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Beyond the Formalist-Realist Divide Book Description: According to conventional wisdom in American legal culture, the 1870s to 1920s was the age of legal formalism, when judges believed that the law was autonomous and logically ordered, and that they mechanically deduced right answers in cases.

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The most successful portion of Tamanaha's illuminating study demonstrates that the so-called "legal formalists" of the late nineteenth and early twentieth centuries have been consistently caricatured and mis-described (sometimes in bad faith) by scholars of later periods.

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Brian Z. Tamanaha, Professor of Law at Washington University School of Law, is the author of Beyond the Formalist-Realist Divide: The Role of Politics in Judging (Princeton University Press, 2010), which he wrote while a Member in the School of Social Science in 2007-08.

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All of this, however, addresses only a secondary point in BEYOND THE FORMALIST-REALIST DIVIDE. The main point of the book is not to advance a new theory of judicial decision making but to demonstrate that our conventional ideas about both legal formalism and legal realism are unfounded. Tamanaha does this brilliantly. His book will change the way we think about both formalism and realism.

**Beyond the Formalist-Realist Divide**

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Scordato, Marin Roger, Book Review of Brian Tamanaha's Beyond the Formalist-Realist Divide: The Role of Politics in Judging (February 1, 2012). University of Richmond Law Review, Vol. 46, p. 659, 2012; CUA Columbus School of Law Legal Studies Research Paper. Available at SSRN:

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critics of the courts, and how it has led to significant  
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