Center for Comparative Legal History (1994-98, #94-0277)

John M. Olin Faculty Fellowship in Political Thought and History (1993-94, #6-34822).

Social Sciences Divisional Research Grant, The University of Chicago (1992-93).

Legal History Fellowship, Institute for Legal Studies, UW-Law School (1988-1991).

Rose Crown Fellowship in the History of American Civilization at Brandeis (1984-1988).

Julia Edwards Graduate Fellowship in History at CWRU (1983).

Phi Beta Kappa (1983).

Clarence Cramer and John Hall Stewart Awards in History at CWRU (1982 & 1983).

Peter Witt Scholarship (1982).

SELECTED PAPERS, ADDRESSES, SYMPOSIA

American Political History Conference, Purdue University, “Author Meets Critics: Discussion of William Novak’s *New Democracy*,” June 2022.

American Bar Foundation, Book Launch Presentation, “New Democracy,” May 2022.

National Constitution Center, “Rights, Regulations, and the Modern American State,” Virtual Townhall, May 2022.

University of Wisconsin Law School, Law, Legal Institutions and Technological Change Conference, “Willard Hurst, Technological Change, and the Transformation of Public Law,” April 2022.

University of Chicago Law School, Con Law Workshop, “New Democracy,” April 2022.

UNLV Law School, 17th Annual Philip Pro Lecture in Legal History, “New Democracy: Law Reform and Statebuilding in Progressive Era America,” March 2022.

American Society for Legal History, “Regulation and Administration in American Life,”
New Orleans, November 2021.

Law and Political Economy, “Public Utility and Regulated Industries,” Virtual
Conference, June 2021.

Tobin Project, “Legislation, Regulation, and Democracy,” Virtual Conference on
“Deciphering Democracy,” April 2021.

Law and Political Economy, “Antimonopoly and Regulated Industries,” Virtual
Conference, June, 2020.

Tobin Project, “Antimonopoly and American Democracy,” Virtual Conference, May
2020.

Washington Center for Equitable Growth, “New Thinking in Economics and Law,”
Columbia University, NYC, December, 2019.

American Society for Legal History, “The Power of State and Local Governments,”
Boston, November, 2019.

Tobin Project, “Antimonopoly and American Democracy,” Boston, October, 2019.

Tobin Project, “History of American Democracy,” Cambridge, July, 2019.

University of Michigan, “Symposium in Honor of Peggy Somers,” Ann Arbor, May,
2019.

American Bar Foundation, “US Legal History Colloquium,” Chicago, May, 2019.

Cornell Law School Colloquium, “Renewing the New Deal,” Ithaca, March, 2019.

Yale Law and Political Economy Conference, “LPE and Cross-Disciplinary Methods,”
New Haven, January, 2019.

University of Chicago History and Social Sciences Forum, “The Legal Origins of Modern
American Social Police,” Chicago, January, 2019.

American Constitution Society, “The Past as Prologue: A New Progressive Era,”
Washington, D.C., December, 2018.

University of Pennsylvania Law Review, “Administrative Constitutionalism in the
Administrative State,” Philadelphia, October, 2018.

Tobin Project & UofM Law, “The Antimonopoly Tradition and American Democracy,” Ann Arbor, July 2018.

Center for Equitable Growth, “New Approaches to Political Economy,” Seattle, July 2018.

Harvard Business School, “From Public Utility to Unfair Competition,” Cambridge, June 2018.

University of Chicago, “States of Exception in American History,” Chicago, May 2018.

The Tobin Project, “History of American Democracy Working Group,” Cambridge, May 2018.

UofM Governance Lunch, “From Social Welfare to Social Police,” Ann Arbor, March 2018.

Brown University, “The Intimate State,” Providence, February 2018.

Brookings, “The Relationship Between Corporations and American Democracy,” Washington, D.C., November 2017.

Johns Hopkins University, “Corporations and American Democracy,” Baltimore, November 2017.

UofM Business Law Lunch, “The American Public Utility Tradition,” Ann Arbor, October 2017.

American Bar Foundation, “Many Hands of the State,” Chicago, September 2017.

American University of Paris, “Critical Democracy,” Paris, June 2017.

The Tobin Project, “The History of American Democracy: Antitrust Law,” Cambridge, June 2017.

American Bar Foundation, “Corporations and American Democracy,” Chicago, May 2017.

Northwestern University Center for Legal Studies, “New Democracy,” Chicago, May 2017.

University of Chicago Neubauer Collegium, “Of Rights and Regulation,” with Steve Sawyer, Chicago, May 2017.

The Yale Club, “Corporations and American Democracy,” New York, April 2017.

Columbia Law School, “Corporations and American Democracy,” New York, April 2017.

Vanderbilt Law School, “Revisiting the Public Utility,” Nashville, February 2017.

American Historical Association, “Roundtable on State Formation,” Denver, January 2017.

Cornell Law School, “Populists, Progressives, and the Present,” Ithaca, November 2016.

UCI-Law School, “The Public Utility Idea and the Rise of Modern Business Regulation,” Irvine, October 2016.

Policy History Conference, “People’s Welfare at 20,” Nashville, June 2016.

American Bar Foundation and Newberry Library, “The Concept of Public Utility,” Chicago, May 2016.

Georgia State Law School, “New Democracy: Law and the Creation of the Modern American State, 1866-1932,” Manuscript Workshop, Atlanta, May 2016.

University of Texas Law School, “The Public Utility Idea in a Progressive Constitutionalism of Equality,” Symposium on Fishkin and Forbath, The Constitution and Economic Inequality, Austin, January 2016.

Yale Law School, “Putting the ‘Public’ in Public Administration,” A Conference on the Work of Jerry Mashaw, New Haven, October 2015.

University of California, Santa Barbara, “The Myth of the New Deal State,” Beyond the New Deal Order Conference, Santa Barbara, September 2015.

Ohio State University, “The Revolutionary Origins of a Strong American State,” (with Steven Pincus), Conference on State Formations, Columbus, September 2015.

Paris Center, University of Chicago, “Re-Thinking the American State in Trans-Atlantic Context,” Paris, May 2015.

Cambridge University, Conference on States of Exception, “Democratic States of Unexception,” Cambridge, Eng., May 2015.

American Society for Legal History, “New Approaches to Progressive-Era Economic Regulation,” Denver, November 2014.

University of Michigan, Economic History Workshop, “The Concept of Public Utility,” Ann Arbor, November 2014.

Society for the Advancement of Socio-Economics, “Preventing Regulatory Capture,” University of Chicago, Chicago, July 2014.

Ecole des Hautes Etudes en Sciences Sociales, International Conference on North American Studies in France and Europe, “History, Theory, and the Problem of the American State,” Paris, June 2014.

University of Chicago Law School, Public Law and Legal Theory Workshop, “The Concept of Public Utility,” Chicago, May 2014.

Neubauer Collegium at the University of Chicago, Many Hands of the State Conference, “The Problem of the Democratic State” (with James Sparrow and Stephen Sawyer), Chicago, May 2014.

Yale Center for Historical Enquiry and the Social Sciences, Conference on The Emergence of European State Forms, “Beyond Weber,” New Haven, May 2014.

University of Michigan Program in Race, Law, History, “Race, Law, and the American State” (co-organized with Matt Lassiter), Ann Arbor, April 2014.

Tobin Project, “The Corporation and American Democracy,” Cambridge, February 2014.

Vanderbilt History Seminar, “Sovereignty and the Creation of the Modern American State,” Nashville, January 2014.

Social Science History Association Conference, “Many Hands of the State,” Chicago, November 2013.

Tobin Project, “The Public Utility Idea and the Origins of Modern Business Regulation,” Cambridge, May 2013.

Organization of American Historians Conference, “State of the Field: American Legal History,” San Francisco, April, 2013.

Social Science History Association Conference, “The Concept of the State in American History,” Vancouver, October, 2012.

University of Michigan, Proclaiming Emancipation Conference, “Emancipation and the Creation of Modern Liberal States,” with Stephen Sawyer, October, 2012.

Tobin Project, “The Law of Public Service and the Progressive Vision of a New Kind of Corporation,” Cambridge, May 2012.

University of California, Irvine School of Law, “The Concept of the State in America,” April 2012.

University of Wisconsin Law School, “The American Interventionist State,” April 2012.

University of Iowa Law School, “The Myth of the Weak American State,” April 2012.

University of Maryland, Center for the History of the New America, with Martha Jones, “The Rights of Free Blacks and the Making of Modern American Citizenship,” March 2012.

Princeton University, Public Law Workshop, “The Concept of the State in American History,” November 2011.

American Society for Legal History, “T.A. Green and the Concept of the Social,” Atlanta, Ga., November 2011.

American University in Paris, “The Concept of the State in America,” Paris, France, September 2011.

University of Montana, Constitution Day Lecture, “The Constitution and the Myth of the Weak American State,” September 2011.

Tobin Project, “Preventing Capture: A Revisionist History of Regulatory Capture,” Cambridge, May 2011 (and November 2010).

Gilder Lehrman Institute of American History, “Teaching Constitutional History,” Workshop for High School Teachers, Des Moines, May 2011.

German Historical Institute and Zentrum für Historische Grundlagen der Gegenwart, “Regulation Between Legal Norms and Economic Reality,” Washington, D.C., April 2011.

Yale Law School, “The Republic of Statutes and the Making of the Modern American Legislative State,” Conference on Eskridge and Ferejohn, *Republic of Statutes*, December 2010.

Remarque Institute, NYU, “Law and the Social Control of Capitalism,” Conference on the American State organized together with James T. Saprrow, October 2010.

University of Minnesota Law School, Legal History Workshop, “The Myth of the Weak American State,” October 2010.

University of Pennsylvania Law School, “Ab Initio: Early American Legal History,” June 2010.

Law and Society Association, “Author Meets Reader: Genealogies of Citizenship by Margaret Somers,” Chicago, May 2010.

Yale University, Transitions to Modernity Workshop, April 2010.

Michigan State University Law School, Spring 2010 Symposium: A Response to Barry Friedman's *The Will of the People*, April 2010.

Emory University Law School, Thrower Symposium, “The New New Deal: From De-Regulation to Re-Regulation,” February 2010.

Plenary Address, *Canadian Association of American Studies*, “States of Emergency: Crisis, Panic, and the Nation,” November, 2009.

UC-Santa Barbara, “The Myth of the ‘Weak’ American State,” October, 2009.

European University Institute, Florence, “Legal Realism and Human Rights,” June, 2009.

Columbia Law School, “The Myth of the ‘Weak’ American State,” November, 2008.

Tel Aviv University Law School, “The Myth of the ‘Weak’ American State,” June 2008.

Plenary Session, Journal of Policy History Conference, “Does the 19th Century Matter in Policy History,” St. Louis, May 2008.

University of Virginia, The Miller Center, “Building the Modern American Legislative State, 1877-1932,” Conference on “Embedding Laws in the American State,” May 2008.

University of Chicago Law School, Constitutional Law Workshop, “The Myth of the ‘Weak’ American State,” January 2008.

University of Alabama Law School, “Law, History, and Constitutional Mythmaking,” October 2007.

Ecole des Hautes Etudes en Sciences Sociales, “The Myth of the ‘Weak’ American State,” Paris, October 2007.

University of Michigan Law School, Legal Theory Workshop, “The Transformation of American Public Law,” September 2007 (same paper delivered to University of Michigan History Department, December 2007).

American Political Science Association, “The Myth of the ‘Weak’ American State,” Chicago, September, 2007.

American Bar Foundation, “Police Power and the Transformation of the American State,” May 2007.

Keynote Address, *University of Pennsylvania Law School*, Legal History Consortium Conference, February 2007.

University of Chicago, Human Rights and History Symposium, “Human Rights in Historical Perspective,” February 2007 (same paper delivered to the UofC Human Rights Workshop, October 2007).

Yale University, Institution for Social and Policy Studies, “The Myth of American Statelessness,” December 2006.

University of Wisconsin-Madison, “Globalizing Political History,” November 2006.

American Society for Legal History, November 2006, Baltimore, Md., “Citizenship and the Law in 19th Century America.”

SUNY-Buffalo Law School, “Police Power and the Transformation of the American State,” June 2006.

Policy History Conference, June 2006, Charlottesville, Virginia: “New Histories of the American State.”

Indiana University Law School, “Law and the State Control of American Capitalism,” March, 2006.

Harvard Business School, Comment on Edward Balleisen, “Exposing Fraud in Nineteenth-Century America,” November 2005.

University of Chicago, American Political Development Workshop, “Law and the State Control of Capitalism,” October 2005.

Northwestern University, “Working Conference on the Public-Private Dichotomy in Social Policy,” September 2005.

Law and Society Association, June 2005, Las Vegas, Nevada: “Law, Statebuilding, and American Political Development.”

Harvard Law School, “Public-Private Governance: A History,” March, 2005.

Princeton University, “Civil Liberties and the State in 20th Century America,” February, 2005.

American Bar Foundation, “Creation of the Modern American State,” February, 2005.

Stanford University, “Law and the State Control of American Capitalism, 1877-1932,” November, 2004

New York University Law School, 8 talks on various legal history subjects delivered in Fall 2004 for the Faculty Workshop, Law and Society Workshop, Legal History Workshop, Furman Fellows Workshop, American Political Development Group, and a symposium on “Property and the Rule of Law” sponsored by the *NYU Journal of Law and Liberty*.

National Bureau of Economic Research (NBER), “The Social Control of the Business in the Progressive Era,” July, 2004.

Law and Society Association, May, 2004, Chicago, Illinois: “The Social Control of Business.”

Ohio State University Law School, “Legal Origins of the Modern State,” February, 2004.

American Society for Legal History, November, 2003, Washington, D.C.: “The Regulation of Business in the Progressive Era.”

UCLA Law School, “The Legal Transformation of Citizenship,” October, 2003.

Harvard Business School, “The Legal Foundations of the American Regulatory State,” September, 2003.

National Bureau of Economic Research, “From ‘The Discovery that Business Corrupts Politics’ to ‘The Social Control of the Market,’” July, 2003.

University of Michigan Law School, Legal History Seminar, March, 2003: “Creation of the American Liberal State.”

University of Maryland, College Park, Economic History Workshop, March, 2003: “Creation of the American Liberal State.”

Wharton School of the University of Pennsylvania, Economic History Workshop, December, 2002: “Nineteenth-Century American Economic Policy.”

University of Pennsylvania Law School, Conference on Law and the Disappearance of Class, November, 2002: “The Economic Interpretation of Legal History.”

American Society for Legal History, November, 2002, San Diego, California: “Law and Statebuilding in Modern America.”

NBER, Economics Department, Harvard University, July, 2002: “Corruption and Reform.”

Journal of Policy History, St. Louis, Missouri, May, 2002: “The Legal Transformation of Citizenship.”

University of Tulsa Law School, March, 2002: “The Economic Interpretation of Legal History.”

UNLV, University Forum Lecture, February, 2002: “The Myth of American Individualism.”

Massachusetts Institute of Technology, May, 2001: “The Legal Transformation of Citizenship in Nineteenth-Century America.”

University of Texas Law School, December, 2000: “Law and the Modern American Liberal State.”

Massachusetts Institute of Technology, September, 2000: “The Legal Transformation of Citizenship in Nineteenth-Century America.”

American Bar Foundation, January, 2000: “The Legal Origins of the Modern American State.”

USC Law School, November, 1999: “Inventing the Lochner Court: The Progressive Discovery that Law Corrupts Politics.”

Amherst College, Law 2000 Conference, October, 1999: “The Legal Origins of the Modern American State.”

Journal of Policy History, 10th Anniversary Conference, June, 1999, St. Louis, Missouri: Keynote Panel: “Before Skocpol and Skowronek: The Expansion of National Government Capacity in the United States, 1815-1860.”

Law and Society Association, June, 1999, Chicago, Illinois: “Corporation as Association

at the Boundary of State and Civil Society”

University of Wisconsin Law School, University Lecture, April, 1999: “Law, Capitalism, and the Liberal State: The Historical Sociology of James Willard Hurst.”

Columbia University, February, 1999, U.S. Political History and Institutions Workshop: “The American Law of Association: The Legal-Political Construction of Civil Society.”

Lincoln Legal Papers Project, December, 1998, Springfield, Illinois: “Local Court Records and Legal History.”

University of Michigan Law School, November, 1998, “The Creation of the American Liberal State.”

Social Science History Association, November, 1998, Chicago, Illinois: “Building the Twentieth-Century Administrative State.”

Law and Society Association, June, 1998, Aspen, Colorado: “From Common-Law Jurisdiction to Constitutional Governance.”

Wilder House, University of Chicago, January, 1998: “The Legal-Political Construction of Civil Society.”

Georgetown University Law Center, October, 1997: “The People’s Welfare.”

Woodrow Wilson Center, December, 1996: “The American Law of Association.”

Brandeis University, April, 1996: Ray Ginger Lecture.

Yale Law School, March, 1996: “The People’s Welfare.”

Woodrow Wilson Center, December, 1995, Smithsonian Institution, Washington, D.C.: “Workshop on State and Society in the Early Republic.”

Chicago Bar Association, October, 1995, Chicago, Illinois: “The Legal Foundations of American Federalism.”

Law and Society Association, June, 1995, Toronto, Canada: “State-Building in the Nineteenth-Century United States.”

Business History Association, March, 1995, Ft. Lauderdale, Florida: “Policing the Corporation: The Legal Origins of Business Regulation in America.”

University of Pennsylvania Law School, February, 1995, Philadelphia, Pennsylvania:
"American Law and the Well-Regulated Society."

Society of Medical History of Chicago, January, 1995, Chicago Illinois: "The
Neurasthenic State."

Law and Society Association, June, 1994, Phoenix, Arizona: "Towards a Legal History of
Public Health in the United States."

Hastings College of Law Symposium, February, 1994, San Francisco, California:
"Common Regulation: The Legal-Historical Sources of Public Power in American
Constitutionalism."

American Bar Foundation, January, 1994, Chicago, Illinois: "American Law and the
Well-Regulated Society, 1787-1877."

American Society for Legal History, October, 1993, Memphis, Tennessee: "The Road to
Slaughterhouse: The Regulation of Noxious Trade."

Society of Medical History of Chicago, September, 1993, Chicago Illinois: "The
American State and Public Health in the Nineteenth Century."

Law and Society Association, May, 1993, Chicago, Illinois: "Public Economy and Public
Order: A New View of Nineteenth-Century Law and Economy."

American Association for the History of Medicine, May, 1993, Louisville, Kentucky:
"Public Health and Public Law."

Boston University Law School, October, 1992: "Public Law and Public Health: Origins of
the American Regulatory State."

Organization of American Historians, April 1992, Chicago, Illinois: "Regulating the
Public Economy: Markets and Noxious Trades, 1787-1873."

Centennial Symposium: The Fate of Liberal Education, February 1992, The University of
Chicago: Roundtable: "American Civilization: Still the One and the Many?"

American Society for Legal History, October, 1990, Chicago, Illinois: "Fire and the Well-
Regulated Society."

Symposium on Willard Hurst's *The Growth of American Law*, October, 1990, University
of Wisconsin Law School: "Willard Hurst and the Growth of Interdisciplinary
Legal Scholarship."

Law and Society Association, June 1990, San Francisco, California: "The Common Law Vision of a Well-Regulated Society."

PROFESSIONAL ACTIVITIES

Boards. Board of Editors, *Tocqueville Review/La Revue Tocqueville*; Faculty Editorial Board, *Michigan Journal of Law & Society*; Editorial Board, *American Journal of Legal History*, Editorial Board (former member), *Law and History Review*; Editorial Board (former member), *Studies in American Political Development*; Editorial Board (former member), *Enterprise and Society*; Advisory Committee (former member), *Books and Ideas.net*; Board of Editors, *American Historical Review*, 2012-2013; Board Member, Wilder House, 1999-2001; Board of Directors, American Society for Legal History, 1997-2000.

Professional Committees. Littleton-Griswold Prize Committee, ASLH, 2020-present; Panelist, NEH Fellowships Committee, 2008; Conference Committee, Economic Regulation Group, The Tobin Project, 2006 - 2008; Hurst Summer Institute Committee, American Society for Legal History, 2001-2008; Chair, Program Committee, American Society For Legal History Annual Meeting, 2001; Planning Committee, *The Cambridge History of Law in America*; Hurst Book Prize Committee, Law and Society Association, 1993-94; Program Committee, American Society for Legal History Annual Meeting, 1998, 1994, 1992.

Interviews. *University of Michigan Law School*, "5Qs: Novak on 'New Democracy,'" <https://michigan.law.umich.edu/news>, April 2022; *Current*, "The Author's Corner with William Novak," <https://currentpub.com>, March 2022; *Books and Ideas*, "The American State: Power Obscured," <http://www.booksandideas.net>, September, 2011. Montana Public Radio, *Montana Evening Edition* with Sally Mauk, September, 2011. *America Offline* with Jonathan Rowe, WKMR Radio, June, 2005. *Odyssey* with Gretchen Helfrich, Chicago Public Radio, "American Individualism," January, 2003; *A&E*, Bill Kurtis Investigative Reports: "The Road to Impeachment," March, 1999; Minnesota Public Radio, *The Mid-Morning Show*, January, 1997; National Public Radio, *All Thing's Considered*, "Series on American Federalism," July, 1995.

Op-Eds, Blog Posts, Amicus Briefs, Etc. (Selected). Balkinization, "Citizenship, Civil Rights, and the (Grass)Roots of Constitutional Revolution," Symposium on Kate Masur's *Until Justice Be Done*, May 2021; Tocqueville 21 and LPE Blog, "The Need for Neodemocracy," with Steve Sawyer, November 2019; Balkinization, "The Public Utility Idea," January 2016; Balkinization, "Symposium on Nick Parrillo's Book, *Against The Profit Motive*," June 2014; *Slate*, "The Real History of Corporate Rights," with Naomi Lamoreaux, March 2014; "Brief of Historians and Legal Scholars," *Sebelius v. Hobby Lobby*, January 2014; "Brief of Thirty-Four

Professional Historians and Legal Historians,” *McDonald v. Chicago*, November 2009; “Historians Brief,” *District of Columbia v. Heller*, February 2008.

Conference Chair/Comment. “The Politics of Infrastructure in the 19th Century,” Purdue American Political History Conference, June 2022; “What are Children Due?” Law and Society Association (LSA), May 2021; “Student Research Colloquium,” American Society for Legal History (ASLH), November, 2020; “The Making of Social Rights,” ASLH, November 2019; “Organizations, Civil Society, and the Roots of Development,” National Bureau of Economic Research, October 2014; “The Challenges of Liberalism in Early 20th-Century Brazil: Urbanization and the Modernization of Private Law, 1900-1945,” ASLH, November 2014; “New Worlds of Faith: Religion and Law in Historical Perspective,” University of Pennsylvania Law School, June 2013; “State of the Field: Histories of the U.S. State,” Organization of American Historians (OAH), April 2013; “We Must First Take Account: A Conference on Race, Law, and History in the Americas,” University of Michigan Law School, April 2011; Conference on Jerry Mashaw’s “Creating the Administrative Constitution: The Lost One Hundred Years of American Administrative Law,” Albany Law School, November 2010; “The Rise of Substantive Due Process,” ASLH, Philadelphia, November 2010; “Human Rights and Policy History,” Policy History Conference, Columbus, June 2010; “Book Panel: Tom Segrue’s *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North*,” ASLH, Dallas, November 2009; University of Pennsylvania Law School, “Law and Social Movements,” September, 2008; Institute for Advanced Studies of Jerusalem, “Histories of Legal Transplantations,” June 2008; “Gender and Citizenship in the American Polity,” ASLH, October 2007; “Robin Einhorn’s *American Taxation, American Slavery*,” Policy History Conference, June 2006; “State of War: Modern American Politics and Statebuilding” Conference, University of Chicago, Spring 2006; Chicago Humanities Festival, “Master Class with David Hackett Fischer,” November, 2005; “Futures for U.S. Legal History,” LSA, June 2005; “Administrative Law and Politics in the Twentieth Century,” LSA, May 2004; “Political Economy of American Industrialization,” & “Public Policy and Private Organizations in American State-Building,” Social Science History Association, Baltimore, November 2003; “Citizenship, Gender, and Race,” Policy History Conference, St. Louis, May 2002; Masters of Comparative Law Conference, March 2000, Northwestern University Law School; “New Tools for Researching Local Legal History,” 1999 ASLH; “Law, Norms, and Expertise,” and “Rhetoric and Law Reform” and “Commodity and Propriety” 1999 LSA, Chicago; “Heirs and Liquor in Antebellum Illinois Law,” 1998 Illinois History Symposium, Springfield, Ill.; “Liberal Constitutionalism in the U.S.,” 1998 ASLH, Seattle; “The Corporation in American History,” 1996 ASLH, Richmond; “Social Work Practice in the Early Twentieth Century,” May, 1996, University of Chicago School of Social Service Administration; “Policing the Social in the Progressive Era,” 1995 ASLH,

Houston; "Corporations and Accountability" & "Reappraising Our Theoretical Presuppositions," 1995 LSA, Toronto; "Charting the Production and Reproduction of Subjects: The Continuing Interaction of Labor and Legal History," 1994 LSA, Phoenix; "Race and Law in the Postbellum South," 1992 ASLH, Yale Law School; "Lincoln as Lawyer," 1992 Illinois State Historical Society Symposium, Springfield; "Jobs in Legal Studies," 1992 LSA, Philadelphia; "Reconceptualizing Police in Europe and America" & "Twentieth Century California Legal History," 1990 ASLH, Atlanta; "Historical Perspectives on Law and Society: Prospects for the Future," 1989 LSA, Madison.

University of Michigan Service. Co-Director, Program in Race, Law, and History; Library Facility Planning Committee (2022 -); Experiential Education Committee (Fall 2021); Chair, Academic Standards, Practices, and Curriculum Committee (2020-2021); Personnel Committee (2017-2018; 2016-2017; 2014-2015); Tenure Committee (2010-2012); Student Selection, Recruitment, and Recognition Committee (2009-10); Grievance Review Panel; Academic Standards Committee; Student Discipline Committee; Intellectual Community Committee.

University of Chicago Service. Committee to Review the Directorship of the Human Rights Program (2008); New Collegiate Division Mastership Search Committee (2007); Human Rights Board, Human Rights Program (2004 -2008); Special Americanist Search Committee (2006); Chair, History Collegiate Affairs Committee (2004); Standing Committee on Academic Fraud (2003-2005); Governing Committee of the SSCD (2004); Social Science Division Saller Dissertation Prize Committee (2004); Council of the University Senate (2003); Chair, Social Science Collegiate Division Mastership Search Committee (2002); New Collegiate Division Mastership Search Committee (2001); Council on Teaching (1997-2001); Spokesperson for the College Council (1996-97); Committee of the College Council (1995-97); College Council (1995-98, 1992-93); Provost's Task Force on Student Experience (1994-95); Faculty Advisor for Social Sciences Collegiate Division (1996-97); College Disciplinary Committee (1995-2001); American Political History Search Committee (2000-01, 1995-96); History of Science Search Committee (1998-99, 1997-98); Social Science s Dissertation Prize Committee (2000-01); Midwest College Faculty Seminar (2001, 1995, 1994); Summer Seminar for Chicago Public High School Teachers (1996, 1995); Pew Program "Teaching at Chicago" (2000, 1998, 1997, 1996, 1995, 1994); Chicago Literacy Project for Chicago Public High School Teachers (1995-97); Social Science Division Computing Oversight Committee (1995-1999); Social Science Divisional Research Committee (1992-93); Harper-Mellon Fellowship Committee (1992-93).

American Bar Foundation Service. Appointments Committee (2007-2008); Speakers Committee (2005-2007); Search Committee (2001-2002; 2002-2003); Research

Committee (2000-2001).

Manuscript Reviews. Harvard University Press; Yale University Press; Cambridge University Press; University of Chicago Press; *American Historical Review*; *Journal of American History*; *Law & History Review*; *Law and Social Inquiry*; *Journal of Policy History*; *Journal of the Early Republic*; *Studies in American Political Development*; *American Journal of Sociology*.

Nominations. University of Michigan Golden Apple Teaching Award; Center for Advanced Study in the Behavioral Sciences; Harvard Society of Fellows.