

Stockholm University
Department of Law



How to Write Your Master Thesis

*Writing guidelines for
Master Programme students*

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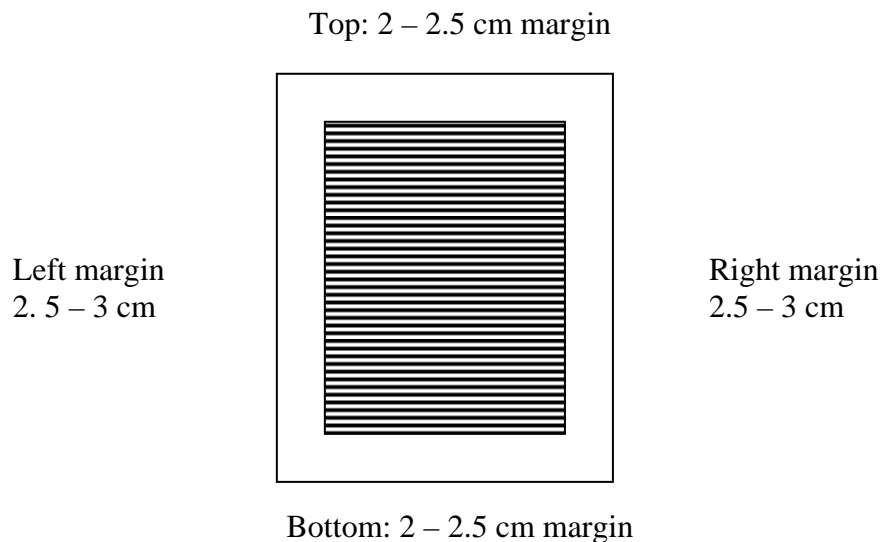
This guide describes the most important issues that should be considered when writing your thesis, and offers possible ways of handling the formal aspects of essays and practical assignments.

1 General

The thesis should consist of approximately 30 to 35 pages, each containing 2.000 – 2.500 characters, related to a 15 ECTS credit thesis. This does not include the table of contents, the reference list or any possible appendices. Do not forget to paginate your text. In order to facilitate double-sided copying the margins on the left and on the right-hand side should have the same width, and the page numbers should be centralised.

As regards the layout of the first page of your thesis this guide can be used as an example. The text on the cover should include the title of the thesis, the year of the programme, the course (B or D) and the names of the author and of the supervisor.

Margins: left and right 2.5 – 3 cm, top and bottom 2 – 2.5 cm.



Use 12 pt font size for the main body of the text, and 10 pt in footnotes. Spacing between the lines should be 1.5.

There are no special requirements concerning the font style. Preferably, you should use a serif type of font (this is a type of font with tiny projections accompanying the letters, such as you find in, for example, Garamond, Palatino, Times).¹

Words or sentences can be emphasised by selecting bold, italic or bold italic, or by changing the font size. As underlining commonly indicates links on websites, utilizing it for emphasising text is not recommended. In general, emphasis is best used sparingly. If you overdo it, the text may look unstructured and chaotic, and may be difficult to read.

¹ Cf. Cuts, Martin, *The Plain English Guide, How to write clearly and communicate better*, Oxford University Press, Oxford, 1996, at 151.

Additionally, capital letters should be avoided as a means of emphasis, since they make reading more difficult.² The golden rule is consistency: choose one type of text mark-up for emphasis and follow it consistently throughout the thesis.

Foreign words and phrases should appear in italics, except for those which have become fully naturalised in English (e.g. *résumé*, *a priori*, *sigma*). Doubtful cases should be treated as foreign.

Indicate new paragraphs either by means of

- a) indentation at the first line of each paragraph (except after quotations, lists or headings); or
- b) inserting a blank line between paragraphs. If headings are used in the text and you choose the spacing-alternative, make sure that there is as much space above the headings as below them.³

This guide is an example of alternative b), whereas the following text is an example of alternative a):

THE CONTROL FOR COMMERCE

The Internet was built for research, not commerce. (Indeed, until 1991 the National Science Foundation forbade its use for commerce.) Its protocols were open and unsecured; it was not designed to hide. Data transmitted over this net could easily be intercepted and stolen; confidential data could not easily be protected.

Early users did not seem to mind this drawback. If secrecy was important, they were quite capable of encrypting a message. And for most communications, security was not important. In this world the ethic was openness, and openness was affordable.⁴

If you have several headings, e.g. chapter headings, sub-headings and paragraph headings, you will probably also use different font sizes and weights (roman, bold, italic, bold italic) for these captions.

Once again, the key word is consistency: apply consistently the same format and style throughout the whole document in order to facilitate the process of reading.

Another piece of advice concerning the layout of your thesis is that you should utilize the justification facility so that all lines appear with the same column width, as shown in this guide. Try also to avoid single words in the last line of a paragraph, especially if this line is the first one on the next page.⁵

² Cuts, *supra*, at 152.

³ Cuts, *supra*, at 153.

⁴ Lessig, Lawrence, *Code and other laws of cyberspace*, Basic Books, New York, 1999, at 39.

⁵ Cuts, *supra* note 1, at 154.

2 Quotations

A quotation is a phrase or passage from a book, article, etc., included in order to make a point more effectively or succinctly than you can do as an author. When quoting, you should use quotation marks before and after the quotation.

If a quotation consists of a few words without any punctuation marks, the quotation marks are placed directly before and after this expression. Quotations of four lines or less should be incorporated within the main text, using inverted commas (single inverted commas are used in British English, and double inverted commas in American English). If the quotation contains punctuation marks (full stop, semi-colon, comma, question mark, exclamation mark, etc.) and the corresponding passage ends with the same punctuation mark, the quotation mark is placed after the punctuation mark.⁶

Law can change social norms as well, though much of our constitutional jurisprudence seems dedicated to forgetting just how. Education is the most obvious example. As Thurgood Marshall put it, “Education is not the teaching of the three R’s. Education is the teaching of the overall citizenship, to learn to live together with fellow citizens, and above all to learn to obey the law.”⁷

If a quoted extract includes another quotation within it, the first quotation shall be included in double quotation marks, the second in single quotation marks (British English).

After analysing the contributions from several legal philosophers *Gidon Gottlieb* observes that “there is scarcely a rule of statute interpretation, however orthodox, which is not qualified by large exceptions ‘some of which so nearly approach flat contradiction that the rule itself seems to totter on its base’.”⁸

Quotations of more than four lines should be separated from the main text by being further indented, and usually single-spaced. In this case you do not need quotation marks.⁹ In addition a smaller font can be used for text paragraphs of this kind. The examples in this guide illustrate this form.

If you choose to omit words from within the block of text which you are quoting (ellipsis), then the missing words should be represented by three dots, separated from the adjacent words by a space. You may also need to adjust the extract by adding one or more words or letters in square brackets adjust capital letters, etc. in order to make your new sentence grammatically correct. When leaving out parts at the end of a sentence the ellipsis shall be followed by a full-stop or another necessary punctuation mark.¹⁰

⁶ Wahlgren, Peter, Warnling-Nerep, Wiweka, Wrange Pål, *Juridisk skrivguide*, 3d ed., Norstedts Juridik AB, Stockholm, 2004, at 22 [hereinafter *Skrivguide*].

⁷ Lessig, *supra* note 4, at 92-93.

⁸ Wahlgren, Peter, *Automation of Legal Reasoning, A Study on Artificial Intelligence and Law*, Kluwer Juristförlaget, Stockholm, 1992, at 222 [hereinafter *Automation*].

⁹ Oates, Laurel Currie, Enquist, Anne, Kunsch, Kelly, *The Legal Writing Handbook*, Little, Brown and Company, 1993, at 501.

¹⁰ This is only necessary when clarity requires it.

The jury ... serves to communicate the spirit of the judges to the minds of all the citizens; and this spirit, with the habits which attend it, is the soundest preparation for free institutions. It imbues all classes with a respect for the thing judged and with the notion of right. ... It teaches men to practice equity; every man learns to judge his neighbour as he would himself be judged.¹¹

Such issues were addressed already by Turing in his 1950 paper and by Bowden who in his early contribution assumes that “[o]ne can imagine that in a few years’ time a single machine might replace hundreds of clerks in an insurance office, but under no circumstances could it ever replace the board of directors.”¹²

In contrast with [conventional computer] programs like this (which will be called algorithm-based) are the more recent *knowledge-based* systems.¹³

Architecture, laws, and customs maintain and represent whatever balance has been struck [in real space].¹⁴

The word ‘[Sic]’, in square brackets, can be used to indicate noteworthy mistakes in the original, mainly in spelling or grammar.¹⁵

If you emphasise parts of a quotation and this marking does not appear in the original, you must state this after the quotation [emphasis added]. Similar solution applies if the original quotation is written in another language and you cannot find an English version thereof, and so you choose to translate it yourself. You should mention the fact at the end of the quotation, adding [translation by the author].¹⁶

As the first observation it can be remarked that the ways in which IT can be integrated into the legal profession will depend to a large extent on the *IT maturity of the users*, or the potential users. This is simply to say that an important premise for a successful system implementation relies on the condition that those who will be affected by the changes must be *able and ready to understand* and accept the new options.¹⁷ [emphasis added]

3 Citations

There is no single set of internationally harmonised formal rules when it comes to citing references. The Bluebook¹⁸, for example, serves as a guide for citation mainly in the U.S., whereas legal educational institutions in Sweden may apply slightly different rules when referring to statutes, case law or secondary sources, such as books and periodicals.

¹¹ Lessig, *supra* note 4, at 229.

¹² Wahlgren, *Automation*, *supra* note 8, at 105.

¹³ Wahlgren, *Automation*, *supra* note 8, at 110.

¹⁴ Lessig, *supra* note 4, at 89.

¹⁵ Oates, *supra* note 8, at 503.

¹⁶ Wahlgren, *Skrivguide*, *supra* note 6, p. 27 f; Oates, *supra*, note 8, at 503.

¹⁷ Wahlgren, Peter, *The Quest for law*, Jure AB, 1999, at 184.

¹⁸ The Bluebook: A Uniform System of Citation, published by the Harvard Law Review Association in conjunction with the Columbia Law Review, the University of Pennsylvania Law Review, and the Yale Law Journal, 17th edition, Cambridge, 2000, see also: <http://www.legalbluebook.com/>

The European Union has published an English Style Guide that serves as a handbook for authors and translators in the European Commission.¹⁹

The golden rule is to preserve scrupulous consistency throughout the thesis. Some components should, however, always be included in the citation, and especially in the bibliography. Those include

1. name of the author
2. title (in italics)
3. edition (if not the first)
4. publisher
5. place of publication
6. year of publication
7. volume number (if a multi-volume work)

For example:

Lessig, Lawrence, *Code and other laws of cyberspace*, Basic Books, New York, 1999.

Wahlgren, Peter, Warnling-Nerep, Wiweka, Wrange Pål, *Juridisk skrivguide*, 3d ed., Norstedts Juridik AB, Stockholm, 2004.

Another alternative to be used in footnotes:

Lawrence Lessig, *Code and other laws of cyberspace* (1999).

Peter Wahlgren, Wiweka Warnling-Nerep, Pål Wrange, *Juridisk skrivguide* (3d ed. 2004).

In the case of periodicals, e.g. law reviews or law journals, the citation should contain:

1. name of the author of the article
2. title of the article (in italics)
3. title of the journal in full or its abbreviation (in italics)
4. volume number
5. year of publication
6. inclusive page numbers

Catchpole, James, *The Balance between Technology and the Law*, Computers & Law, Volume 11, Issue 6, 2001, 32-35.

or

James Catchpole, *The Balance between Technology and the Law*, 11 Issue 6 Computers & Law 32 (2001).

¹⁹ Available at http://ec.europa.eu/translation/writing/style_guides/english/style_guide_en.pdf, last visited September 5, 2006.

The citation of **websites** should include the title of the web page, the URL (Uniform Resource Locator), e.g. http://www.internet.net/name_of_webpage/, and the date visited, e.g. “last visited June 6, 2005” or “as available on June 6, 2005”.

References to **national laws** should follow the accepted standard of the country of origin. The general rule here is that your way of referring to legislative material should make it as easy as possible for the reader to retrieve the original material. In this context it is not possible to give an overview of all the different national legislations. You should, however, take into consideration the following aspects when citing legal material from the European Union, such as Directives and Regulations.

A document from the European Commission, also called a COM document, should be cited by giving the title and in brackets the type of document, year, number and ‘final’ (if this is the ultimate official proposal).

Green Paper – Combating counterfeiting and piracy in the single market (COM (98) 569 final).

Green Paper on the Convergence of the Telecommunications, Media and Information Technology Sectors, and the Implications for Regulation Towards an Information Society Approach (COM(97) 623, December 1997).

References to Directives include the type of act, year (two or four digits), stroke, number, stroke, treaty (e.g. EEC, EC), the decision-making institution (European Parliament and Council or only the Council), date and title.

Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signature.

Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market.

When citing Regulations state the type of act/treaty (in brackets), ‘No.’, number, stroke, year (two or four digits), the decision-making institution (Commission or Council), date and title.²⁰

Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community.

When referring to regulations or rules, you should use Article when referring to legislation from the European Union or international conventions, e.g. Article 10 of the WIPO Treaty.²¹ When referring to a paragraph or clause in a national law, you should preferably use Section, e.g. Section 10 of the Swedish Copyright Act.

²⁰ Notice the difference between Directives and Regulations concerning the way the number and year of the act are cited.

²¹ The different points in the first part of each directive or regulation containing the reasoning for this particular legislation are called Recitals.

Some additional details concerning the form and content of the bibliography:

- o All the material referred to in the thesis should be included in the Bibliography.
- o Each reference should be concluded with a punctuation mark.

4 Footnotes

As regards references to footnotes and quotations included in footnotes the following formal requirements should be taken into account, in addition to the ones mentioned in the previous chapter.

- o Footnote font size should be smaller than in the rest of the text, usually 10 pt. The text should always end with a punctuation mark.
- o Footnotes should normally be located at the bottom of the page of the text to which they refer.
- o Footnotes should be numbered consecutively throughout the thesis, and references to footnotes should be written in Arabic numerals (e.g. 1, 2, 3, 4, ...), as you can see in this guide.
- o If the footnote concerns a single word or part of a sentence, the footnote is placed immediately after this fragment.
- o If the footnote refers to a whole sentence, the footnote shall be inserted immediately after the punctuation mark.
- o If the footnote refers to a whole paragraph, it shall be inserted after the last punctuation mark of the paragraph in question, and it should mention that fact, e.g. 'with reference to the whole paragraph'.
- o References to secondary material, such as books and law journals, should always include page number, e.g. 'at 23' or 'at 23-29'.

There are two ways concerning citation in footnotes:

- a) Since all the material used in the thesis must be listed in the bibliography, only the author's last name²² and the page number(s) can be stated in the footnote. If you assign a given publication another name²³, you should use this short form.
- b) The first time a citation appears you state the full reference²⁴ and the page number(s). As regards subsequent footnotes regarding the same author you may either:
 - use the author's last name or a short form respectively and the page number; or
 - use the author's name/short form, and make a reference to the footnote containing the full citation (e.g. '*supra* note 1')²⁵ and the page number.

²² If the thesis refers to more than one author with the same last name, the first name should be used as well. If more than one publication of this author appears in the thesis, you should use a short form for the source, which should be mentioned in the first footnote referring to this publication (e.g. 'Hereinafter').

²³ See paragraph on 'Hereinafter'.

²⁴ See chapter on citation.

²⁵ See next paragraph.

Short Forms²⁶ can be used when the same citation appears several times in a text. Once you have cited an authority in full the first time (in either a footnote or in the bibliography), you can use a short form citation to it subsequently.

Use the following:

- ‘*Id*’: when referring to the immediately preceding statute or case law;
- ‘*Supra*’: when referring to a previously cited book, periodical, legislative material, newspaper or international material. *Supra* consists of
 - a) author of the work
 - b) title of the work (if the thesis mentions several sources of the same author)
 - c) word ‘*supra*’
 - d) reference to the footnote where the citation was mentioned for the first time
 - e) page number(s).

Example:

¹ Lessig, Lawrence, *Code and other laws of cyberspace*, Basic Books, New York, 1999, at 10.

² Lessig, *supra*, at 32.

⁵ Lessig, *supra* note 1, at 65.

- ‘Hereinafter’: You can also use a short form of the name of the source material, where appropriate. The first citation of the source should be followed by the word ‘hereinafter’ and the short name, both placed in square brackets. For the subsequent citing this short name and the word ‘*supra*’ should be used.

Example:

¹ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market [hereinafter Directive on e-commerce].

³ Directive on e-commerce, *supra*.

As mentioned above there are several ways of citing a book or periodical. It is, however, very important, that you apply the same format consistently.

Signals

If you cite any authority you can also include an indication of why you use the citation and how it is related to your argumentation. Using signals to introduce citation sentences or clauses can do this.²⁷ As regards the circumstances of their use:

- No signal: the citation supports directly a statement or contains a quotation.
- *E.g.*: the cited authority is one of several examples supporting the argumentation; ‘e.g.’ is always followed by a comma.

²⁶ Oates, *supra* note 8, at 500.

²⁷ Oates, *supra* note 8, at 496.

- *Accord*: the citation is not a direct source, but supports the same line of argumentation.
- *See*: the citation supports the statement, even though it is not directly mentioned in it, but logically follows from it.
- *See also*: refers to additional source material, supporting the statement.
- *Cf.*: stands for ‘compare’ and refers to an authority supporting a different line of argumentation, indicating, however, a connection with the statement by analogous interpretation.
- *Contra*: cited source directly contradicts the argumentation.

Do not italicize commonly used Latin abbreviations, such as, ‘etc.’, ‘e.g.’, ‘et. al’, ‘ibid’.

5 Plagiarism

The unacknowledged appropriation of material which is not original to the writer is defined as plagiarism. Where you wish to reproduce material you have read, you can either paraphrase it in your own words, or quote directly. In either case, you must acknowledge your use of it by employing a footnote or other form of reference. Failure to acknowledge someone else’s words or ideas is plagiarism, whether this omission is accidental or deliberate. In other words, if you copy a sentence, a paragraph or an even larger part of someone else’s work, and paste it into your own thesis, essay, assignment or report, without stating the source or indicating that you are quoting, you will be guilty of cheating and plagiarism. This is irrelevant of the fact whether the copied text was taken from a book, a court case, a law journal, preparatory materials, or whether it was obtained from a website.

According to Chapter 10 Section 1 paragraph 1 of the Higher Education Ordinance, ‘disciplinary measures may be taken against students who

- by prohibited aids or other means attempt to deceive during examinations or when academic work is otherwise assessed,’²⁸

According to common practice, this includes cases of plagiarism of master theses and/or practical assignments. A student suspected of such an offence may receive a formal warning or caution, or he or she may be suspended. Suspension means that ‘the student is prohibited from participating in instruction, tests or other activities within the framework of the programme’ for a maximum of 6 months. This also includes being denied access to certain premises at the university. (Chapter 10 Section 2)

²⁸ Full text of the Ordinance available in Swedish at the website of the National Agency for Higher Education, <http://www.hsv.se/>, last visited September 5, 2006.