



**UNITED STATES
POSTAL SERVICE®**

**Statement of Ownership, Management, and Circulation
(All Periodicals Publications Except Requester Publications)**

1. Publication Title Legal Theory	2. Publication Number 016 – 643	3. Filing Date 10/1/2024
4. Issue Frequency Every 3 month Mar, June, Sep, Dec	5. Number of Issues Published Annually 4	6. Annual Subscription Price \$442.00
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®) Cambridge University Press 1 Liberty Plaza New York, NY 10006-1404		Contact Person Nina Iammatteo Telephone (Include area code) 2123375004
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) Cambridge University Press Cambridge CB2 8BS, England		
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)		
Publisher (Name and complete mailing address) Cambridge University Press 1 Liberty Plaza New York, NY 10006		
Editor (Name and complete mailing address) Mitchell N. Berman, Univ of PA School of Law, Philadelphia, PA 19104; Scott Hershovitz, University of Michigan; Connie Rosati; Scott J. Shapiro, Professor of Law and Philosophy, Yale Law School, P.O. Box 208215		
Managing Editor (Name and complete mailing address) Simon Ross, Cambridge University Press, 1 Liberty Plaza, New York, NY 10006-1404		
10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)		
Full Name	Complete Mailing Address	
Cambridge University Press	Shaftesbury Road	
	Cambridge CB2 8BS	
	United Kingdom	
11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box <input checked="" type="checkbox"/> None		
Full Name	Complete Mailing Address	
12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one) The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes: <input checked="" type="checkbox"/> Has Not Changed During Preceding 12 Months <input type="checkbox"/> Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)		

13. Publication Title		14. Issue Date for Circulation Data Below		
Legal Theory		DECEMBER 2023		
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date	
a. Total Number of Copies (Net press run)		88	87	
b. Paid Circulation (By Mail and Outside the Mail)	(1)	Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	38	38
	(2)	Mailed In-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	0	0
	(3)	Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	29	30
	(4)	Paid Distribution by Other Classes of Mail Through the USPS (e.g., First-Class Mail®)	0	0
c. Total Paid Distribution [Sum of 15b (1), (2), (3), and (4)]		67	68	
d. Free or Nominal Rate Distribution (By Mail and Outside the Mail)	(1)	Free or Nominal Rate Outside-County Copies included on PS Form 3541	0	0
	(2)	Free or Nominal Rate In-County Copies Included on PS Form 3541	0	0
	(3)	Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g., First-Class Mail)	0	0
	(4)	Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	0	0
e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3) and (4))		0	0	
f. Total Distribution (Sum of 15c and 15e)		67	68	
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))		21	19	
h. Total (Sum of 15f and g)		88	87	
i. Percent Paid (15c divided by 15f times 100)		100%	100%	

* If you are claiming electronic copies, go to line 16 on page 3. If you are not claiming electronic copies, skip to line 17 on page 3.



**UNITED STATES
POSTAL SERVICE®**

**Statement of Ownership, Management, and Circulation
(All Periodicals Publications Except Requester Publications)**

16. Electronic Copy Circulation	Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Paid Electronic Copies		
b. Total Paid Print Copies (Line 15c) + Paid Electronic Copies (Line 16a)		
c. Total Print Distribution (Line 15f) + Paid Electronic Copies (Line 16a)		
d. Percent Paid (Both Print & Electronic Copies) (16b divided by 16c \times 100)		

☒ I certify that 50% of all my distributed copies (electronic and print) are paid above a nominal price.

17. Publication of Statement of Ownership

☒ If the publication is a general publication, publication of this statement is required. Will be printed ☐ Publication not required.

in the December issue of this publication.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner	Date
	10/1/2024

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

Instructions to Publishers

1. Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.
2. In cases where the stockholder or security holder is a trustee in items 10 or 11, include the name of the person or corporation for whom the trustee is acting. Also include in item 10 the names and addresses of all stockholders owning or holding one (1) percent or more of the total amount of stock. If not owned by a corporation, give the name and address of each individual owner. If owned by a partnership or other unincorporated firm, give its name and address as well as the name and address of each individual owner. If the publication is published by a nonprofit organization, give its name and address and complete item 12. In item 11, include all bondholders, mortgagees, and other security holders owning or holding one (1) percent or more of the total amount of bonds, mortgages, or other securities. If none, check the box. Use blank sheets if more space is required.
3. Be sure to furnish all circulation information called for in item 15. Free Non-Requested circulation must be shown in item 15d.
4. Item 15g, Copies not Distributed, must include (1) newsstand copies returned to the publisher, (2) estimated returns from news agents, and (3), copies for office use, leftovers, spoiled, and all other copies not distributed.
5. If the publication had Periodicals authorization as a general publication, this Statement of Ownership, Management, and Circulation must be published, i.e., it must be printed in an issue that's primary mailed distribution is produced not later than October 10 for publications issued more frequently than weekly; or not later than October 31 for publications issued weekly or less frequently but more frequently than monthly; or in the first issue that's primary mailed distribution is produced after October 1 for all other publications.
6. In item 16, check the box if electronic copies are being included in your total distribution and complete line items 16a through d.
7. In item 17, report the date of the issue in which this Statement of Ownership will be published, if applicable.
8. Item 17 must be signed.

Failure to file or publish a statement of ownership may lead to suspension of periodicals authorization.

LEGAL THEORY

INSTRUCTIONS FOR CONTRIBUTORS

Legal Theory is a quarterly, peer-reviewed journal that is edited to the highest standards with the assistance of a prestigious international editorial board. Like other peer-reviewed journals, *Legal Theory* has an exclusive submission policy and will consider only manuscripts that have not been previously published and that are not being considered for publication elsewhere. Authors should, upon submission, confirm that their essays have not been previously published and are not undergoing review by another publication.

Legal Theory publishes work on a broad range of topics, including but not limited to analytical jurisprudence, normative jurisprudence, policy analyses of legal institutions and doctrines, theories of law as a social or cultural phenomenon, and critical perspectives on law and legal institutions. Although *Legal Theory* especially seeks articles that make a positive original contribution, submissions directly commenting on other works in the existing literature are welcome.

Anonymized articles should be submitted via ScholarOne at <https://mc.manuscriptcentral.com/leg>. Authors should *not* contact the editors directly about whether *Legal Theory* might be interested in their articles.

Preparation of manuscript. A separate title page should be prepared including the article title, short title for use as a running head (not to exceed 45 characters), author's full name and affiliation, and complete contact information (including phone number and e-mail address).

Manuscripts should be prepared for blind review by external reviewers, with any information that might identify the author removed.

Manuscripts should be submitted in Word and should conform to *Chicago* style (however, see below concerning preparation of reference and note material).

Legal Theory has a strong preference for manuscripts shorter than 15,000 words inclusive of notes. Authors should be aware that manuscripts in excess of this limit may be unsubmitted at the Managing Editor's discretion. A separate abstract of no more than 150 words should be included. Short comments (4,500 words or less, excluding reference and note material) on articles that have appeared in *Legal Theory* will undergo expedited review by the editors, with additional external review where this is deemed necessary.

The entire manuscript (including notes and references) should be typed double-spaced with wide margins for copyediting. Manuscript pages should be numbered consecutively. Authors of accepted articles will be asked to prepare a final version in the journal's style.

References and notes. References should conform to the most recent edition of *The Bluebook: A Uniform System of Citation*.

Pre-submission English-language editing. Authors, particularly those whose first language is not English, may wish to have their English-language manuscripts checked by a native speaker before submission. This is optional, but may help to ensure that the academic content of the paper is fully understood by the editor and any reviewers. Cambridge University Press offers a language-editing service in conjunction with a third-party provider American Journal Experts: <http://www.cambridge.org/academic/author-services/>. Please note that use of this service is voluntary, and at the author's own expense. Use of this service does not guarantee that the manuscript will be accepted for publication, nor does it restrict the author to submitting to a Cambridge published journal. Cambridge is providing this service in order to provide a convenient option for prospective authors, which comes with the reassurance that we have checked the quality of the provider, and will be continuously monitoring the quality of the service.

Figures. If the manuscript is accepted for publication, the author must provide figures that are ready for photographic reproduction; they cannot be redrawn by the publisher, unless the author pays for the cost of such work. Charts, graphs, or other artwork must be drawn by a professional artist or computer generated on a laser printer, in black ink on white paper, and should remain legible after a 50% reduction. All labels and details on figures should be clearly printed. Full information on how to prepare and supply figures, tables and graphics can be found here and should be followed with care.

Color. Charges apply for all color figures that appear in the print version of the journal. At the time of submission, contributors should clearly state whether their figures should appear in color in the online version only, or whether they should appear in color online *and* in the print version. There is no charge for including color figures in the online version of the Journal but it must be clear that color is needed to enhance the meaning of the figure, rather than simply being for aesthetic purposes. If you request color figures in the printed version, you will be contacted by CCC-Rightlink who are acting on our behalf to collect Author Charges. Please follow their instructions in order to avoid any delay in the publication of your article.

Copyright and submission conditions. Submitting an article to *Legal Theory* implies that it has not been published elsewhere and is not being considered for publication elsewhere. Authors must obtain written permission to publish any material for which they do not own copyright. They will be asked to assign the copyright of their article, under certain conditions, to Cambridge University Press. Offprints may be purchased if ordered at proof stage on the form provided.

Copyediting and proofreading. The publisher reserves the right to copyedit and proofread all articles accepted for publication, but authors will be consulted in the case of any substantial changes. Page proofs of each article will be sent to the lead author for correction of typographical errors only.

Open Access. *Legal Theory* encourages authors to take full advantage of its flexible Green Open Access policy. The Submitted Manuscript may be posted on a personal webpage, departmental, institutional or subject repository or social media site at any time. The Accepted Manuscript may be posted on a personal webpage, departmental, institutional or non-commercial subject repository immediately on acceptance. While the journal does not allow the posting of the Accepted Manuscript on commercial repositories or the Version of Record anywhere, we encourage authors to post an earlier draft and abstract of their journal article and a link to the Version of Record that sits on the Cambridge website, to direct visitors to the definitive, citable work. Full details of this policy can be found in the Copyright Transfer Form. Please visit <https://www.cambridge.org/core/services/open-access-policies> for further information on our open access policies, compliance with major funding bodies, and guidelines on depositing your manuscript in an institutional repository.

LEGAL THEORY

199 Policy and Relationality in Tort Law: Contractualist Foundations

Tom Kohavi

229 The Currency of Racial Justice

Christopher Lewis and Adaner Usmani

255 The Efficacy Problem

Laurenz Ramsauer

Cambridge Core
For further information about this journal please
go to the journal web site at
cambridge.org/leg



CAMBRIDGE
UNIVERSITY PRESS