

Center for Academic Writing
Legal Studies: SJD-I: Thesis Writing- I
Fall 2021
Instructor: Sanjay Kumar

Aims of the Course

During this short course you will begin to explore the genre of the SJD dissertation, what the options and considerations are in terms of length and structure. More broadly, we will also investigate what is meant by good research and what the implications are for the proposal. We will talk about the ‘proposal’ as a key academic genre. The course will then walk you through the proposal, looking at key components and exchanging ideas on how these can be most effectively expressed depending on the individual’s aim. This ‘walk’ will raise key issues, allow a discussion of choices available to you, and seek to make you justify the decisions you then take. Ultimately, the proposal is also a way to plan the future, to consider the steps needed to complete the PhD, to set initial timelines for the path ahead.

Learning Outcomes

By the end of the course you should be able to:

- present comparative legal / constitutional law research in an accessible manner
- identify the typical components and features of an SJD dissertation
- structure the dissertation at the macro-level
- tailor your thesis to the needs of your supervisor(s)
- write an effective (SJD) proposal
- continue your research and writing into 2021-22 with confidence

Registration

You can find this information on SITS.

Course Materials

There is no reader. All of the materials will be uploaded on Moodle before the classes begin in November, 2021.

Requirements

Attendance is mandatory. As this is workshop based, you will also be expected to fully contribute to each session. You will have several reading and writing assignments during the course; it is vital that you complete them before we meet. You will also have to give a brief presentation of your work-in-progress. The final requirement is one mandatory consultation on a draft of the proposal you will write this term.

Evaluation

This is a required course, which you will need to pass in order to complete your degree, but as it is a support course (to help you with other work) it will not affect your GPA. It will appear on your transcript as PASS or FAIL.

Course Outline

We will be meeting from midterm.

From Week 6 of the Fall term

1. This session is about getting to grips with what is actually demanded, looking at ‘finished products’ and discussing the issues that arise from a brief analysis of them. We will talk about writing habits, and how you plan your writing and what problems you had with the masters thesis or previous research. We will discuss the key differences in types of research, and ultimately draw up a list of what good research is.

Recommended Reading: Chapter 4 “Researching an Original Thesis” in Caroline Morris and Cian Murphy. *Getting a PhD in Law*. Oxford, UK: Hart Publishing, 2011

2. In this session each participant will give a brief presentation of their research and address questions and issues that arise from the groups’ questions. We will then begin a walk-through of the proposal – focusing on the importance and relevance of the research.
3. We start by peer-reviewing the opening of the proposal before focussing on ‘situating’ the research by bringing in the relevant literature. We focus on what the literature review needs to achieve. We then discuss what makes an effective research question.
4. We review the literature review before moving on to framing the research and addressing the ‘how’ you will do the research, bringing in methodology/theory, and justifying the choice.
5. We review the methodology part of the proposal and then look at issues relating to the overall proposed structure, identifying key issues and areas of possible concern.

Recommended reading:

Mathias Siems. “The End of Comparative Law” *The Journal of Comparative Law*, Vol. 2, 2007, pp. 133-150

Lorenzo Zucca. “Montesquieu, methodological pluralism and comparative constitutional law” *E.C.L. Review* 2009, 5(3), pp. 481-500

Chapter 3 “Legal Research Methodologies” in Caroline Morris and Cian Murphy. *Getting a PhD in Law*. UK: Hart Publishing, 2011

Rob van Gestel and Hans-Wolfgang Micklit. “Why Methods Matter in European Legal Scholarship” *European Law Journal*, Vol. 20, No. 3, May 2014, pp. 292–316

Chapter 3 “Planning an Integrated Thesis: The Macro Structure in Patrick Dunleavy. *Authoring a PhD: How to Plan, Draft, Write, and Finish a Doctoral Thesis or Dissertation*, 2003.

6. Peer Review Workshop on your SJD Proposal. We also discuss editing your own work more broadly.

Some Books on Researching and Writing in the CEU Library

Two Essential Books for SJD Students

Garner, Bryan A. *Legal Writing in Plain English*. Chicago: University of Chicago Press, 2001.
KF250.G373 2001

Morris, Caroline and Cian Murphy. *Getting a PhD in Law*. Oxford: Hart Publishing, 2011.
KD432.M66 2011

Two Important Style Guides

OSCOLA: Oxford University Standard for the Citation of Legal Authorities. Fourth Edition. Faculty of Law, University of Oxford.

https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf

The Bluebook: A Uniform System of Citation, 19th ed. Compiled by the Editors of the Columbia Law Review, the Harvard Law Review, the University of Pennsylvania Law Review, and the Yale Law Journal. Cambridge, MA: Harvard Law Review Association, 2010.

KF245.B58 2010 (The library has earlier editions as well)

Planning, Researching and Writing the PhD Dissertation

Becker, Howard S. *Writing for Social Scientists. How to Start and Finish Your Thesis, Book, or Article*. Second ed. Chicago: University of Chicago Press, 2007.

808.0663 BEC

Bolker, Joan. *Writing your Dissertation in Fifteen Minutes a Day: A Guide to Starting, Revising, and Finishing Your Doctoral Thesis*. New York: Henry Holt, 1998.

808.02 BOL

Bryant, Miles Taft. *The Portable Dissertation Advisor*. Thousand Oaks, CA: Corwin Press, 2004.

808.02 BRY

Clark, Irene L. *Writing the Successful Thesis and Dissertation: Entering the Conversation*. Upper Saddle River, NJ: Prentice Hal 2007.

808.02 CLA

Dunleavy, Patrick. *Authoring a PhD: How to Plan, Draft, Write, and Finish a Doctoral Thesis or Dissertation*. Houndmills, Basingstoke, Hampshire: Palgrave Macmillan 2003.

808.02 DUN

Eco, Umberto. *How to Write a Thesis*. Cambridge, MA and London: The MIT Press, 2015.

808.02 ECO

Ruben, Adam. *Surviving Your Stupid, Stupid Decision to Go to Grad School*. New York: Broadway Books, 2010.

378 RUB

Rudestam, Kjell Erik and Rae R. *Surviving Your Dissertation: A Comprehensive Guide to Content and Process*. Newbury Park, CA: Sage, 1992.

808.02 RUD

Siems, Mathias. "The End of Comparative Law" *The Journal of Comparative Law*, Vol. 2, 2007, pp. 133-150.

Single, Peg Boyle. *Demystifying Dissertation Writing: A Streamlined Process from Choice of Topic to Final Text*. Sterling, Va.: Stylus, 2010.

808.02 SIN

van Gestel, Rob and Hans-Wolfgang Micklit. "Why Methods Matter in European Legal Scholarship" *European Law Journal*, Vol. 20, No. 3, May 2014, pp. 292–316.

Wisker, Gina. *The Postgraduate Research Handbook*. Houndsmills, UK: Palgrave, 2001.

808.02 WIS

Zerubavel, Eviatar. *The Clockwork Muse: A Practical Guide to Writing Theses, Dissertations, and Books*. Cambridge, MA and London: Harvard University Press, 1999.

808.02 ZER

Zucca, Lorenzo. "Montesquieu, methodological pluralism and comparative constitutional law" *E.C.L. Review* 2009, 5(3), pp. 481-500.