

BRIAN Z. TAMANAHA
John S. Lehmann University Professor

Washington University School of Law
Campus Box 1120
One Brookings Drive
St. Louis, MO 63130-4899

ACADEMIC POSITIONS:

John S. Lehmann University Professor, Washington University School of Law,
July 2017-

William Gardiner Hammond Professor of Law, Washington University School of Law,
September 2011-June 2017
Professor of Law, January 2010-September 2011

Distinguished Visiting Professor of Legal Theory, University of Amsterdam,
Summers 2014-

Visiting Professor, Kobe University, Kobe, Japan, December 2019-January 2020

Fernand Braudel Senior Fellowship, European University Institute, Florence,
April-June 2018

Visiting Professor, Queen Mary University, London, Summer Fellowship, 2015-2017

Visiting Professor of Law, Columbia Law School, Spring 2009

Member, Institute for Advanced Study (Princeton), September 2007-August 2008

Benjamin N. Cardozo Professor, St. John's Law School, August 2003-December 2009
Coordinator of New Faculty Scholarship, July 2002-2005
Professor of Law, September 1999-
Interim Dean, January 1998-June 1999
Associate Professor, September 1997-August 1999
Assistant Professor, September 1995-August 1997

Universitair Docent (Assistant Professor), University of Amsterdam, January 1991-June
1995

Research Associate and Lecturer, Van Vollenhoven Institute for Law and Administration
in Non-Western Countries, Leiden University, March 1993-June 1995

PROFESSIONAL PRIZES, HONORS AND RECOGNITION:

Book Prizes and Awards:

IVR Book Prize, International Association for Philosophy of Law and Social Philosophy (2019) (best book in legal philosophy from 2016-18), for *A Realistic Theory of Law*

Honorable Mention Award (runner-up), 2018 Prose Awards, Law and Legal Studies Category, Association of American Publishers, for *A Realistic Theory of Law*

Dennis Leslie Mahoney Prize in Legal Theory (2006)(inaugural winner, outstanding contemporary work in sociological jurisprudence, \$50,000 AUS prize), Julius Stone Institute, for *A General Jurisprudence of Law and Society*

Honorable Mention Award (runner-up) for Best Professional/Scholarly Book in Law (2006), Association of American Publishers, for *Law as a Means to an End*

Herbert Jacob Book Prize (2002), Law and Society Association, for *A General Jurisprudence of Law and Society*

Special Recognition Award (1998)(runner-up for Herbert Jacob Book Prize), Law and Society Association, for *Realistic Socio-Legal Theory*

Teaching Awards:

David M. Becker Professor of the Year, 2013, Washington University School of Law (student selection)

Professor of the Year, 2001, St. John's University School of Law (student selection)

Named Lectures:

Theory Matters Lecture, June 28, 2023, University of Auckland Law School, Auckland New Zealand

Cotterrell Lecture in Sociological Jurisprudence, May 28, 2015, Queen Mary University, London, United Kingdom

Kobe Memorial Lecture, May 30, 2014, Hosei University, Tokyo, Japan (published lecture)

George Wythe Lecture, March 20, 2014, William & Mary Law School, U.S.A. (published lecture)

Seegers Lecture, December 4, 2008, Valparaiso University School of Law, U.S.A.
(published lecture)

Baker & Hostetler Lecture, October 9, 2007, Cleveland-Marshall Law School, U.S.A.
(published lecture)

Julius Stone Address, July 5, 2007, University of Sydney, Australia (published lecture)

Montesquieu Lecture, November 12, 2004, University of Tilburg, The Netherlands
(published lecture)

Clason Lecture, April 23, 1997, Western New England School of Law, U.S.A.

Keynote Addresses, Public Lectures, Featured Appearances:

Keynote Address, I-CON*S Conference 2023, July 5, 2023, Wellington, New Zealand

Opening Lecture, Pacific Judicial Conference, June 20, 2023, Honolulu, Hawaii, United States

Public Lecture, Amsterdam Center for the Legal Profession and Access to Justice, University of Amsterdam, May 30, 2023, Amsterdam, The Netherlands

Public Lecture, Lectures in Philosophy, Society, and Law, Alexis de Tocqueville Center of Political and Legal Theory, University of Lodz, May 10, 2022, Lodz, Poland (virtual)

Public Lecture, Interdisciplinary Program in Humanities, Washington University, March 23, 2022, St. Louis, United States

Public Lecture, International Symposium: The End of Jurisprudence (with Gerald Postema, Claudio Michelon, and Margaret Martin), November 3, 2021, Universidade Federal do Para, Belem (virtual), Brazil

Keynote Address, The Future of Legal Orders in Africa, University of the Western Cape, October 22, 2021, Cape Town (virtual), South Africa

Public Lecture, IIJ-UNAM Seminar on Legal, Political, and Moral Philosophy, October 1, 2021, National Autonomous University of Mexico, Mexico City (virtual), Mexico

Distinguished Guest Lecture, VIT-AP School of Law, May 29, 2021, Amaravati, Andhra Pradesh (virtual), India

Public Lecture, Max Planck Institute for the Study of Crime, Security and Law, April 28, 2021, Freiburg (virtual), Germany

Plenary Conversation (with Prof. Christoph Mollers, Humboldt University of Berlin), Multiple Legalities: Conflict and Entanglement in the Global Legal Order, January 14, 2021, Berlin (virtual), Germany

Keynote Address, Asian Law and Society Association Annual Conference, Osaka University, December 13, 2019, Osaka, Japan

Keynote Address, Federated States of Micronesia Judicial Conference, August 19, 2019, Colonia, Yap, Federated States of Micronesia

Award Address, Book Prize Ceremony, IVR World Congress, July 10, 2019, Lucerne, Switzerland

Keynote Address, USAID New Justice Program, Certificate in Rule of Law, Yaroslav Murui National Law University, April 16, 2019, Kharkiv, Ukraine. Public Lecture, Ukrainian Catholic University, April 18, 2019, Kiev, Ukraine

Keynote Address, Law and Society Association of Australia and New Zealand, University of Otago, December 9, 2017, Denedin, New Zealand (funded by New Zealand Law Foundation)

Featured Presentation, Symposium on *A Realistic Theory of Law*, Legal Theory Festival, Edinburgh Law School, May 30, 2017, Edinburgh, United Kingdom

Keynote Address, Les Pragmatismes Juridiques/Legal Pragmatisms, October 25, 2016, Universite libre de Bruxelles (co-sponsored by SciencesPo Ecole de Droit), Brussels, Belgium

Lecture, Colloquium in Legal and Political Philosophy, October 17, 2016, Queens University, Ontario, Canada

Keynote Address, Juris Diversitas Annual Conference, June 2, 2015, University of Limrick, Limrick, Ireland

Distinguished Visiting Fellow (multiple speaking events), May 26-June 12, 2015, Queen Mary University, London, United Kingdom

Co-Keynote (with Prof. David Wilkens), New Legal Realism 10th Anniversary Conference, August 29, 2014, University of California, Irvine School of Law, U.S.A.

Public Lectures, June 12-18, 2014, at Tsinghua University, Peking University, and Renmin University, Beijing, at Jiao Tong University, Shanghai, and at Zhejiang University, Hangzhou, China

Public Lectures/Seminars, June 2-10, 2014, at Tohoku University, Sendai, Aoyama University, Tokyo, Chukyo University, Nagoya, Doshisha University, Kyoto, Kansai University, Osaka, Japan (funded by the Japanese Society for the Promotion of Science)

Plenary Address, House of Delegates, American Bar Association Annual Meeting, August 12, 2013, San Francisco, U.S.A.

Keynote Address, June 20, 2013, University of Amsterdam (co-sponsored by Dutch/Flemish Association for Research on Law and Society and the Paul Scholten Centre), The Netherlands

Plenary Address, Rule of Law Symposium, February 14, 2012, Singapore Academy of Law (co-sponsored with National University of Singapore and Singapore Management University School of Law), Singapore (published lecture)

Address, November 18, 2011, College of Charleston, U.S.A. (funded by National Endowment for the Humanities)

Lecture Series, Theories of Law and Society, May 2-6, 2011, University of Externado, Bogota, Columbia

Lecture, June 18, 2010, Centre de Théorie et Analyse du Droit, Univeristy of Paris, Nanterre, France

Lecture, June 17, 2010, Ecole Normale Superieure, France

Lecture Series, Theories of Law and Society, July 6-11, 2009, Escola de Direito de Sao Paulo da Fundacao Getulio Vargas, Sao Paulo, Brazil

Keynote Address, Conference on the Rule of Law, June 13, 2009, Nagoya University, Japan

Lecture, Nathanson Centre Legal Philosophy Series, April 3, 2009, Osgoode Hall Law School, York University, Canada

Plenary Address, 7th Annual Conference of Association of European Legislation, May 31, 2006, Peace Palace, The Hague, The Netherlands

Public Lecture, Current Legal Problems Series, April 25, 2002, University College London, United Kingdom (published lecture)

Keynote Address, Conference on Law and Social Theory, December 14, 2000, Wolfson College, Oxford University, United Kingdom

Public Lecture, and Legal Theorist in Residence, March 13-17, 2000, Schoordijk Institute for Jurisprudence and Comparative Law, University of Tilburg, The Netherlands

Selected Other Recognition:

Founder's Day Distinguished Faculty Award, Washington University, November 12, 2019

Symposium on *A Realistic Theory of Law*, Washington University Law School, October 20, 2017, 95 *Washington University Law Review* 1103-1186 (2018)

Symposium on *A Realistic Theory of Law*, Legal Theory Festival, Edinburgh Law School, June 29, 2017

Symposium on Tamanaha's Jurisprudence and Law and Development Theory, Supplement 152 *Archiv fur Rechts- und Sozialphilosophie* 7-146 (2017)

Symposium on *Failing Law Schools*, 26 *Georgetown Journal of Legal Ethics* 341-442 (2013)

Symposium on *Realistic Socio-Legal Theory* at Rutgers-Camden School of Law, March 4, 2000, 32 *Rutgers Law Journal* 225-306 (2000)

Israel Treiman Research Fellowship, 2012-2013, Washington University Law School

Member, Board of Trustees, Law and Society Association, 2007-09

Associate Editor, *Law and Society Review*, 2003-06

Consultant, 2017 World Development Report, Law and Governance, World Bank

Consultant, USAID New Justice Reform for Ukraine, April 13-20, 2019

Op-ed/guest essays in *Village Voice*, *New York Times*, *Daily Beast*, *Liberty Forum*, *National Jurist* (multiple guest columns), *Daily Journal* (Los Angeles/San Francisco legal journal), *New York State Bar Association Journal*

Voted #1 "Most Influential Legal Educator" in US (2013), *National Jurist* (poll of 300-plus law deans and law professors); profiled in *Chronicle of Higher Education* and *National Law Journal*; featured in *LawDragon Magazine* (leading lawyers in America 2013)

Presentations at Leiden University, Groningen University, University College London, Toronto Law Faculty, University of Indonesia, Oxford Jurisprudence Discussion Group, University of Minnesota Law School, Uppsala Law Faculty, Universidad Carlos III de Madrid Law Faculty, Berkeley Center for Law and Society, Stanford Law School, Northwestern University School of Law, University of Pennsylvania School of Law,

Emory Law School, Vanderbilt Law School, Texas Law School, Illinois Law School, Boston University Law School, Georgetown Law School, New York University Legal History Colloquium, New York University Economics Department (Austrian Economics Colloquium), Yale Legal History Colloquium, London School of Economics Legal and Political Theory Forum, St. Andrews History Department, Center for Legal History, University of Edinburgh, and others.

Various publications translated into Chinese, Japanese, Spanish, French, Ukrainian, Portuguese, Korean, Russian, Vietnamese, Farsi, Turkish, Albanian, and Uzbek.

PUBLICATIONS:

Books:

Sociological Approaches to Theories of Law (Cambridge University Press 2022)

Legal Pluralism Explained: History, Theory, Consequences (Oxford University Press 2021)(Chinese translation, Commercial Press 2023)

A Realistic Theory of Law (Cambridge University Press 2017)

Failing Law Schools (Chicago University Press 2012)(Korean translation, Mirae Books Co. 2013; Japanese translation, Kaden Sha 2013, Chinese translation, Law Press China 2017)

Beyond the Formalist-Realist Divide: The Role of Politics in Judging (Princeton: Princeton University Press 2010)(Chinese translation, China University of Political Science and Law Press 2017)

Law as a Means to an End: Threat to the Rule of Law (N.Y.: Cambridge University Press 2006)(Chinese translation, Peking University Press 2014)(pages 219-224 excerpted in *Lloyd's Introduction to Jurisprudence* 2014)

The Perils of Pervasive Legal Instrumentalism, Montesquieu Lecture Series, Vol. 1 (Nijmegen: Wolf Legal Publishers 2006)

On The Rule of Law: History, Politics, Theory (Cambridge: Cambridge University Press 2004)(Ukrainian translation, Academia Press 2007; Chinese translation, Wuhan University Press, 2010; Spanish translation, Universidad Externado Press, 2012; Japanese translation, Gendai Jinbunsha 2012; Korean translation, Pakyoungsa 2014; Albanian translation, Aiiis Publisher 2016; Farsi translation, Mokhata Books 2018; Vietnamese translation, Luat Khoa 2020; Turkish translation, Runik Press 2020; Uzbek translation, Tashkent State University Publisher, 2022)

A General Jurisprudence of Law and Society (Oxford: Oxford University Press 2001)(Chinese translation, Chinese University of Political Science and Law Press 2012)

Realistic Socio-Legal Theory: Pragmatism and a Social Theory of Law (Oxford: Clarendon Press 1997)

Understanding Law in Micronesia: An Interpretive Approach to Transplanted Law (Leiden: Brill Publishing Co. 1993)

Other:

Legal Pluralism and Development: Scholars and Practitioners in Dialogue, co-editor with Carline Sage and Michael Woolcock (New York: Cambridge University Press 2012)

Bibliography on Law and Developing Countries (Dordrecht: Martinus Nijhoff 1995)

Books reviewed in the *Harvard Law Review*, *Michigan Law Review* (two books reviewed), *Cambridge Law Journal*, *Oxford Journal of Legal Studies* (two books reviewed), *Modern Law Review* (two books reviewed), *Law and Society Review* (five books reviewed), *Law and History Review*, *Law and Social Inquiry*, *Journal of Law and Society* (two books reviewed), *Social & Legal Studies*, *Law and Politics Review* (six books reviewed), *Legal Theory*, *American Ethnologist*, *Contemporary Sociology*, *National Law Journal*, *Washington Post*, *New York Times Opinionator* (two books reviewed), *The New Republic*, among other venues.

Articles:

“Tempering Arbitrary Power: A Moral Rule of Law,” *Constitutional Commentary* (forthcoming 2023)

“Why Sovereigns are Entitled to (Horizontal) Benefits of the Rule of Law,” *California Irvine Journal of International and Comparative Law*, and Greg Shaffer and Wayne Sandholtz, eds., *Transnational Rule of Law* (Cambridge University Press, forthcoming 2023)(symposium)

“Scientific versus Folk Legal Pluralism,” *Journal of Legal Pluralism* (2021)(by invitation)

“Legal Pluralism Across the Global South: Colonial Origins and Contemporary Consequences,” 53 *Journal of Legal Pluralism* 168 (2021)(peer review)

“Pragmatic Reconstruction in Jurisprudence: Features of a Realistic Legal Theory,” 34 *Canadian Journal of Law & Jurisprudence* 171 (2021)(peer review)(Spanish translation in *Eunomia. Revista en Cultura de la Legalidad*, 2020)(Chinese translation forthcoming 2021)

“Always Imperfectly Achieved Rule of Law: Comment on Jeremy Waldron,” 10 *Global Constitutionalism* 106 (2021)(peer review)

“Sociological Jurisprudence Past and Present,” 45 *Law & Social Inquiry* 493 (2020)(peer review)

“The Promise and Conundrums of Pluralist Jurisprudence,” 82 *Modern Law Review* 159 (2019)(peer review)

“Law’s Evolving Emergent Phenomena: From Rules of Social Intercourse to Rule of Law Society,” 95 *Washington University Law Review* 1149 (2018)(symposium)

“Necessary and Universal Truths About Law?” 30 *Ratio Juris* 3 (2017)(peer review)(Chinese translation, *Peking University Law Review*, 2019)

“Insights about the Nature of Law From History,” Kobe Memorial Lecture, *Archiv fur Rechts- und Sozialphilosophie* 15 (2017)(special volume 152)

“The Orientation of Social Legal Theory: Response to Kobe Lecture Commentaries,” *Archiv fur Rechts- und Sozialphilosophie* 133 (2017)(special volume 152)

“The Knowledge and Policy Limits of New Institutional Economics on Development,” 49 *Journal of Economic Issues* 89 (2015)(peer review)

“The Third Pillar of Jurisprudence,” Wythe Lecture, 56 *William & Mary Law Review* 2235 (2015)(by invitation)

“The Mounting Evidence Against ‘The Formalist Age’,” 92 *Texas Law Review* 1667 (2014)(by invitation)

“Why Law Schools are Failing,” *Engage, Journal of the Federalist Society* (2014)

“The Unrecognized Triumph of Historical Jurisprudence,” 91 *Texas Law Review* 615 (2013)(review article)(by invitation)

“The Failure of Critics and Leftist Law Professors to Defend Progressive Causes,” 24 *Stanford Law & Policy Review* 309 (2013)(by invitation)

“The Problems with Income Based Repayment, and the Charge of Elitism: Response to Schrag and Chambliss,” 26 *Georgetown J. Legal Ethics* 521 (2013)(symposium on *Failing Law Schools*)

“Is Law School Worth the Cost?” 63 *Journal of Legal Education* 173 (2013)(by invitation)

“Legal Educators Defending the Status Quo,” 41 *Washington University Journal of Law & Public Policy* 131 (2013)(by invitation)

“The History and Elements of the Rule of Law,” Plenary Address, [2012] *Singapore Journal of Legal Studies* 232 (2012)

“What is ‘General Jurisprudence’? A Critique of Universalistic Claims by Philosophical Concepts of Law,” 2 *Transnational Legal Theory* 287 (2012)(peer review)

“The Several Meanings of ‘Politics’ in Judicial Politics Studies: Why ‘Ideological Influence’ is not ‘Partisanship,’” 61 *Emory Law Journal* 759 (2012)(symposium)

“The Rule of Law and Legal Pluralism in Development,” 3 *Hague J. Rule of Law* 1 (2011) (Japanese translation, 39 *Nomos* 43 (2016))

“A Vision of Socio-Legal Change: Rescuing Ehrlich From Living Law,” 36 *Law and Social Inquiry* 297 (2011)(review article)(by invitation)

“The Primacy of Society and the Failures of Law and Development,” 44 *Cornell International Law Journal* 209 (2011)(Portuguese translation in 6 *Direito GV L. Rev.* 175 (2011)(Chinese translation in *Tsinghua Law Review*, forthcoming 2018)

“Are We Safer From Terrorism? No—But We Can Be” 28 *Yale Law and Policy Review* 419 (2010)(by invitation)

“Balanced Realism About Judging,” Seegers Lecture, 44 *Valparaiso Law Review* 1234 (2010)

“Understanding Legal Realism,” 87 *Texas Law Review* 731 (2009)

“The Distorting Slant in Quantitative Studies of Judging,” 50 *Boston College Law Review* 685 (2009)

“The Realism of Judges Past and Present,” Baker & Hostetler Lecture, 57 *Cleveland-Marshall Law Review* 77 (2009)

“Understanding Legal Pluralism: Past to Present, Local to Global,” Julius Stone Address, 30 *Sydney Law Review* 375 (2008); reprinted in *Legal Theory and the Social Sciences*, edited by M. Del Mar and M. Giudice (Ashgate 2011)(Russian translation, European University at St. Petersburg, 2011)

“The Dark Side of the Relationship Between the Rule of Law and Liberalism,” 33 *NYU Journal of Law & Liberty* 516 (2008)(symposium)

“A Holistic Vision of the Socio-Legal Terrain,” 71 *Law and Contemporary Problems* 89 (2008)(symposium)

- “Enhancing the Prospects for General Jurisprudence,” 15 *Miami International and Comparative Law Review* 69 (2007)(symposium)
- “The Contemporary Relevance of Legal Positivism,” 32 *Australian Journal of Legal Philosophy* 1 (2007)(peer review)
- “Good Casuistry and Bad Casuistry: Moral Dilemmas for Catholic Judges,” 4 *St Thomas L. Rev.* 269 (2007)(symposium)
- “A Socio-Legal Methodology for the Internal-External Distinction: Jurisprudential Implications,” 75 *Fordham L. Rev.* 1255 (2006)(symposium)
- “How an Instrumental View of Law Corrodes the Rule of Law,” 56 *DePaul L. Rev.* 469 (2006)(symposium)(Portuguese translation, *Direito GV*, 2011)
- “The Tension Between Legal Instrumentalism and the Rule of Law,” 33 *Syracuse J. of Int. L. & Commerce* 131 (2005)(symposium)
- “The Rule of Law for Everyone?” 55 *Current Legal Problems* 97 (2002)
- “Socio-Legal Positivism and a General Jurisprudence,” 21 *Oxford Journal of Legal Studies* 1 (2001); reprinted in *The Methodology of Legal Theory*, edited by M. Giudice, Wil Waluchow, and M. Del Mar (Ashgate 2011)(peer review)
- “A Non-Essentialist Concept of Legal Pluralism,” 27 *Journal of Law and Society* 296 (2000)(Korean translation with commentary, in *Postmodernism and Law*, edited by Sang Don Yi, So Young Lee, Yoon Young Min, Chea Yun Jung (Sechang, 2006))(peer review)
- “Conceptual Analysis, Continental Social Theory, and CLS: A Response to Bix, Rubin, and Livingston,” 32 *Rutgers Law Journal (Camden)* 281 (2000)(symposium on Tamanaha, *Realistic Socio-Legal Theory*)
- “The View of Habermas From Below: Doubts About the Centrality of Law and the Legitimation Enterprise,” 76 *University of Denver Law Review* 989 (1999)(symposium)
- “Pragmatism in U.S. Legal Theory: Its Application to Normative Jurisprudence, Sociolegal Studies, and the Fact-Value Distinction,” 41 *American Journal of Jurisprudence* 315 (1996)
- “The Internal-External Distinction and the Notion of a Practice in Legal Theory and Socio-Legal Studies,” 30 *Law and Society Review* 163 (1996)(peer review)
- “An Analytical Map of Social Scientific Approaches to the Concept of Law,” 15 *Oxford Journal of Legal Studies* 501 (1995); reprinted in *Legal Theory and the Social Sciences*,

edited by M. Del Mar and M. Giudice (Ashgate 2011)(French translation published in *Clio@Themis, Revue electronique d'histoire du droit*, vol. 1 (2009))(peer review)

“The Lessons of Law and Development Studies” 89 *American Journal of International Law* 470 (1995)(Japanese translation, 44 *Keio L.J.* 227 (2006); Portuguese translation, 5 *Revista Direito GV* 187 (2009); Chinese translation, 26 *Xiamen University Law Review* 224 (2016))

“The Folly of the Social Scientific Concept of Legal Pluralism,” 20 *Journal of Law and Society* 192 (1993); reprinted in *Sociological Perspectives on Law*, edited by R. Cotterrell (Ashgate 2001); reprinted in *Law and Anthropology*, edited by M. Mundy (Ashgate 2002)(Spanish translation published in *Nuevo Pensamiento Juridico* (2006))(peer review)

“Looking at Micronesia for Insights About Law and Legal Thinking,” 41 *American Journal of Comparative Law* 9 (1993)

“The Issue of Politics and the Judge in the United States,” 41 *Ars Aequi* 733 (1992)

“A Proposal for the Development of a System of Indigenous Jurisprudence in the Federated States of Micronesia,” 13 *Hastings International and Comparative Law Review* 71 (1989)

“Post-1997 Hong Kong: A Comparative Look at the Meaning of ‘High Degree of Autonomy,’” 5 *China Law Reporter* 163 (1989)

“Custom and Traditional Leaders Under the Yap Constitution,” 10 *University of Hawaii Law Review* 81 (1988)

“A Critical Review of the Classified Information Procedures Act,” 13 *American Journal of Criminal Law* 277 (1986)

“The Cost of Preserving Rights: Attorney's Fees and Intervenors in Civil Rights Litigation,” 19 *Harvard Civil Rights-Civil Liberties Law Review* 109 (1984)

Chapters/Encyclopedia Entries:

“A Reconstruction of Transnational Legal Pluralism and Law’s Foundations,” in Nico Krish (ed.), *Entangled Legalities* (Cambridge University Press 2021)

“Land Disputes in Asia in the Great Transformation: Fallacy of the Law and Development Long Term View,” forthcoming in *Land Law and Disputes in Asia: In Search of an Alternative for Development*, edited by Narufumi Kadomatsu, Yuka Kaneko, and Brian Z Tamanaha (eds.) (Routledge 2021)

“Functions of the Rule of Law,” in *The Cambridge Companion to the Rule of Law*, edited by Martin Loughlin and Jens Meierhenrich (Cambridge: Cambridge University Press 2021)

“John Dewey on Law,” *Encyclopedia of the Philosophy of Law and Social Philosophy*, edited by Mortimer Sellers and S. Kriste (Heidelberg: Springer Publishers 2020)

“Disruptive Implications of Legal Positivism’s Social Efficacy Thesis,” in *The Cambridge Companion to Legal Positivism*, edited by Torben Spaak and Patricia Mindus (Cambridge: Cambridge University Press 2020)

“How History Bears on Jurisprudence,” in *Law in Theory and History: New Essays on a Neglected Dialogue*, edited by Maksymilian Del Mar and Michael Lobban (Oxford: Hart Publishing 2016)

“The Progressive Struggle with Courts: A Problematic Asymmetry,” in *The Progressives’ Century*, edited by Stephen Skowronek, Stephen Engel, and Bruce Ackerman (Yale University Press 2016)

“Legal Realism in Context,” in *The New Legal Realism*, vol. 1., edited by Elizabeth Mertz, Stewart Macaulay, and Thomas W. Mitchell (Cambridge University Press 2016)

“Glimmers of an Awakening Within Analytical Jurisprudence,” in *Festschrift for William Twining*, edited by Christopher McCrudden, Upendra Baxi, and Abdul Paliwala (Cambridge: Cambridge University Press 2015)

“A Bifurcated Theory of Law in Hybrid Societies,” In *Non-State Justice Institutions and the Law: Decision-Making at the Interface of Tradition, Religion and the State*, edited by Matthias Kotter, Tilmann Roder, Folke Schuppert, and Rudiger Wolfrum (London: Plagrave Macmillan 2015)

“The Politics of *The Politics of Jurisprudence*,” in *Law, Society, and Community: Socio-Legal Essays in Honour of Roger Cotterrell*, edited by David Schiff and Richard Nobles (Ashgate Publishing 2014).

“Legal Positivism,” *International Encyclopedia of the Social and Behavioral Sciences*, 2nd edition (Elsevier Science 2014)

“Law and Society,” in *A Companion to Philosophy of Law and Legal Theory*, 2nd edition, edited by Dennis Patterson (Blackwell Publishers 2010)

“Core Elements of Legal Pluralism,” in *The Response of the Law to the Expression of Cultural Diversity*, edited by M.C. Foblets (Bruylant Publishers 2010)

“Law,” *Oxford International Encyclopedia of Legal History*, edited by Stanley Katz, et al. (Oxford University Press 2009) (Spanish translation, Demosophia, University of San Buenaventura Cartagena, 2011)

“A Concise Guide to the Rule of Law,” in *Relocating the Rule of Law*, edited by Gianluigi Palombella and Neil Walker (Hart Publishing 2009) reprinted in *American Legal Process*, 2nd ed. (2019)

“On the Instrumental View of Law in American Legal Culture,” in *On Philosophy in American Law*, edited by Francis J. Mootz (Cambridge University Press 2009)

“Gap Problem,” *Encyclopedia of Law and Society* (Sage Publications 2006)

“The Rule of Law in the United States,” in *Asian Discourses of Rule of Law*, edited by R. Perenboom (London: Routledge 2004)

“A Pragmatic Response to the Embarrassing Problem of Ideology Critique,” in *Renascent Pragmatism: Studies in Law and Social Science*, edited by A. Morales (Ashgate Press 2003)

“Sociology and Law,” *Oxford Handbook on American Law* (Oxford University Press 2002)

“Legal Positivism,” *International Encyclopedia of the Social and Behavioral Sciences* (Elsevier Science 2001)

“A Pragmatic Approach to Legislative Theory for Developing Countries,” in *Making Development Work: Legislative Reform for Institutional Transformation and Good Governance*, edited by Robert Seidman, et al. (Hague: Kluwer 1999)

Book Reviews:

Sociology of Law: Visions of a Scholarly Tradition, by Mathew Deflem (Cambridge 2008), *American Journal of Sociology*

Oliver Wendell Holmes, Jr., Legal Theory and Judicial Restraint, by Frederic Kellogg (Cambridge 2007), *Notre Dame Philosophical Reviews*

Beyond Camelot: Rethinking Politics and Law for the Modern State, by Ed Rubin (Princeton 2005), *Law and Politics Review*

Lowering the Bar: Lawyer Jokes and Legal Culture, by Marc Galanter (Wisconsin 2005), *Law and Politics Review*

Aristotle and Modern Law, edited by Richard Brooks and James Murphy (Ashgate 2003),
Law and Politics Review

EDUCATION:

Harvard Law School, Doctorate of Juridical Science, 1992
Boston University School of Law, Juris Doctor, *magna cum laude*, 1983
University of Oregon, Bachelor of Science, 1980

Selected Educational Honors and Awards:

Full scholarship from Harvard Law School to complete S.J.D.; Member, *Boston University Law Review*; Liacos Distinguished Scholar; Hennessey Distinguished Scholar; Tauro Distinguished Scholar

ATTORNEY POSITIONS:

Legal Counsel, Micronesian Constitutional Convention, Summer 1990

Assistant Attorney General, Yap State, Federated States of Micronesia, November 1986-
August 1988

Assistant Federal Public Defender, District of Hawaii, September 1984- March 1986

Law Clerk, Honorable Walter E. Hoffman, United States District Court for the Eastern
District of Virginia, August 1983- September 1984

BAR ADMISSIONS:

Massachusetts Bar (inactive status), admitted 1984

Hawaii Bar (inactive status), admitted 1986

Federated States of Micronesia, admitted 1987