About Theoretical Inquiries in Law

Theoretical Inquiries in Law (TIL) is a biannual English-language law journal published by the Cegla Center for Interdisciplinary Research of the Law at the Buchmann Faculty of Law, Tel Aviv University. The journal specializes in the application to legal problems of insights developed in other disciplines, such as moral and political theory, epistemology, history, cultural studies, social sciences, economics and game theory, probability theory, and cognitive psychology. Contributors to the journal are distinguished legal scholars working in different “law and . . .” areas.

TIL is ranked first (by all criteria) among all non-U.S. law reviews, second in its category of jurisprudence and legal theory, among all law reviews worldwide, and is well-known and much cited in Israel and all over the world.

Each year TIL publishes one volume, which is comprised of two issues. Each issue contains articles dedicated to a distinctive topic of law or legal theory, contributing groundbreaking research and new insight in the field. All issues and articles are based on biannual international conferences that are held by the Cegla Center for Interdisciplinary Research of the Law. The conferences are organized by prominent researchers (who also serve as guest editors).

The 2017-2018 Editorial Board

The issues that the incoming editorial board are to edit are The Problem of Theorizing Privacy (issue 20.1, guest editors: Michael Birn hack, Julie Cohen & Mireille Hildebrandt) and Freedom, Choice, and Contract (issue 20.2, guest editors: Hanoch Dagan and Robert Scott). The Freedom, Choice, and Contract conference took place at Columbia Law School in October 2017. The Problem of Theorizing Privacy conference is to take place in January 2018, at Tel Aviv University.

We welcome second-year students and above to apply to become editorial board members, who are involved in all stages of the editing process: participation in the conferences at which the articles are presented, suggestion of substantive comments, technical editing of footnotes and proofreading the final text. Furthermore, the editorial board members receive enrichment classes, take part in TIL projects and participate in TIL social gatherings.

Editorial board members gain valuable experience in dealing with academic articles in English and become proficient in the Legal Bluebook citation system, used by leading law reviews. The editorial board members are exposed to cutting-edge legal research by leading scholars from all over the world.

Editorial board members are entitled to 4 academic credits for their work and are obligated to a year and a half of work (December 2017 to March 2019). The work includes attending training sessions, editing meetings and enrichment classes, which are scheduled while taking the editorial board members’ schedules into account, especially exam periods. Please note that the editorial board’s work
continues over summer break; however, students are permitted to participate in any foreign exchange programs (the editing process will continue remotely).

**Application Process**

Interested applicants will print and submit the following by hand (at room 313) and by mail (TIL@post.tau.ac.il) to Marie Madvil by November 9th, 2017 at 12:00:

1. Résumé (can be in Hebrew or English)
2. Current grade transcripts
3. Take-home exam
4. E-mail address, telephone number and picture

Relevant applicants will be summoned for an interview, which will take place during the week of November 20th to November 27th, 2017. The interviews will include a discussion on the exam and personal questions, and will be held in Hebrew or English (according to the applicant’s choice).

The TIL editors reserve the right to disqualify applicants who are suspected of cheating on the take-home exam. The take-home exam should be the applicant’s own work, as it is supposed to reflect his or her editing skills.

Please note that if an applicant applies to more than one law review, he or she will be asked to state their preference by an online form, following the last interview. Applicants mustn’t state their preference by mail or during the interview. Preferences will be taken into account only after the interviews and will not be revealed to each law review prior to the final division between the law reviews.

Good luck!

Alon Jasper, Associate Editor.

Alon Abramovich & Sama Haddad, Junior Editors.
You should have:

In this document: a quiz (three pages, not including this cover page) and a selection from *The Bluebook: A Uniform System of Citation* (20th ed.), containing rules for the citation of books.

Please type and print out your answers to parts 1 and 2, and hand them to Marie Madvil at room 313.

Please read the instructions carefully and thoroughly.

**Good luck!**
Part 1: Substantive Comments

Read the article *Taking Notice Seriously: Information Delivery and Consumer Contract Formation*, Margaret Jane Radin (available [here](#)).

In English, write up to **five comments, containing up to 80 words each**, about how you think the text can be improved. Try to address your comments to specific portions of the text rather than to the text as a whole.

Please note that you will be required to discuss this text in the interview, should you pass the home exam.

Here are some things to look for: problems with structure, problems with clarity, missing information, repetitiveness, logical flaws, etc. Do not address any grammatical errors.
Part 2: Formatting Footnotes

Use the rules and examples in the attached material from the *Legal Bluebook* to rewrite the following footnotes. Take note of punctuation and typeface. Information about these articles follows the footnotes.


1. **Title**: The Pragmatist and the Feminist.  
   **Journal**: Southern California Law Review.  
   **Volume**: 63.  
   **Author**: Margaret Jane Radin.  
   **Range of pages**: 1699-1726.  
   **Date**: September 1989.

2. **Title**: Criminal Responsibility for the Acts of Another.  
   **Journal**: Harvard Law Review.  
   **Volume**: 43.  
   **Author**: Francis Bowes Sayre.  
   **Range of pages**: 689-723.  
   **Date**: March 1930.

3. **Title**: The Plaintiff's Attorney's Role in Class Actions and Derivative Litigation: Economic Analysis and Recommendations for Reform.  
   **Journal**: University of Chicago Law Review.  
   **Volume**: 58.  
   **Author**: Jonathan R. Macey and Geoffrey P. Miller.  
   **Range of pages**: 1-118.  
   **Date**: Winter 1991.

4. **Title**: Treaties of the Law of Torts.  
   **Author**: Thomas Cooley.  
   **Edition**: 2.  
   **Specific Citation**: page 29.  
   **Date**: December 1888.
5. **Title**: Is Patriotism a Virtue?
**Author**: Alasdair Macintyre.
**Date**: November 1984.

6. **Title**: The Rationalization of Virtue and Virtuosity in World Society.
**Book**: Transnational Governance: Institutional Dynamics of Regulation.
**Volume**: 43.
**Author**: Francis Bowes Sayre.
**Range of pages**: 95-119.
**Specific Citation**: 101-103.
**Editors**: Marie Laure-Djelic and Kerstin Sahlin-Andersson.
**Date**: June 2006.
This rule governs the citation of books, treatises, reports, white papers, dictionaries, encyclopedias, and all other nonperiodic materials.

Citation of a particular page within the sixth edition of Francis Carey's *Organic Chemistry*:

Author: Francis A. Carey
Title: *Organic Chemistry*
Page: 310
Year: 2006

Main Elements:

<table>
<thead>
<tr>
<th>Element</th>
<th>Rule</th>
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<tr>
<td>Author</td>
<td>15.1</td>
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<tr>
<td>Editor or translator</td>
<td>15.2</td>
</tr>
<tr>
<td>Title</td>
<td>15.3</td>
</tr>
<tr>
<td>Page, section, or paragraph (if only part of a work is cited)</td>
<td>rules 3.2 and 3.3</td>
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<td>Date</td>
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</table>
15.1 Author (p. 149)

The first time a work is cited, always give the author's full name as it appears on the publication, including any designation such as "Jr." or "lll" (inserting a comma before the designation only if the author does). Do not include a designation such as "Ch." or "Prof." even if it appears on the title page. Use large and small capitals:

- 4 CHARLES ALAN WRIGHT & ARTHUR R. MILLER, FEDERAL PRACTICE AND PROCEDURE § 1008 (2d ed. 1987).

(a) Two authors. List the authors' names in the order in which they appear on the title page, separated by an ampersand:


(b) More than two authors. Either use the first author's name followed by "et al." or list all of the authors' names. The first method is appropriate where saving space is desired, including short form citations. The second method is appropriate when listing all of the authors' names is particularly relevant. When listing all of the authors' names, separate the names with commas, except the final name, which should be set off with an ampersand (and without a comma):

- A. Leo Levin et al., DISPUTE RESOLUTION DESIGNS IN A DEMOCRATIC SOCIETY 77 (1985).

(c) Institutional authors. Citations to works by institutional authors begin with the author's complete name. Abbreviate according to rule 15.1(d):


When an individual author is credited on behalf of an institution, use the individual's name and then the institution's name. Only include subdivisions of the institution if particularly relevant:


When an individual author is credited, use the smallest subdivision that prepared the work and then the overall body of which that subdivision is part:


(d) Abbreviations. Abbreviate the name of an institutional author only if the result will be completely unambiguous. When abbreviating, use the abbreviations found in tables T6 and T6o. "United States" should be abbreviated to "U.S."

- "Inc.," "Ltd.," and similar terms if the name also contains such as "Asst,' "Esq.," "Co.," or "Corp," clearly indicating that the institution is a business firm:
15.3 Title (p. 153)

Cite the full main title as it appears on the title page, but capitalize according to rule 8 (unless the title is not in English, in which case follow rule 20.2.2(b)). Give a subtitle only if it is particularly relevant. Do not abbreviate words or omit articles in the title. Use large and small capitals:


When citing a single volume of a multivolume work, give the main title of the volume cited. If the title of a work ends with a numeral, or if distinguishing between the title and page number could otherwise be confusing, the page number should be set off by a comma and the word “at” (see rule 3.2.4).

15.4 Edition, Publisher, and Date (p. 152)

(a) Editions. Always cite the latest edition of a work that supports the point under discussion, unless an earlier edition would be particularly relevant or authoritative.

(i) Single edition. When citing a work that has been published in only one edition, indicate the year of publication in parentheses. In general, cite by the date of the edition rather than the date of a particular printing:

- Deborah L. Rhode, Justice and Gender 56 (1989).

If a printing differs in a respect relevant to the purposes of the citation, however, give the printing designation and the date of printing instead:

- (5th prtg. 1980)

If the title of the work incorporates the date of the work, do not omit the date of publication, even if it is the same date:


(ii) Multiple editions by the same publisher. When citing a work that has been published by the same publisher in more than one edition, indicate the edition and the year the edition was published. Follow the publisher's terminology when designating an edition (see Table 14 for a list of publishing abbreviations):

- Fleming James, Jr., et al., Civil Procedure § 2.3 (4th ed. 1992).

(iii) Editions not by the original publisher. When citing a work that has been published by someone other than the original publisher, indicate the editor and/or translator if any (rule 15.2a), the publisher, the edition cited if not the first, and the date of publication of the edition cited (in that order). Abbreviate the publisher's name according to rule 15.4d. Unless the work is one that is regularly updated or revised, add a second parenthetical indicating the date of publication of the original edition:


(b) Photoduplicated reprints. Cite photoduplicated reprints to the original, indicating in parentheses the existence of a reprint and the date of the reprint, followed by the publication date of the original in separate parentheses:


(c) Pre-1900 works. Cite works published before 1900 to a scholarly modern edition, according to rule 15.4a:


If there is no modern edition, cite the first edition whenever possible. When citing a pre-1900 edition, indicate the place of publication and the publisher, separated by a comma:


If the place of date of publication is not available, use the abbreviation "n.p." for "no place" or "n.d." for "no date."

(d) Supplements. Cite pocket parts and bound supplements according to rule 3.16c:

(a) Works by various authors. To cite an individual shorter work within a volume of collected works by various authors, list the author’s full name according to rule 15.4 in ordinary roman type followed by the title of the shorter work in italics, the word “in” in italics, the volume number, if any (rule 3.1(a)), and the name of the volume as a whole in large and small capitals. Always note the page on which the shorter work begins as well as any pages on which specific material appears (rule 3.2(a)). Editors, translators, editor, publisher, and date should be noted parenthetically according to rules 15.2 and 15.4:


(b) Works by the same author. If all the shorter works within a volume are by the same author, use the same form as above, but print the author’s name in large and small capitals and place the volume number, if any, before the author’s name (rule 3.1(a)):

- Oliver Wendell Holmes, Law in Science and Science in Law, in COLLECTED LEGAL PAPERS 210, 210 (1920).

16.1 Basic Citation Forms (p. 159)

- Article in consecutively paginated journal
- Article in nonconsecutively paginated journal or magazine
- Newspaper article
- Online newspaper article
- Signed student-written law review note
- Unsigned student-written comment
- Student-written book review
- Non-student-written book review
- Symposium
- Specially designated article in consecutively paginated journal
- Noncommercially distributed newsletter

Follow rule 16.4 or rule 16.5 to cite articles, essays, commentaries, and all other materials contained within periodicals. Where the periodical is organized by volume, and page numbers continue throughout the volume, it is a consecutively paginated periodical and should be cited according to rule 16.4. Where the periodical is paginated separately for each issue and the first page of every issue is 1, it is a nonconsecutively paginated periodical and should be cited according to rule 16.5.

Cite newspapers according to rule 16.6.

Special citation forms for non-student-written book reviews, student-written law review materials, symposia, colloquia, surveys, commentaries and other special designations, multipart articles, annotations, proceedings, regular publications by institutes, ABA Section Reports, and noncommercially distributed periodicals such as newsletters are given in rule 16.7.

Cite sources in electronic media and online sources using rule 16.8.

Follow rule 16.9 for short citation forms.

Capitalize the titles of works cited according to rule 8.4.

The name of the periodical should appear in large and small capitals whether it is a journal, magazine, or newspaper, and should be abbreviated according to tables T13 (periodical abbreviations) and T10 (geographic abbreviations).

For purposes of this rule, the date of the publication is the cover date of the periodical.
16.2 Author (p. 161)
For signed materials appearing in periodicals (including student-written materials), follow rule 15.1, but print in ordinary roman type. Thus:

16.3 Title (p. 161)
Cite the full periodical title as it appears on the title page, but capitalize according to rule 8 (unless the title is not in English, as described in rule 21.2(b)). Do not abbreviate words or omit articles in the title. Use italics:
When the title contains a reference to material that would be italicized when appearing in the main text according to rule 21.2(a), such material should appear in ordinary roman type:

16.4 Consecutively Paginated Journals (p. 162)
Cite works found within periodicals that are consecutively paginated throughout an entire volume by author, title of work, volume number, periodical name, first page of the work, page or pages on which specific material appears (rule 3.2(a)), and year enclosed in parentheses at the end of the citation. Consult tables T.10 and T.13 to abbreviate the names of periodicals:
Some journals maintain separate but consecutive pagination with different page numbering systems. Cite these journals as indicated above, but include the special numbering:
Some journals publish special annual issues that do not conform to their consecutive pagination system. Cite these as indicated above, but indicate the special issue designation parenthetically and use the numbering from the special issue:
- John Ferejohn & Charles Shapin, Congressional Influence on Bureaucracy, 6 J.L. Econ. & Org. (Special Issue) 1 (1990).
If the periodical has no volume number but is nonetheless consecutively paginated throughout each volume, use the year of publication as the volume number and omit the parenthetical reference to the year:
T13 Periodicals (p. 510)

Always use the title of the periodical that appears on the title page of the issue you are citing, even if the title of periodical has changed over time.

Note that preferred abbreviation conventions for individual journals may differ from those listed in this table. The abbreviation conventions listed here are primarily intended to serve a national audience and to clearly indicate the cited source.

To abbreviate English language periodical titles, use tables T13.1, T13.2, and T10. Common institutional names (e.g., law schools, professional organizations, and geographic units commonly found in institutional names) are listed in table T13.1. If an institutional name is not listed in table T13.1, individual words should be abbreviated using tables T13.1, T13.2, and T10. If a word in an institutional name is not listed in these tables, use the full word in the abbreviated periodical title. Other words in the periodical title should be abbreviated using tables T13.1, T13.2, and T10. If a word is listed in neither table T13.2 nor table T10, use the full word in the abbreviated title.

Omit the words “a,” “at,” “in,” “of,” and “the” (but retain the word “on”). Also, if the title consists of only one word after the words “a,” “at,” “in,” “of,” and “the” have been omitted, do not abbreviate the remaining word. Rule 6.1(a) explains the spacing of abbreviations.


If a periodical title itself contains an abbreviation, use that abbreviation in the abbreviated title:

►IMF Surv.

Omit commas from periodical title abbreviations but retain other punctuation:


For periodical titles containing colons, omit words following the colon from the abbreviation:

►Darren J. Mills, Personal Goodwill, a Corporate Asset, or No Asset at All, 91 Taxes 47 (2013).


If a periodical has been renumbered in a new series, indicate that fact:


For periodical abbreviations in languages other than English, see rules 20.2.3 and 20.6.

For online supplements to the print publication, use the citation for the print publication, followed by the online supplement name:

►COLUM. L. REV. SIDEBAR
►HARV. L. REV. FORUM
T13.1 Institutions (p. 511)

- Adelaide
- Air Force
- Albany
- American Bar Association (ABA)
- American Intellectual Property Law Association
- American Law Institute
- [Journal of the] American Medical Association
- American Society of Composers, Authors, & Publishers
- American University
- Boston College
- Boston University
- Brigham Young University
- Brooklyn
- Buffalo
- California (California Law Review only)
- Capital
- Chapman
- Chartered Life Underwriters
- Cincinnati
- City University of New York
- Cleveland
- Columbia
- Cumberland
- Denver
- Detroit
- Dickinson
- Duquesne

- East[ern]
- Foreign Broadcast Information Service
- George Mason
- George Washington
- Georgetown
- Gonzaga
- Harvard
- Howard
- Judge Advocate General's
- Las Vegas
- Lawyer's Reports Annotated
- Loyola
- Marquette
- Melbourne
- Memphis
- New England
- New York University [School of Law]
- North[ern]
- Northeast[ern]
- Northwest[ern]
- Pepperdine
- Pittsburgh
- Richmond
- Rocky Mountain Mineral Law Institute
- Saint Louis
- San Fernando Valley
- Southeast[ern]
- South[ern]
- Southern Methodist University
- Southwest[ern]
<table>
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<tr>
<th>Institution</th>
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<td>Stanford</td>
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<td>Temple</td>
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<td>Thomas Jefferson</td>
<td>T. Jefferson</td>
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<td>Thomas M. Cooley</td>
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<td>Thurgood Marshall</td>
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<td>Toledo</td>
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<td>Tulane</td>
<td>Tul.</td>
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<tr>
<td>Universidad de Puerto Rico</td>
<td>U. P.R.</td>
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<td>University of California</td>
<td>U.C.</td>
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<tr>
<td>University of California – Los Angeles</td>
<td>UCLA</td>
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<tr>
<td>University of Missouri Kansas City</td>
<td>UMKC</td>
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<tr>
<td>University of the District of Columbia, David A. Clarke School of Law</td>
<td>UDC/GCSL</td>
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<tr>
<td>University of West Los Angeles</td>
<td>UWLA</td>
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<td>Valparaiso</td>
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<td>VILL.</td>
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<td>Washington &amp; Lee</td>
<td>WASH. &amp; LEE</td>
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<td>West[erv]</td>
<td>W.</td>
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<tr>
<td>William &amp; Mary</td>
<td>Wm. &amp; MARY</td>
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<tr>
<td>William Mitchell</td>
<td>Wm. Mitchell</td>
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</tbody>
</table>
13.2 Common Words (p. 513)

- Academ(ic, y)
- Account(ant, ants, ing,ancy)
- Administrat ive, or, ion)
- Advertising
- Advoca[te, cy]
- Affairs
- Africa[n]
- Agricultur(e, al)
- Amendment
- America[n,s]
- Ancestry
- and
- Annual
- Appellate
- Arbitration, or, ors]
- Association
- Attorney
- Bankruptcy
- Bar
- Behavior(al)
- British
- Bulletin
- Business
- Capital
- Catholic
- Center, re]
- Central
- Children[s]
- Chronicle
- Circuit
- Civil
- Civil Liberty, law]
- Civil Rights
- College
- Commentary
- Commerce, [al]
- Communication[s]
- Comparative
- Conference
- Congressional
- Constitution[al]
- Contemporary
- Contract[s]
- Conveyancer
- Corporat ion, ion]
- Cosmetic
- Counsel[or, ors, or's]
- Court
- Courts
- Criminal
- Defense
- Delinquency
- Department
- Derecho
- Development[s]
- Digest
- Diplomacy
- Dispute
- National
- Nationality
- Natural
- Negligence
- Negotiation
- New Series
- Newsletter
- Office
- Order
- Organization
- Pacific
- Patent
- Personal
- Perspective(s)
- Philosophical
- Planning
- Policy
- Political
- Practical
- Private
- Probate
- Problems
- Proceedings
- Products Liability
- Profession
- Property
- Psychological
- Public
- Publishing
- Puertorriqueño
- Quarterly
- Record

- Referee(s)
- Register
- Regulatory,
- Relations
- Report(s)
- Reproduction
- Research
- Reserve
- Resolution
- Responsibility
- Review
- Review
- Rights
- School
- Scientific
- Scottish
- Section
- Securities
- Sentencing
- Service
- Social
- Society
- Sociological
- Solicitor(s)
- State
- Statistical
- Studies
- Supreme Court
- Survey
- Symposium
- System
- Reg.
- Reg.
- Rept.
- Res.
- Res.
- Res.
- Res.
- Resp.
- Rev.
- Rev.
- Sch.
- Sci.
- Scot.
- Sec.
- Sec.
- Senti
- Serv.
- Soc.
- Soc'y
- Soc.
- St.
- Stat.
- Sup.Ct.
- Surv.
- Symp.
- Sys.