

**CURRICULUM VITAE**  
**Noga Morag-Levine**

**[1] PERSONAL INFORMATION**

**Current Appointment:** Professor of Law  
George Roumell Faculty Scholar  
Michigan State University College of Law

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**[2] PROFESSIONAL INFORMATION**

**Degrees:**

1995	Ph.D. (University of California, Berkeley) –Jurisprudence and Social Policy
1990	M.A. (University of California, Berkeley) –Jurisprudence and Social Policy
1987	LL.B Magna cum Laude (Hebrew University of Jerusalem) –Law
1983	A.B. (University of California, Berkeley)-Legal Studies

**Positions held:**

**(a) Teaching and Research Appointment**

2010-Present	Professor of Law and George Roumell Faculty Scholar, Michigan State University College of Law
2004-2010	Associate Professor of Law, Michigan State University College of Law
1997-2004	Assistant Professor, Department of Political Science, University of Michigan

**(b) Short-Term Teaching Appointments**

- 2013            Visiting Professor, Buchmann Faculty of Law, Tel Aviv University
- 2011, 2012,    Faculty of Law, Bialystok, Poland. Joint program with MSU College of  
2013            Law
- 2004            Visiting Assistant Professor, Department of Politics, Princeton University
- 1997            Visiting Lecturer, Hebrew University of Jerusalem Faculty of Law

**(c) Short-Term Research Appointment**

- 2003-2004      Visiting Fellow, Program in Law and Public Affairs, Princeton University
- 1996-1997      Lady David Fellow, Faculty of Law, Hebrew University of Jerusalem

**[3] COURSES TAUGHT**

Constitutional Law and the Regulatory State, Environmental Law, Torts, Courts and Social Policy, Comparative Environmental Law

**[4] PUBLICATIONS**

**(a) Book**

CHASING THE WIND: REGULATING AIR POLLUTION IN THE COMMON LAW STATE (Princeton University Press, 2003; paperback ed., 2005).

**(b) Book Chapters**

*Sociological Jurisprudence and the Spirit of the Common Law*, in THE OXFORD HANDBOOK OF LEGAL HISTORY (M. Dubber & C. Tomlins eds., Oxford University Press, 2018).

*The Politics of Imported Rights: Transplantation and Transformation in an Israeli Environmental Cause Lawyering Organization*, in CAUSE LAWYERING AND THE STATE IN A GLOBAL ERA (A. Sarat & S. Scheingold eds., Oxford University Press 2001).

*Uniform and Locally Tailored Emission Standards in American and European Air Pollution Law: The Impact of Historical Regulatory Traditions*, in HANDBOOK OF COMPARATIVE ENVIRONMENTAL LAW (T. Yang, A. Telesetsky and Sara Phillips eds., Edward Elgar Publishing, forthcoming).

**(c) Articles**

*Chemical Pollution and Regulatory Choices at the Start of Industrialization: Comparing France and Britain*, 70 AM. J. COMP. L. 558 (2022).

*The Case of Proclamations (1610), Aldred's Case (1610), and the Origins of the Sic Utere/Salus Populi Antithesis*. 40 LAW & HIST. REV. 383 (2022).

*The History of Precaution*, 62 AM. J. COMP. L. 1095 (2014).

*Facts, Formalism and the Brandeis Brief: The Making of a Myth*, 2013 U. ILL. L. REV. 59 (2013).

*Is Precautionary Regulation a Civil Law Instrument: Lessons from the History of the Alkali Act*, 23 J. ENVTL. L. 1 (2011).

*Agency Statutory Interpretation and the Rule of Common Law*, 2009 MICH. ST. L. REV. (2009).

*Common Law, Civil Law and the Administrative State: From Coke to Lochner*, 24 CONST. COMMENT. 601 (2007).

*The Problem of Pollution Hotspots: Common Law, Coase, and Pollution Markets*, 17 CORNELL J.L. & PUB. POL'Y 161 (2007).

*Judges, Legislators, and Europe's Law: Common-Law Constitutionalism and Foreign Precedents*, 65 MD. L. REV. 32 (2006).

*Partners no More: Relational Transformation and the Turn to Litigation in Two Conservationist Organizations*, 37 LAW & SOC'Y REV. 457 (2003).

*Imported Problem Definitions, Legal Culture and the Local Dynamics of Israeli Abortion Politics*, 5(2) ISRAEL AFFAIRS 225 (1999), reprinted in ISRAEL: THE DYNAMICS OF CHANGE AND CONTINUITY (D. Levi-Faur, G. Sheffer, & D. Vogel eds., Frank Cass 2001). Also reprinted in GENDER AND RIGHTS, (Deborah L. Rhode & Carol Sanger eds., Ashgate 2005).

*Between Choice and Sacrifice: Constructions of Community Consent in Reactive Air Pollution Regulation*, 28 LAW & SOC'Y REV. 1035 (1994).

*Abortion in Israel: Community, Rights and the Context of Compromise*, 19 LAW & SOC. INQUIRY 313 (1994).

**(d) Shorter Essays and Book Reviews**

*The History of Precaution*, REGBLOG (September 23, 2013), <https://www.law.upenn.edu/blogs/regblog/2013/09/23-morag-levineprecaution.html>.

Review of Duncan Maysilles, *Ducktown Smoke: The Fight over One of the South's Greatest Environmental Disasters*, 86 BUS. HIST. REV. 615 (2012).

*Emissions Trading*, in ENCYCLOPEDIA OF AMERICAN ENVIRONMENTAL HISTORY (New York: Facts-on-File, 2010).

Review of Jamie Bendickson, *The Culture of Flushing: A Social and Legal History of Sewage*, 27 LAW & HIST. REV. 720 (2009).

*Trading in Toxic Pollutants: The Rise and Fall of Mercury Cap and Trade*, AMICUS (2008).

*The Right to Pollute and the Problem of Hotspots: From the Common Law to Pollution Markets*, 23 FOCUS ON LAW STUDIES 6 (2007).

Review of Alon Tal, *Pollution in a Promised Land: An Environmental History of Israel*, in ARIEL: THE ISRAEL REVIEW OF ARTS AND LETTERS (2003).

**[5] SELECTED PRESENTATIONS**

*Pestilence and Governance in Early Modern England: Why no Italian-Styled Boards of Health?* Colloquium on The Legal History of Epidemics, The Buchmann Faculty of Law Tel Aviv University, May 25, 2020 (virtual presentation).

*Pestilence and Governance in Early Modern England: Why no Italian-Styled Boards of Health?* Hungarian National University of Public Service, Research Institute for Politics and Government, July 8, 2020 (virtual presentation).

*Itinerant Commissions, Legal Ideologies, and Polluting Trades: The Fork in the Road between Edward I and III*, Annual Meeting of the American Society for Legal History, Nov. 10, 2018.

*Sociological Jurisprudence and the Spirit of the Common Law*, Workshop related to the forthcoming *Oxford Handbook of Historical Legal Research*, Tel Aviv University Faculty of Law, May 28, 2017.

*What Environmental History and Legal History Can Learn from Each Other*, Roundtable, Annual Meeting of the American Society for Environmental History, Washington D.C., Mar. 20, 2015.

*Epithets of Environmental Bureaucracy*, Symposium on Opportunities in Law's Intellectual History, University of Buffalo Law School, Oct. 10-11, 2014.

*The History of Precaution*, Inaugural Conference of the International Society for Public Law, Florence, June 27, 2014.

*The History of Precaution*, William S. Boyd School of Law, University of Nevada, Las Vegas, Faculty Workshop, Oct. 14, 2013.

*The History of Precaution*, Tel-Aviv University, Buchmann Faculty of Law, Transnational Law Forum, May 29, 2013.

*Formalism, Facts, and the Brandeis Brief: The Making of a Myth*, Hebrew University of Jerusalem, Jerusalem Legal History Workshop, June 11, 2013.

*Formalism, Facts, and the Brandeis Brief: The Making of a Myth*, University of Southern California Center for Law, History and Culture, Sept. 11, 2012.

*Formalism, Facts, and the Brandeis Brief: The Making of a Myth*, American Society of Legal History, 2011 Annual Meeting, Atlanta, Georgia, Nov. 2011.

*Formalism, Facts and the Brandeis Brief: The Making of a Myth*, University of Illinois College of Law, Law and History Workshop, Nov. 4, 2011.

*Formalism, Facts, and the Brandeis Brief: The Making of a Myth*, Faculty Workshop, Tel-Aviv University, Buchmann Faculty of Law, Apr. 4, 2011.

*Formalism, Facts, and the Brandeis Brief: The Making of a Myth*, Faculty Workshop, University of Cincinnati Law School, Nov. 4, 2010.

*Common Law, Civil Law and Precautionary Regulation: A Legal-Historical Perspective*, Conference in Celebration of the 10<sup>th</sup> Anniversary of the Program in Law and Public Affairs, Princeton University, Oct. 22, 2010.

*Common Law, Civil Law and Precautionary Regulation: Lessons from the Long History of the Alkali Act*, Policy History Conference, Columbus, June 4, 2010.

*Common Law, Civil Law and Precautionary Regulation: Lessons from the Long History of the Alkali Act*, Annual Meeting of the Law and Society Association, Chicago, May 28, 2010.

*Common Legalism: On the Common Law Origins of American Legal Culture*, Law and History Workshop, Buchmann Faculty of Law at Tel Aviv University, May 17, 2010.

*Common Law, Civil Law and Precautionary Regulation: Lessons from the Long History of the Alkali Act*, First World Congress of Environmental History, Copenhagen, Aug. 7, 2009.

*Common Legalism: On the Common Law Origins of American Legal Culture*, International Meeting of the Israeli Law and Society Association, Hebrew University of Jerusalem, Dec. 24, 2008.

*Agency Interpretation of Statutes and the Rule of Common Law*, Symposium on Administrative Statutory Interpretation, Michigan State University College of Law, Nov. 7, 2008.

*Common Legalism: On the Common Law Origins of American Legal Culture*, Conference Honoring the Work of Robert A. Kagan, University of California, Berkeley, Sept. 19, 2008.

*Civil Law, Common Law and the Administrative State: Early-Modern England to the Lochner Era*, Working Group on Common Law and Legal Transplants, Institute for Advanced Study, Hebrew University of Jerusalem, June 24, 2008.

*Formalism, Common Law and the Brandeis Brief*, Law and Society Association Annual Meeting, Montreal, Canada, May 2008.

*The Precautionary Principle and the Euro-American Divide: A Legal-Historical Perspective*, Law and Society Association Annual Meeting, Montreal, Canada, May 2008.

Commentator, *The United States Supreme Court: Contested Constitutional Doctrines*, LeFrak Forum, Symposium on Science, Reason, and Modern Democracy, Michigan State University, Mar. 2008.

*Civil Law, Common Law and the Origins of Anglo-American Skepticism towards the Precautionary Principle*, Center for the Study of Law and Society, University of California Berkeley, Feb. 2008.

*The Problem of Pollution Hotspots: Common Law, Coase and Pollution Markets*, Law and Society Association Annual Meeting, Berlin, Germany, July 2007.

*Protecting Workers, Public Health, and the Burden of Proof: Labor's Strategic Dilemmas before the Lochner-Era Courts*, Annual Meeting of Midwest Political Science Association, Chicago, Apr. 2007.

*Common Law, Civil Law and the Administrative State: From Coke to Lochner*, Chicago Legal History Forum, American Bar Foundation, Mar. 2007.

*Common Law, Civil Law and the Administrative State: From Coke to Lochner*, Faculty Workshop, Brooklyn Law School, Feb. 2007.

*The Problem of Pollution Hotspots: Between the Common Law's Locality Doctrine and Pollution Markets*, Tel-Aviv University Faculty of Law, Environmental Law Workshop, Jan. 2007.

*Common Law, Civil Law, and the Administrative State: From Coke to Lochner*, Annual Meeting of the Law and Society Association, Baltimore, July 2006.

*Judges, Legislators, and Europe's Law: Common-Law Constitutionalism and Foreign Precedents*, Research Committee for Comparative Judicial Studies, Arizona State University, Feb. 2006.

*Common Law, Civil Law and the (Long) Road to Lochner*, Annual Meeting of the Law and Society Association, Las Vegas, May 2005.

*Judges, Legislators, and Europe's Law: Common-Law Constitutionalism and Foreign Precedents*, Maryland/Georgetown Constitutional Law Schmooze, University of Maryland, Mar. 2005.

*"As a Means to an End": Science, Democracy and the Rule of (Common) Law*, The Democracy Collaborative, Workshop on Democracy and the Rule of Law, University of Maryland, June 2004.

*On Hotspots and Legal Injury: From Aldred's Case to the Locality Doctrine and Pollution Bubbles*, Program in Law and Public Affairs, Princeton University, Dec. 1, 2003.

*Partners no More: Litigation as Relational Transformation in Two Conservationist Organizations*, Annual Meeting of the American Political Science Association, Boston, Sept. 2002.

Participant, Kennedy School of Government, Harvard University. *Performance-Based Regulation: Prospects and Limitations in Health, Safety, and Environmental Protection*. Carnegie Endowment for International Peace, Washington, D.C., May 2002.

*Partners no More: Litigation as Ideological Transformation in Two Conservationist*

*Organizations*, Annual Meeting of the Western Political Science Association, Long Beach, CA, Mar. 2002

Faculty Workshop, University of Michigan Law School, Oct. 2001.

Faculty/Student Luncheon Series, Center for the Study of Law and Society, University of California Berkeley, Oct. 2001.

*"Command-and-Control" and the Common Law State*, Joint Meeting of the Law and Society Association and the Research Committee on Sociology of Law of the International Sociological Association, Budapest, Hungary, July 2001.

Workshop on Cause Lawyering and the State in a Global Era, The Bellagio Study and Conference Center, Bellagio, Italy, June 1999.

*Neither Command nor Control: Localized Air Toxics, Foundry Odors and the Liberal State*, Annual Meeting of the American Political Science Association, Atlanta, Sept. 1999.

*Corporatism, Pluralism and Interest Group Litigation: Outsiders and the Transformation of Environmental Disputes in Israel*, Annual Meeting of the Law and Society Association, Chicago, May 1999.

*Corporatism, Pluralism and Interest Group Litigation: Outsiders and the Transformation of Environmental Disputes in Israel*, Annual Meeting of the Israel Studies Association, Washington, D.C., May 1999.

International Research Workshop on Cause Lawyering, Israel Science Foundation and Tel Aviv University, Mishkenot Sha'ananim, Jerusalem, Israel, June 1997.

*Imported Problem Definitions, Legal Culture and the Local Dynamics of Israeli Abortion Politics*, Hebrew University Faculty of Law, Jerusalem, Israel, May 1997.

## [6] GRANTS AND AWARDS

2003-2004	Fellowship, Program for Law and Public Affairs, Princeton University
2000-2001	Faculty Career Development Award, University of Michigan
1999-2000	Faculty Research Grant, Rackham School of Graduate Studies, University of Michigan
1999	Excellence in Education Award, College of Literature, Science and the Arts, University of Michigan, 1999



1996-1997 Lady Davis Fellow, Hebrew University of Jerusalem

1993-1995 Grant for Dissertation Research, National Science Foundation

1993-1995 Chancellor's Dissertation-Year Fellowship, University of California