

EUROPEAN UNION LAW
Module 1 of the course *Law of Supranational Organizations*

Observations on the first mid-term examination

Dear participants of the course Law of Supranational Organization,

I have corrected your academic essays for the first mid-term examination. Some were good or even excellent, but many failed, mostly not because the authors were not diligent or did not know enough, but because of a *serious lack in skills of academic writing*. Often even basic rules of legal writing have been violated. This is unacceptable in a course in the fourth study year. So we need to talk. First, I offer for those interested a *special lecture* (with voluntary attendance) on *Thursday, 16 November, at 17:05 in room 315*, to analyse and discuss the methodological problems identified and how to avoid them in the future. Please study my Observations on the first mid-term examination carefully to prepare for this lecture. Second, I offer *individual consultation for everyone* (in office 219) to discuss the strong and weak points of your paper and how to improve your individual performance in exams. Please study carefully my individual correction sheet uploaded in Canvas to prepare for this consultation. Please do not be shy and do not hesitate to contact me. For your studies not the problems with your exam papers are decisive but that you learn from them!

At the special meeting on the first mid-term examination we will focus on:

Some often ignored basic rules of academic writing

- 1. In an academic exam, always answer precisely - and only - the question asked.**
 - note that in legal education remarks in exam papers on topics that are obviously completely irrelevant to answer the exam question will be considered as an insult of the reader and lead to a deduction of points (negative points) - even if the topic was discussed broadly in the lectures
 - do in particular *not add a historical part* if it is not asked for or evidently important for your topic
- 2. Answer the exam question concisely but completely.**
 - make sure that you do not forget any sub-question!
- 3. Structure your paper logically and dogmatically correct with precise focus on the exam question.**
 - always include a *table of contents* in your paper
 - make sure that the headlines in the main text and the table of contents are identical
 - use the special function of Microsoft Word to create and update the table of contents automatically
 - always number the parts and sub-parts of your paper in a consistent system
 - if you want to introduce a new sub-level, there must be at least two sub-parts (no "1.1" if there is no "1.2.")
- 4. Add a *bibliography* to your paper.**
 - divide the bibliography into different sections, according to the type of document (legal literature, legal provisions, jurisprudence, political and institutional documents, other documents and websites etc.)
 - make sure that you do not mix scientific/legal literature with other documents in the same section! (this would be highly unprofessional)

5. If possible, work only with up-to-date legal literature.

- in an exam paper, all information you provide must be up-to-date, so your sources need to be too
 - in the first mid-term exam, many papers did actually not write about today's European Union law but about legal history...
- always use the newest edition of textbooks, commentaries and handbooks
 - find out within seconds at [amazon.com](https://www.amazon.com)
- do not use textbooks, commentaries or handbooks older than 5 years, except if there is a special justifying reason
- if you cannot find up-to-date sources, include a note in your paper that you tried your best but that the stock in the available libraries (including the national library) was outdated and that you were unable to find reliable up-to-date legal literature in the internet

6. In an exam paper work with the course materials provided by the lecturer.

- use them especially as a guidance for orientation and for choosing the right terminology
 - make in particular sure that you do not forget any aspect presented in the course materials which is relevant to answer the exam question
- you can even cite the course materials (you do not need to reinvent the world), but cite them correctly, do not copy long passages literally and try to complement the cited passages by other information or own ideas

7. In a legal paper, for any information about the law refer precisely to the relevant legal provision.

- as precisely as possible (article, section, sub-section, phrase, number, lit. etc.)
- preferably in the main text (in brackets), but possible also in the footnotes
 - note that talking about the law without precise reference to the relevant provision is unprofessional for a lawyer!

8. Always provide a reference in a footnote in two cases:

- a) Whenever you lean on a text (or even oral statement) of someone else**
 - even if you paraphrase it
 - otherwise your text will be considered as *plagiarism*
- b) Whenever you provide information that does not originate from yourself**
 - whenever you report any facts
 - also when reporting historical facts
 - also when reporting theories or discussions or using specific terms from the scientific discussion
 - note that any single sentence in your text with special facts or terminology that are not just based on your own thinking requires a reference
 - this rule is often ignored in some countries but represents an elementary standard for scientific work and compliance is a condition for being taken seriously in international academic cooperation

9. Use a consistent terminology, even when working with different sources.

- the same phenomenon must be expressed within the same text with the same words
 - example: either "primacy" or "supremacy" of EU law over national law, but no use of both terms!

10. Never leave a headline alone at the bottom of the page.

- since the headline and the following text logically form a block and therefore must not be separated
 - this rule derives directly from logic
- also leave a blank line before the headline, to separate it clearly from the previous text