

Guidelines on Academic Writing

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Last updated: 20.11.2024

1. General Information

This guide provides an overview of the key points to consider when writing a research essay.

2. Aim of a Research Essay

The aim of a research essay is to raise a research question and provide the reader with an informed argument or thesis. To do so you should present a comprehensive analysis of the current state of knowledge and, as far as possible, state and explain your own views on the topic. On a more precise note:

- Identify a small number of issues you intend to analyze.
- State your research question and thesis and choose a coherent structure to develop it.
- Include the current state of knowledge (claims made in scholarly papers, scientific studies, etc.). Analyze the claims and challenge them.
- Take a stand on the topic based on your analysis and substantiate your opinion.

Always use acts and statutes in their effective version and include up-to-date literature and case law. Please note that the most current opinions are often not yet reflected in textbooks or commentaries. For recent opinions please consult the website of the respective court as well as journals.

3. Grading

The work shall comply with both substantive and formal requirements.

Formal requirements include consistency in language and layout (including correct and coherent citation) as well as flawless grammar and orthography.

The content is evaluated based on the structure, the breadth and depth of discussion, novelty (scientific innovation, creativity, and new perspectives), implementation and analysis of the existing state of knowledge (scholarly papers, scientific studies, etc.), independent reflection and level of complexity.

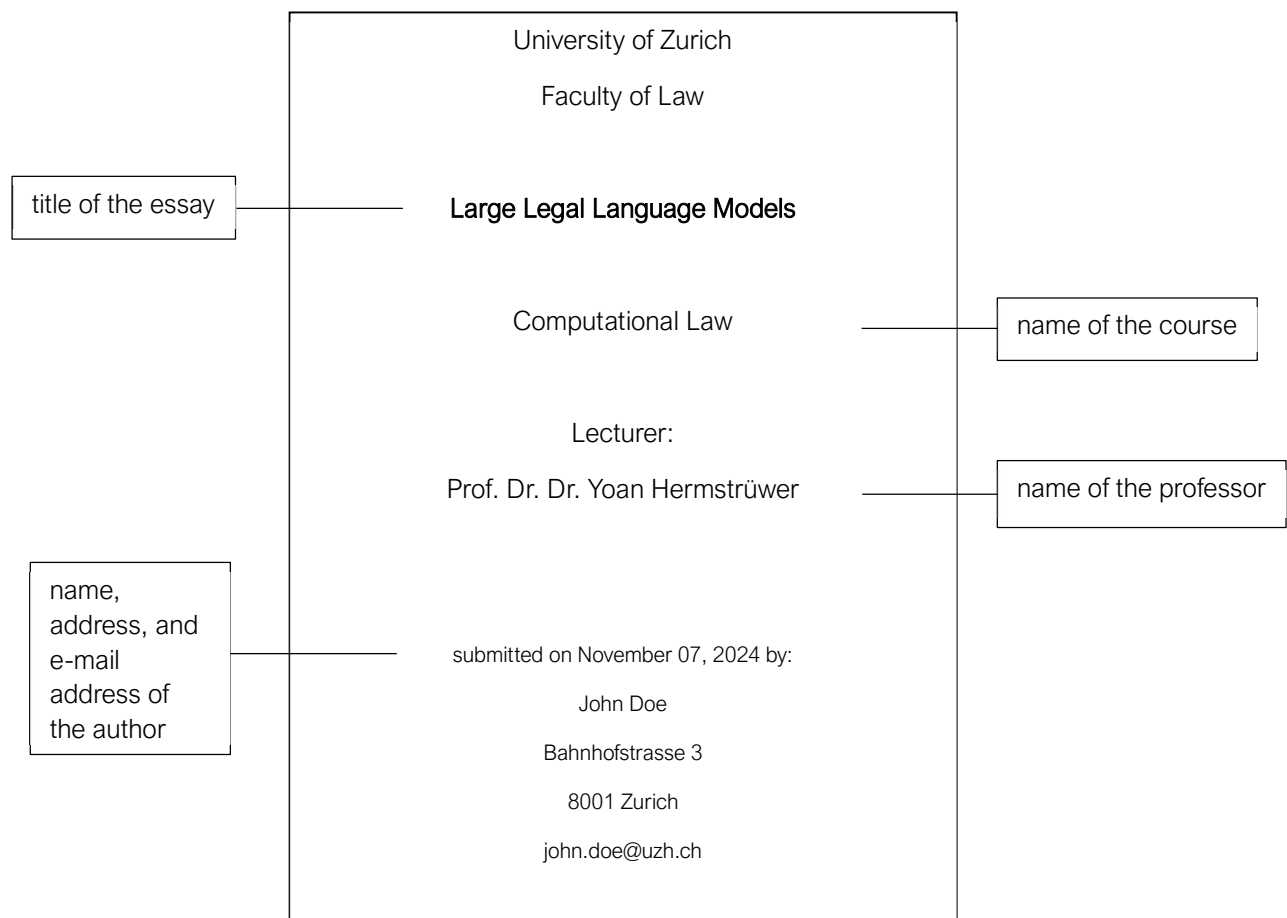
4. Structure

- The essay should comply with the following structure:
- Title page (without page number)
- Tables and lists (roman page numbers: I, II, III etc.)
 - Table of contents
 - List of references
 - If needed: list of abbreviations and list of sources
- Body (arabic page numbers: 1, 2, 3 etc.)
- Annexes if needed (continued arabic page numbering of body)
- Declaration of Originality

4.1. Title Page

***Important note:** The following guidelines only present one possible way to cite scholarly opinions. Instead, you may also use any internationally recognized standard, such as OSCOLA. Please ensure, however, that the chosen citation style is coherent and consistent throughout the essay.*

The title page contains the title of the essay, the name of the course, the name of the professor as well as the name, address, phone number and e-mail address of the author. The title page is not included in the page numbering.



4.2. Table of Content

The table of content lists all headings contained in the essay with the respective page numbers. It provides the reader with an overview of the structure of the essay.

4.3. Structure

With regard to the body, we recommend to use either the common list style (A./I./1./a)/aa) or the decimal system (1/1.1/1.2/1.2.1/1.2.2); avoid a mix of these styles. Solely use subheadings when they are needed, as in if there are at least two consecutive subheadings.

4.4. List of References

The list of references serves documentation purposes and simplifies citations and references in footnotes. It contains all works cited in the essay. Please use the most recent editions and list all references in alphabetical order by the last name of the authors.

The list of references should only include secondary literature (no acts, statutes, judgements etc.).

Book by a single author

Please provide the following information in the list of references:

- name of the author (without academic titles) in SMALL CAPITALS
- first name of the author in SMALL CAPITALS
- title of the book, subtitle (divided by a comma)
- edition (if not the first edition)
- place and year of publication

Examples:

- WEITZENBOECK, A Legal Framework for Emerging Business Models, Dynamic Networks as Collaborative Contracts, Cheltenham/Northampton MA 2012.
- HUGUENIN, Obligationenrecht, 2nd edition, Zurich/Basel/Geneva 2014.

Chapters in edited books or works in anthologies or edited collections (e.g. journal articles)

Please provide the following information in the list of references:

- name of the author (without academic titles) in SMALL CAPITALS
- first name of the author in SMALL CAPITALS
- title of the article
- reference:
 - compilations: editor (last name followed by the designation „ed.“ (or „eds.“), no small caps) and title of the compilation
 - journals: name of the journal and year (without volume number, except if not determinable without)
- page numbers of the article (first and last page)

Example:

- SCHWARTZ/SOLOVE, Reforming the concept of personally identified information, U.S. privacy law and PII 2.0, in: Weber/Thouvenin (eds.), Neuer Regulierungsschub im Datenschutzrecht, Zurich/Basel/Geneva 2012, 55-68.

Multiple authors

The names of multiple authors are separated by a forward slash (/).

Examples:

- THOUVENIN/BIRCHER/FISCHER, Repetitorium Immaterialgüterrecht, 3rd edition, Zurich 2016.
- NOBEL/WEBER, Medienrecht, 3rd edition, Berne 2007.

Multiple works by the same author

If you cite multiple works by the same author, add an additional term to the citation for the avoidance of doubt. Please include said additional term in the reference in the footnote. Put works by the same author in chronological order.

Example:

- ALEXANDER, Economic Sanctions, Law and Public Policy, London 2009 (referenced as: ALEXANDER, Sanctions).
- ALEXANDER, European Banking Union, A Legal and Institutional Analysis of the Single Supervisory Mechanism and the Single Resolution Mechanism, European Law Review 2015, 154-187 (referenced as: ALEXANDER, European Banking Union).

4.5. List of Sources

Important note: *The following guidelines only present one possible way to cite scholarly opinions. Instead, you may also use any internationally recognized standard, such as OSCOLA. Please ensure, however, that the chosen citation style is coherent and consistent throughout the essay.*

The list of references includes secondary sources, such as scholarly opinions, only. It should not list statutes, compilations of statutes, case law or compilations of case law, etc. In case of significant use of remote primary sources of law or materials, such as foreign statutes of little use, materials on statutes, statistics, private records, etc., it is advisable to add a list of sources after the list of references and prior to the list of abbreviations.

4.6. List of Abbreviations

The list of abbreviations should explain any abbreviations used in the essay. Please include all abbreviations used in the essay in the list of abbreviations. You may not include common abbreviations in the list of abbreviations. In case of doubt, add the abbreviation to the list of abbreviations.

4.7. Body

The body consists of:

- the introduction developing the research question and thesis;
- the main part; and
- the conclusion.

The introduction introduces the reader to the topic and describes the research question and thesis. On a more precise note, you may narrow down the topic by picking one or two particularly interesting aspects and provide a roadmap laying down the structure of the essay. Please do not include explanations on the author's personal efforts in dealing with the subject or in finding the relevant legal sources in the introduction or any other part of the essay. The main part deals with the points presented in the table of contents.

Please note the following regarding headings:

- Headings should be as short as possible.
- Headings should be descriptive.
- Headings should not form entire sentences.
- Headings are not part of the text (this means that statements made in the headings should be repeated in the following text body).
- Headings never end with a period.

The essay should end with a summarizing conclusion. The conclusion should allow the reader to quickly gain an overview of the key elements of the essay and the of the author's argument / thesis.

5. Text Citations

Important note: *The following guidelines only present one possible way to cite scholarly opinions. Instead, you may also use any internationally recognized standard, such as OSCOLA. Please ensure, however, that the chosen citation style is coherent and consistent throughout the essay.*

Every research essay should analyze the current state of knowledge. Based on this, the author develops and presents his or her own thoughts and ideas. Therefore, it is crucial to correctly refer to the state of the art, including scholarly papers and scientific studies. This not only applies to direct quotations, but also to indirect quotations, i.e., ideas or thoughts of other scholars that are presented in the legal essay in a paraphrased manner. The main principle is that all ideas and words of others must be properly and formally acknowledged. Missing quotation marks and/or references are considered plagiarism.

Thus, please note that:

- You are obliged to reference all statements made by others.
- You should avoid direct quotation, whenever possible. In principle, paraphrase. Paraphrased quotations are followed by a reference. Missing references are considered plagiarism.
- Direct quotations may only be used when the exact wording of a statement is of relevance, e.g. when analyzing the black lettered law. Indicate direct quotations by quotation marks followed by a reference. Missing quotation marks and/or references are considered plagiarism.
- In principle, every paraphrased sentence should be followed by a reference. If necessary, references can be formatted as shown on this website under the example titled "Good": <https://rasmussen.libanswers.com/faq/32328> (e.g. containing references like "The study notes", "Her research indicates"). Please note that the exact source of each sentence should still be clear.

- Verify the cited references. A referenced work might relate to other circumstances or might have been understood incorrectly by the author.
- Put the references in footnotes on the same page as the corresponding text passage.

Use a consistent citation style throughout the essay. We recommend using the following style:

The footnote should include the author (in small capitals), the exact reference and the additional term set forth in the list of references, if applicable. Generally, cite as precisely as possible: provide the relevant page number(s) (without the prefix p. or pp.). If the paragraphs of the cited works are numbered, provide the number of the paragraph instead of the page number. If a cited work is structured into chapters and paragraphs, provide both specifications (e.g. “§ 3 para. 93” or “chapter 7 para. 41”). Cite commentaries with the relevant article and paragraph (and not the page number).

Examples:

- SMITH, 45.
- JOHNSON, para. 312.
- NOBEL/WEBER, § 2 paras. 132 et seq.

The abbreviations “et seq.” and “et seqq.” are used to indicate that reference is made to multiple consecutive pages, paragraphs etc.

Examples:

- SMITH, 40 et seq. (= pages 40-41)
- JOHNSON, paras. 312 et seq. (=paragraphs 312-316)

Each footnote starts with capital letter and ends with a period. Author and page number are separated by a comma. Several references are separated by a semicolon.

Example:

- HUGUENIN, para. 455; BK-KRAMER, OR 21 para. 26.

Journal articles should be cited with the name of the journal and the year.

Example:

- MAHLMANN, AJP 2013, 1309.

Commentaries should be cited with the abbreviation of the act or statute, the article, and the paragraph (no commas).

Example:

- DOERR, CC 28 para. 10.

Citations of the common Swiss commentaries (Basel = BSK; Zurich = ZK, Bern = BK) should further include the abbreviation of the commentary as well as the last name of the author of the relevant section separated by a hyphen (BK-/ZK-/BSK-AUTHOR).

Examples:

- BSK-HONSELL, CC 2 para. 10.
- BK-REHBINDER, CO 319 para. 2.

Decisions of the Swiss Federal Court should be cited according to the official index, if possible.

Decisions included in the official index:

- BGE 132 I 181, consideration 3.2.
- BGE 132 I 181 (if the decision as a whole is referenced).

Decisions not included in the official index:

- Decision of the Federal Court of January 23, 2007, 1A.211/2006, consideration 2.3.

Decisions published in journals:

- Decision of the Federal Court, sic! 2011, 213.

Official documents should be cited with their abbreviation, the page numbers of the relevant chapter and the exact page number of the reference (without the prefix "p." or "pp.").

Examples:

- Dispatch on Financial Services Act, Federal Gazette 2008, 455 et seqq., 483.
- Official Bulletin 1998, 268.

Websites should be cited stating their full web address (URL) and the date of the last visit.

Example:

- <https://www.ius.uzh.ch/de/staff/professorships/alphabetical/hermstruewer.html> (visited on: 3 October 2024).

6. Declaration of Originality

Please include the following Declaration of Originality at the end of the essay:

„Title of the essay“, „Name of the author“

I herewith declare that I prepared this written work independently and by using the indicated sources only. Further- more, I assure that this work has not been previously submitted in return for credits. A verification of the work for plagiarism may be conducted by using appropriate software.

[Place], [Date]

[Signature]

7. Submission

Information on the channel of submission will be included in your course material. Usually, you will submit your paper via OLAT. If no specific file format is requested in the course material, submit your work as a PDF and Word file. The announced deadline is mandatory.