

ДЕРЖАВНИЙ ПОДАТКОВИЙ УНІВЕРСИТЕТ

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**АКАДЕМІЧНЕ ПИСЬМО ДЛЯ ПРАВНИКІВ
(ACADEMIC WRITING
FOR LEGAL PROFESSIONALS)**

Навчальний посібник

Луцьк
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Навчальний посібник містить автентичні наукові юридичні тексти різних жанрів, має на меті ознайомлення здобувачів ступеня доктора філософії у галузі права з основними особливостями наукового стилю сучасної англійської мови, а також сприяння розвитку їх базових навичок написання наукових текстів різних жанрів англійською мовою та виробленню стратегії оволодіння академічним письмом як видом комплексної діяльності

Викладений матеріал наводиться англійською та українською мовами, що підвищить рівень засвоєння й розуміння англійської термінології наукового дослідження та сприятиме набуттю практичних навичок правильного використання її у правничій і дослідницькій діяльності.

Для аспірантів, студентів, курсантів, викладачів, практичних працівників, спеціалістів, а також усіх, хто цікавиться сучасним англійським науковим дискурсом.

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ПЕРЕДМОВА



Навчальний посібник «Академічне письмо для правників (Academic Writing for Legal Professionals)» має на меті ознайомлення здобувачів ступеня доктора філософії у галузі права з основними особливостями наукового стилю сучасної англійської мови, а також сприяння розвитку їх базових навичок написання наукових текстів різних жанрів англійською мовою та виробленню стратегії оволодіння академічним письмом як видом комплексної діяльності.

Посібник містить 5 розділів, у яких розглянуто особливості стилістики та жанрової організації англійської мовної комунікації в науково-освітній галузі: «Сучасна наукова англійська мова» (Розділ 1), «Наукова стаття» (Розділ 2), «Анотація наукової статті» (Розділ 3), «Тези доповіді» (Розділ 4), «Усна презентація та участь у конференції» (Розділ 5). Розділи складаються з текстів, вправ та питань для самоперевірки й повторення, тестів. Матеріалом посібника є автентичні наукові юридичні тексти різних жанрів. Запропоновані завдання забезпечують додержання принципів особистісно орієнтованого навчання, а також комунікативного підходу.

Змістовне наповнення посібника сприяє вдосконаленню у фахівців правничої галузі дослідницьких умінь і навичок академічного письма шляхом ознайомлення зі зразками наукових текстів різних типів, аналізу їх структури, вивчення релевантної лексики та граматики; комунікативні та презентаційні навички формуються за допомогою контекстів, призначених для моделювання академічного середовища.

Завдання для подальшого обговорення допомагають здобувачам взаємодіяти у різних академічних умовах і розвивати навички критичного мислення.

Розділ «Глосарій» містить перелік основних термінів та концепцій у галузі академічного письма з їх визначеннями. Список використаних джерел наведено в розділі «Бібліографія».

Видання орієнтовано на розвиток навичок англомовного академічного письма у правників, здобувачів вищої освіти третього (освітньо-наукового) рівня. Матеріали посібника також можна використовувати як довідкові для інших фахівців правничої сфери і дослідників, які прагнуть самостійно оволодіти основами наукової англійської мови.



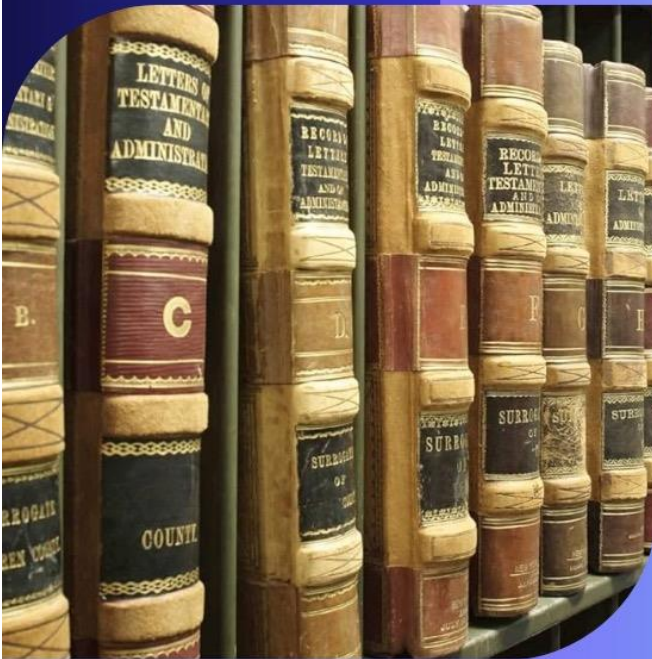
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UNIT 1

ENGLISH ACADEMIC LANGUAGE



*“First learn the
meaning of what you
say, and then speak.”
Epictetus*

UNIT 1

ENGLISH ACADEMIC LANGUAGE

English has undoubtedly become a language of international scientific communication in the world. English Academic Language has achieved its own characteristics that contribute to the formal, precise, concise, impersonal and economical style of scientific papers. Academic writing is one of the most essential skills in academic contexts, since writing is the primary method of scientific communication. It is also the most challenging skill for most PHD students to master. This unit examines the nature of academic writing, providing a detailed analysis of its key features and offering strategies for developing academic writing skills.

Academic writing is a form of discourse that transmits ideas, information, and research findings to the broader academic community. There are two principal categories of academic writing: **student academic writing**, which is used as a form of assessment at the university level; and **expert academic writing**, which is intended for publication in an academic journal or book. Both types of academic writing (student and expert) are expected to adhere to the same standards of academic culture.

Academic culture is a complex intellectual and ethical system of values, motivations, beliefs, and perceptions that determine professional activities in education and science. The fundamental element that defines the academic culture is the concept of academic integrity.

Academic integrity is: a set of ethical principles and rules that should guide participants in the educational process, including learning, teaching and conducting scientific (creative) activities, in order to ensure confidence in learning outcomes and/or scientific (creative) achievements (the Law of Ukraine On Education.); a set of values, principles, and rules that should guide the participants of academic activity (the Draft Law of Ukraine “On Academic Integrity”). The International Center for Academic Integrity defines academic integrity as a dedication to six core values: responsibility, honesty, courage, trust, respect and fairness. In Ukraine the specific types of

violations of academic integrity and the measures to be taken in response to them are currently regulated by the Law of Ukraine “On Education.” With the entry into force of the Law of Ukraine “On Academic Integrity,” these matters will be regulated by its provisions.

The language used in English academic writing is typically characterized as formal, concise, precise, and neutral. The absence of these features in writing may result in the perception of even the most original and profound ideas as trivial, which could eventually lead to their rejection by the scholarly community. To circumvent this predicament, writers must endeavor to imbue their writing with a certain degree of formality. The act of writing is a multifaceted process that necessitates the utilization of a diverse array of competencies.

A **well-structured** academic text has a clear and logical organization. The structure of a text is often derived from the genre of writing. For example, a report will typically include an introduction (which should include the purpose), a method section, a discussion section. An essay, on the other hand, usually has an introduction (which should include a thesis statement), clear body paragraphs with topic sentences, and a conclusion. The writing should be coherent, exhibiting a logical progression throughout, and cohesive, with the different parts of the writing clearly connected. It is of the utmost importance to engage in meticulous planning prior to the act of writing. This will ensure that the final product is well structured, with a clear focus and a logical progression of ideas.

It is expected that opinions and arguments presented in academic writing will be **supported by evidence**. In addition to identifying appropriate evidence, it is essential to assess the quality of the evidence. It is important to recognize that not all evidence will be equally valuable for the purposes of the investigation. It is necessary to determine whether the evidence provides direct support for a claim that is being made. For example, does it demonstrate that another scholar is in agreement with the presented argument, or does it confirm the veracity of the proposed interpretation? The reliability of the evidence must also be considered. Has the evidence been published in a peer-reviewed journal or a book by a

reputable publisher? Does the author possess the requisite expertise and status within the field? Has the data been obtained through a rigorous methodology, utilizing an appropriate sample? Does it meet the standards for good evidence in the relevant academic field? Therefore, it is important to reference this information correctly, for instance through the use of in-text citations and a reference section. To **avoid plagiarism**, it is essential to be aware of its defining characteristics, to possess proficient writing skills, to be able to summarize and paraphrase, to know when to quote a source and when to paraphrase it, to link information from the sources and to correctly use referencing conventions. There are some main citation styles which format the information differently. The **APA, MLA, Chicago, Turabian, IEEE Style Guides** can help a writer to cite sources correctly.

Critical academic writing is not merely a descriptive exercise. As an academic writer, it is imperative to subject the information you are analyzing to rigorous scrutiny. This entails not only evaluating the material in question but also forming judgements about it. This process of critical analysis enables the writer to integrate the material into their own work in a way that is both informed and original. This approach to writing requires a substantial investment of time in research. It is only through a comprehensive understanding of the topic at hand that the writer can develop a critical perspective.

It is essential that academic writing be presented in a **balanced manner**. This entails considering all perspectives on the matter and refraining from exhibiting bias. As previously stated, all research, evidence, and arguments are subject to challenge. It is therefore incumbent upon the academic writer to demonstrate their stance on a given topic, that is to say, to substantiate the strength of their claims. This can be achieved through the **use of hedges**, such as phrases indicating uncertainty, such as “the evidence suggests” or “this may be caused by...” Also, the **use of boosters**, or phrases that affirm or strengthen a claim, is recommended, including “clearly” or “the research indicates.”

Precise language is essential for academic writing, as it ensures that readers can easily comprehend the intended meaning. This encompasses the

utilization of technical (i.e., subject-specific) vocabulary, which should be employed when it conveys the meaning with greater precision than a comparable non-technical term. In some cases, it may be necessary to define technical vocabulary if the term is not commonly used within the same discipline and may not be readily understood by the reader.

The objective of academic writing is to present information in an **objective manner**. In other words, the focus is on the arguments and information presented, rather than on the identity of the writer. Consequently, academic writing tends to utilize nouns and noun phrases with greater frequency than verbs and adverbs. Furthermore, academic writing tends to utilize a greater proportion of passive structures in comparison to the active voice.

Academic discourse is defined by a unique set of features that differentiate it from other writing styles. Its core identity lies in being:

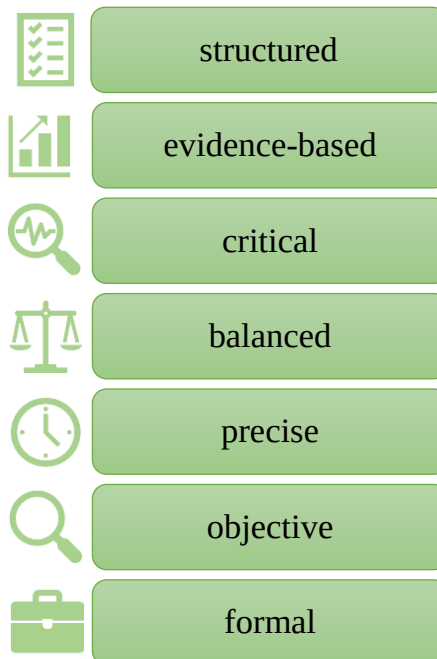


Figure 1. *Features of Academic Discourse*

NB *To meet the standards of scholarly legal writing, a text must possess specific hallmarks that set it apart. These essential characteristics include a structured approach, evidence-based reasoning, and a critical, balanced perspective, all maintained through precise, objective, and formal expression.*

TASK 1. Consider the following excerpt of the research paper written by Crawford, M. J. R. (2023). Contract As Property: Triangles and Tragic Choices. The Cambridge Law Journal, 82(1), doi:10.1017/S0008197322000903 PP. 85-86 and point features of academic writing:

II. IS THE COMMON LAW INADEQUATE?

A. Can Contractual Rights be Converted?

The basic claim made by proponents of the Inadequacy Thesis is that contractual rights should be protected by the tort of conversion. A necessary presupposition of this argument is that a contractual right is in fact a “thing” capable of being converted.

David Hume famously remarked that, “the principal disturbance in society arises from those goods, which we call external, and from their looseness and easy transition from one person to another”.¹⁰ Tangible

¹⁰ D. Hume, *A Treatise of Human Nature* (first published 1739, D.F. Norton and M.J. Norton (eds.), Oxford 2000), [3.2.2.9].

things are the objects of *in rem* rights of exclusion actionable in conversion because they are, by virtue of their existence in the world, vulnerable to non-consensual transfer. To borrow Penner’s explanation: “[t]he reason why a right to a material object would seem to entail something like a right in rem is simply that a material object, existing as it does in the world, is . . . in principle accessible by anyone and subject to the depredations of anyone.”¹¹

Whilst contractual rights amount to “property” in the broad sense that they are economically valuable assets, many of which can be assigned,¹² it does not follow that, like tangible things, they are therefore capable of being converted. This argument has been made by Douglas in an important article on the nature and scope of conversion.¹³ His argument is that unlike chattels, which exist independently of any legal system, *rights* to contractual performance are artefacts of a particular legal system. Consequently, whilst the question of whether an owner has been deprived of his chattel by a thief is simply one of fact, the question of whether a promisee has been deprived of his *right* to performance is one of law, the answer to which depends on the rules of the legal system in which it is constituted and recognised. He explains that “a contractual right . . . is a purely legal construct. It is something which depends upon a legal system for its existence. As such, it is for the legal system to determine when such a right comes into existence and . . . when the holder of such a right is deprived of it”.¹⁴

NB *The language of academic writing is typically formal, objective, and technical.*

The use of formal language is evident in the avoidance of casual or conversational linguistic elements, such as the use of contractions, interjections, hesitation fillers or informal vocabulary. The writing is characterized by an impersonal and objective tone, with a notable absence of direct personification or emotional reference. Instead, the text places emphasis on the description of objects, facts, and ideas. The use of specialized terminology and vocabulary is evidence of the technical nuances present in the discourse.

The table provides examples of linguistic elements that often give rise to informality and offers suggestions for more formal alternatives. It should be noted that the linguistic features outlined below are not strictly prohibited in scholarly discourse. Their occurrence often fluctuates based on the specific field, genre, and date of publication. Nevertheless, while context-dependent, such features are generally regarded as uncommon in academic writing.

Reducing Informality in Academic Writing

	Informal Feature	Possible Substitution
<i>Maintain an objective perspective by avoiding the second person (you/your/yours).</i>	As you can see in Table 3... You might argue... If your client breaches the contract... You should note that...	As is illustrated / can be seen in Table 3... One might argue.../ A legal scholar might argue... In the event of a breach of contract.../ If a party breaches the contract... It is important to note that.../ It should be noted that...
<i>Contracted forms are considered inappropriate for formal legal discourse. In all academic and legal submissions, complete linguistic structures must be used</i>	It's evident that... The court won't accept...	It is evident that... The court will not accept...

<i>to ensure precision and maintain the requisite degree of formality.</i>		
<i>Interrogative structures are typically avoided in scholarly discourse. Authors should prioritize declarative sentences to present arguments, reserving direct questions only for the formal statement of a research problem.</i>	How does the new law affect ...? What are the reasons for this judicial shift? Can the State be held liable in this case? Does the treaty apply here?	This study examines the impact of the new legislation on... It is necessary to consider the reasons for this judicial shift. The question of State liability in this case warrants further analysis. Whether the treaty applies in this context remains a subject of debate.
<i>Exclamatory marks are inappropriate in scholarly discourse. Authors should rely on precise vocabulary and logical argumentation to emphasize key points, rather than punctuation-based emotional cues.</i>	This court ruling is very significant!	It is crucial to observe the significance of this court ruling. Of particular importance is the precedent set by this court ruling.
<i>Formal discourse prioritizes single-word verbs over multi-word or phrasal constructions. Transitioning from phrasal verbs to their Latinate or formal equivalents enhances the precision and academic register of the text.</i>	Look into Go against Set up Bring up Carry out Find out	Investigate / Examine Contradict / Violate Establish / Incorporate Mention / Raise Conduct / Execute Determine / Ascertain
<i>Formal scholarly discourse prioritizes single-word negatives over multi-word constructions. Replace not... any with no and not... much/many with little/few to maintain a concise and formal academic style.</i>	Not any evidence Does not have any ... Not much progress Not many cases Did not remember	No evidence Possesses no ... Little progress Few cases Forgot / Recalled no

<i>Introductory filler phrases such as There is and There are should generally be omitted to enhance the structural density of a sentence. Deleting these expletives allows the subject and verb to be positioned more effectively, resulting in a more direct and assertive academic tone.</i>	There are several precedents that support this argument. There is a significant difference between these two laws.	Several precedents support this argument. A significant difference exists between these two laws.
<i>Avoid beginning sentences with coordinating conjunctions (and, but, so, etc.). Use formal connectors like Furthermore, However, or Therefore instead to make your academic writing sound more professional and objective.</i>	And But So Or	Additionally / Furthermore / Moreover However / Nevertheless / Conversely Consequently / Therefore / Thus Alternatively
<i>To ensure clarity and maintain cohesive links within a text, authors should avoid unattended demonstrative pronouns. Substituting a solitary this or these with a pronoun + summary noun construction explicitly identifies the antecedent and prevents ambiguity in complex legal arguments.</i>	The defendant failed to sign the document. This led to a breach of contract. The court analyzed several precedents. These suggest a shift in policy.	The defendant failed to sign the document. This omission led to a breach of contract. The court analyzed several precedents. These rulings suggest a shift in policy.

TASK 2. Compare the two provided texts: one written in an informal style and the other in a formal, scholarly register. Analyze how the use of punctuation (exclamations), pronouns (second person), and intensifiers affects the author's credibility. Explain why the professional version is more effective for substantive legal reasoning. Identify three specific linguistic strategies used in the formal text to replace emotional emphasis:

Informal Style	Academic Style
This court ruling is absolutely shocking! It completely changes everything we knew about property rights!	The recent court ruling represents a significant departure from established precedents regarding property rights, necessitating a critical reassessment of current legal doctrine.
✗ use of exclamation marks, ✗ informal intensifiers (absolutely shocking), ✗ hyperbolic language (changes everything).	✓ objective tone, ✓ precise vocabulary (departure from precedents), ✓ focus on the legal impact (reassessment of doctrine).

TASK 3. Identify informal markers in Text A (contractions, exclamations, second-person pronouns, and hyperbolic adjectives). Compare how the emphasis is achieved: through punctuation and emotion in Text A, versus precise terminology and logical structure in Text B. Explain how the use of the passive voice and impersonal constructions in Text B enhances the objectivity of the legal argument. Find the academic equivalents in Text B for the following informal phrases from Text A: broke the contract, didn't deliver on time, huge blow, and hold them responsible:

Text A: Informal Discourse

You just can't ignore how the defendant broke the contract! It's absolutely shocking that they didn't deliver the goods on time. Don't you think this is a huge blow to the claimant's business? We must hold them responsible right now! This kind of behavior is totally unacceptable in the business world!

Text B: Academic Legal Discourse

The defendant's failure to fulfill contractual obligations within the stipulated timeframe represents a material breach of contract. It is crucial to observe that such delays significantly undermine the claimant's operational stability. Consequently, the defendant's liability is established under current commercial law, necessitating full redress for the incurred losses.

NB *In formal scholarly discourse / legal drafting, adverbs that convey subjectivity or conversational tone should be avoided. Precision in legal argumentation is maintained by replacing filler words with evidence-based qualifiers that strengthen the objective stance of the author.*

Informal Adverb	Academic Legal Substitution	Юридичний контекст
basically / actually	fundamentally / in essence	для опису суті правової норми
totally / completely	entirely / wholly	для опису обсягу зобов'язань
pretty / quite / rather	relatively / considerably	для оцінки ступеня впливу
maybe / perhaps	it is plausible that / potentially	для висловлення припущень
suddenly / surprisingly	unexpectedly / abruptly	для опису фактів справи

TASK 4. Rewrite the following sentences from a legal opinion to meet academic standards:

1. The defendant basically forgot to sign the agreement.
2. The court's decision was totally unexpected and suddenly changed the case.
3. Maybe the claimant did not see the warning sign before the accident.
4. The lawyer looked into the evidence and found out that the contract was void.
5. Actually, the new law goes against the principles of the Constitution.
6. The parties set up a new company to carry out the project.
7. It is pretty clear that the witness didn't tell the whole truth.
8. The judge brought up the issue of jurisdiction during the hearing.
9. Hopefully, the parties will get to an agreement soon.
10. There is not much evidence to back up these serious allegations.

The following is a thematic classification of universal summary nouns, categorized for professional use. The integration of these terms following demonstrative pronouns (e.g., *this approach*, *these findings*) serves as a hallmark of advanced academic discourse and formal Legal English style.

Summary Nouns

1. Legal processes and actions

- Approach — підхід (до вирішення проблеми).
- Procedure / Process — процедура / процес.
- Method / Methodology — метод / методологія.
- Initiative — ініціатива (законодавча або реформаторська).
- Omission — бездіяльність.
- Transaction — правочин / операція.

2. Analysis of argumentation and ideas

- Argument — аргумент / довід.
- Assertion / Claim — твердження / заява.
- Assumption — припущення.
- Concept / Notion — концепція / поняття.
- Hypothesis — гіпотеза.
- Interpretation — тлумачення (наприклад, норми права).
- Issue / Problem — питання / проблема.

3. Referencing outcomes and evidence

- Evidence — докази (завжди в однині).
- Findings — результати (дослідження або розслідування).
- Observation — спостереження / зауваження.
- Outcome / Result — результат / наслідок.
- Trend / Tendency — тенденція (наприклад, у судовій практиці).
- Data — статистична або фактична інформація

4. Referencing legal documents and decisions

- Provision — положення (статті або договору).
- Precedent / Ruling — прецедент / судові рішення.
- Stipulation — умова (договору).
- Requirement — вимога.
- Framework — рамки / правове поле.
- Statute / Act — законодавчий акт.

TASK 5. Fill in the blanks with the most appropriate summary noun from the list (issue, trend, provision, findings, oversight, approach):

1. The defendant failed to sign the second page of the agreement. This _____ rendered the document legally contestable.
2. Courts in Europe are increasingly recognizing digital assets as property. This _____ reflects the evolving nature of modern commerce.
3. The statute requires all parties to act in good faith. This _____ is central to contract law.
4. The researcher examined over 200 cases of corporate fraud. These _____ suggest that current regulations are insufficient.
5. The legal counsel proposed a mediation strategy rather than litigation. This _____ saved the client significant legal costs.

TASK 6. Rewrite the following sentences by adding an appropriate summary noun (e.g., process, provision, omission, trend, findings) after the demonstrative pronoun. Ensure the chosen noun accurately reflects the preceding context:

1. The defendant failed to file the motion within the statutory deadline. This resulted in the dismissal of the case.
2. Digital assets are increasingly being recognized as taxable property across the EU. These reflect a shift in modern fiscal policy.
3. The statute requires all parties to disclose potential conflicts of interest. This is fundamental to the principle of transparency.
4. The researcher examined over 100 cases of corporate negligence. These suggest that current safety regulations are insufficient.
5. The legal counsel proposed mediation instead of proceeding to trial. This saved the client significant time and resources.
6. The court interpreted the ambiguous clause in favor of the consumer. This establishes a vital precedent for future contract disputes.
7. Many companies are moving their headquarters to jurisdictions with lower tax rates. This has prompted calls for global tax reform.
8. The witness contradicted her previous statement during cross-examination. This undermined the credibility of the entire testimony.

9. The government introduced a new set of data protection rules. This aims to align national law with the GDPR.
10. The parties reached a settlement before the final hearing. This prevented a lengthy and expensive judicial process.

TASK 7. Identify informal features in the following sentences. Underline informal words and phrases and offer more formal alternatives. Rewrite the following sentences according to the requirements of the academic style:

1. Why is this court ruling so important for property rights? It's basically because it changes everything!
2. You shouldn't forget that the judge didn't accept the evidence because it's totally unreliable!
3. Don't you think that the new law won't work in practice? We'll see how it goes later!
4. If you look at the Table 1, you'll see that there are not many cases where the state was liable.
5. There is no doubt that your client didn't have any intent to breach the contract.
6. There are several reasons why you should be careful when you sign this kind of agreement.
7. The lawyer looked into the documents and found out that the company basically went against the rules.
8. But the claimant didn't bring up the issue of damages, so the court suddenly ended the hearing.
9. Actually, the parties set up a trust, and they've carried out all the transactions pretty well.
10. The defendant failed to disclose his assets before the trial. This led to a significant penalty.
11. The EU introduced a new AI Act. This aims to regulate digital technologies across all member states.
12. The witnesses contradicted each other during cross-examination. These made the testimony useless.

13. There is a lot of evidence that shows that the company doesn't care about the rules.
14. If you get a letter from the court, don't wait. You must look into it right away!
15. Actually, the judge kind of brought up the fact that there're not many precedents.
16. The defendant suddenly gave up his right to a lawyer. This surprised everyone in the room!
17. But the parties didn't make an application for a stay of proceedings, so the trial went on.
18. Maybe the treaty doesn't cover these kinds of things. This is pretty bad for the claimant.
19. You can find out more about this if you look at the latest ruling.
20. Luckily, the witness remembered the date. This helped the case a lot!

The Language of Hedging (Academic Cautiousness)

It is commonly assumed that academic writing is devoid of opinion and presents a straightforward account of facts and information. Nevertheless, fundamental element of academic writing is the utilization of ***cautious language***, also known as “*hedging*” or “*vague language*”. This suggests the necessity of determining an author's position on a specific topic or the degree of substantiation for the assertions being made. Hedging is used in different ways across a range of subject areas.

In scholarly legal discourse, categorical or absolute statements are often vulnerable to criticism. Hedging involves the use of linguistic devices to express claims with a degree of doubt, possibility, or probability. This approach allows authors to maintain objectivity and analytical distance, acknowledging that alternative interpretations may exist.

Modal verbs (e.g., *may*, *might*, *can*, *could*) are the most common way to express the strength of a claim or the degree of certainty (e.g., The proposed regulation *might lead* to unforeseen legal consequences. (it is more cautious than the categorical *will lead*)).

Lexical verbs (verbs of tentative suggestion, e.g., to suggest, to seem, to appear, to indicate, to tend) indicate that the author offers a reasoned interpretation rather than stating an absolute, immutable fact (e.g., The available evidence *suggests* that the defendant acted without premeditation).

Probability adjectives (e.g., probable, possible, likely, unlikely) and adverbs (e.g., probably, possibly, relatively, frequently, generally) are used to specify the frequency, likelihood, or scope of a phenomenon (e.g., It is *highly likely* that the court will uphold the previous ruling).

Introductory and distance phrases (e.g., It appears that... / It is widely believed that... / To some extent... / Evidence indicates that...) allow the author to distance themselves from a statement or attribute a view to a broader legal community (e.g., *It appears that* the current legal framework is insufficient to address cybercrime).

Clauses with adjectives focus on the author's degree of certainty regarding an entire proposition presented in a subordinate clause (e.g., a that-clause or whether-clause). By using specific adjectives, the writer can signal exactly how much "academic weight" are given to a statement (e.g., *low probability: It is probable that* the defendant acted without full knowledge of the consequences; *a very high degree of certainty but leaving room for counter-argumentation: It is evident that* the current legislative framework requires immediate revision; *to express scholarly doubt or to politely challenge an existing legal theory or precedent: It is questionable whether* the initial contract remains enforceable under these new circumstances).

Clauses with adjectives

Categorical Statement	Hedged Version with Adjectives	Degree of Certainty
The court will reject the claim.	It is likely that the court will reject the claim.	High
The defendant is guilty.	It is possible that the defendant is liable.	Low/Medium
This law does not work.	It is evident that the law is ineffective.	Very High
The state must pay.	It is questionable whether the state bears liability.	Doubt/Inquiry

NB *Hedging does not make the argument weak; rather, it makes it defensible.* In legal discourse, absolute statements (e.g., The witness is lying) are easily refuted by a single counter-example. Conversely, cautious phrasing (The testimony appears to be inconsistent) is significantly more difficult to challenge in a scholarly debate or a court of law. It demonstrates a high level of analytical rigor by accounting for nuances and potential variables.

TASK 8. Identify the linguistic devices (modal verbs, lexical verbs, adverbs, or introductory phrases) used to soften claims and ensure academic objectivity. Translate the sentences into Ukrainian:

1. It appears that the current legal framework is insufficient to address the complexities of cross-border digital crime.
2. The recent ruling by the Supreme Court might lead to a significant shift in property law jurisprudence.
3. Evidence suggests that the implementation of the new tax policy tends to favor large corporations over SMEs.
4. It is highly likely that the European Court of Human Rights will find a violation of Article 12 in this specific case.
5. The proposed amendments could potentially undermine the constitutional principle of the separation of powers.
6. It is questionable whether the defendant possessed the requisite *mens rea* at the time of the incident.
7. Judicial decisions in this jurisdiction frequently rely on international treaties to interpret domestic statutes.
8. To some extent, the failure of the mediation process appears to be linked to a lack of transparency between the parties.
9. It is widely believed that the harmonization of intellectual property laws will facilitate global innovation.
10. The witness's account of the event seems to be inconsistent with the physical evidence presented by the forensics team.

The Language of Boosting (Academic Confidence)

In contrast to hedging (cautiousness), boosters (intensifiers) are linguistic devices used to express the author's full confidence in their statements, emphasize the significance of a fact, or demonstrate solidarity with a specific scholarly position.

In academic legal writing, boosters should be used sparingly – only when the evidence is indisputable or when citing mandatory legal norms.

Modal verbs of certainty (e.g., *will, must, shall*) are used to express logical necessity, inevitability, or strict legal obligations (e.g., the failure to provide notice *will* result in the nullity of the contract).

Adverbs of certainty (e.g., *clearly, obviously, undoubtedly, certainly, evidently, definitely*) strengthen a claim, making it categorical and assertive (e.g., this court ruling *clearly* demonstrates a shift toward environmental justice).

Adjectives expressing conviction (e.g., *It is clear that... / It is obvious that... / It is undeniable that... / It is certain that...*) are used in impersonal constructions to lend authoritative weight to an argument (e.g., It is undeniable that the digital economy requires new regulatory frameworks).

Verbs with strong commitment (e.g., *to demonstrate, to prove, to establish, to show, to confirm*) indicate the irrefutability of a conclusion based on provided analysis (e.g., The provided evidence establishes the defendant's liability beyond a reasonable doubt).

NB *The strategic use of boosters allows to close a debate or anchor the research in jus cogens (peremptory norms).* However, overusing them may appear unscholarly. Reserve words like “undeniably” for facts that are universally accepted within the legal community.

TASK 9. *Identify the linguistic devices (modal verbs, adverbs, adjectives, or lexical verbs) used to express certainty and authoritative conviction:*

1. It is undeniable that the full-scale aggression against Ukraine has fundamentally altered the contemporary international legal order.
2. The provided evidence clearly demonstrates a systematic violation of the principle of non-intervention.
3. The failure to comply with the statutory requirements will inevitably result in the nullity of the transaction.
4. It is certain that the digital economy necessitates a comprehensive overhaul of existing intellectual property regulations.
5. Recent judicial practice confirms the growing importance of environmental human rights in the EU.
6. The defendant's actions undoubtedly constitute a material breach of the contractual obligations.
7. It is obvious that the lack of transparency in the procurement process undermines public trust in the judiciary.
8. The legal analysis proves that the contested provision is inconsistent with the constitutional right to privacy.
9. There is no doubt that the harmonization of laws will facilitate more effective cross-border cooperation.
10. The treaty shall be interpreted in good faith, as established by the Vienna Convention on the Law of Treaties.

In academic legal writing, the choice between hedging and boosting is determined by the weight of evidence supporting a claim and the author's strategic objective.

Strategy	Context of Use	Linguistic Markers
Hedging	interpreting ambiguous statutes or predicting court rulings.	<i>it appears, suggests, could potentially, likely</i>
Boosting	citing peremptory norms or summarizing proven findings.	<i>it is undeniable, clearly demonstrates, establishes, will</i>

Hedging is employed when the legal interpretation is subjective, the outcome is uncertain, or the author wishes to maintain an analytical distance

to remain defensible (e.g., The new regulation could potentially conflict with existing privacy norms).

Boosting is used when the legal authority is mandatory, the facts are established beyond doubt, or the author intends to deliver a conclusive argument (e.g., The evidence clearly establishes a breach of the bilateral treaty).

Hedging vs. Boosting

Feature	Hedging (Cautiousness)	Boosting (Confidence)
purpose	<i>to minimize risk and avoid overstatement</i>	<i>to emphasize certainty and conviction (a proven fact)</i>
tone	<i>this may be true...</i>	<i>this is clearly true...</i>
legal context	<i>interpreting ambiguous norms</i>	<i>citing established statutes/facts</i>
example	<i>it suggests that...</i>	<i>it proves that...</i>
author's stance	<i>this is a plausible interpretation</i>	<i>this is an indisputable fact</i>
typical academic context	<i>literature reviews, analysis of ambiguous norms, discussion of emerging trends</i>	<i>summarizing proven facts, citing mandatory statutes, concluding a legal argument</i>
linguistic risk	<i>very low (defensible)</i>	<i>high (vulnerable to counter-arguments)</i>
modal verbs	<i>may, might, could, can</i>	<i>will, must, shall</i>
key verbs	<i>suggest, appear, seem, indicate</i>	<i>prove, demonstrate, establish, confirm</i>
adjectives, adverbs	<i>possible, likely, probably, relatively</i>	<i>clear, undeniable, undoubtedly, obviously</i>

Use hedging when:

- ✓ analyzing judicial discretion;
- ✓ predicting the future impact of a new law;
- ✓ critiquing a colleague's theory in a literature review.

Use boosting when:

- ✓ referring to peremptory norms;
- ✓ stating the final verdict of a supreme court;
- ✓ summarizing your own proven research findings.

TASK 10. Analyze the same legal situation using both strategies:

Scenario: A new AI Act is introduced in the EU.

Hedged statement: It appears that the AI Act might provide a framework for digital safety, though its implementation may face challenges.

Boosted statement: The AI Act undeniably establishes a mandatory framework for digital safety and will ensure high standards of accountability.

Transitional Expressions

In scholarly legal writing, transitional expressions guide the reader through the author's logic, signaling the relationship between ideas. Formal conjunctive adverbs are preferred over simple coordinating conjunctions (and, but, so) to maintain a professional academic register.

Addition (reinforcing the argument, e.g., furthermore, moreover, additionally, in addition, similarly) is used to introduce supplementary facts, statutes, or precedents that support the primary claim (e.g., The defendant breached the confidentiality clause. Furthermore, he shared proprietary trade secrets with a direct competitor).

Contrast and concession (counter-argumentation, e.g., however, nevertheless, conversely, on the other hand, despite this, nonetheless) are used to compare conflicting legal positions, acknowledge opposing views, or present a shift in judicial reasoning (e.g., The trial court initially dismissed the claim. However, the Court of Appeal subsequently overturned the ruling).

Cause and effect (drawing legal conclusions, e.g., consequently, therefore, thus, as a result, accordingly, hence) are used for linking evidence or facts to specific legal outcomes and liabilities (e.g., The contract lacked a mandatory witness's signature. Consequently, the instrument was declared void ab initio).

Sequence and conclusion (structuring the analysis, e.g., firstly, secondly, finally, in summary, in conclusion, to conclude) are used to

organize the stages of a legal analysis or to write a final scholarly thesis (e.g., In conclusion, the available evidence establishes a clear violation of international humanitarian law).

TASK 11. Improve the logical flow of legal arguments by selecting the most appropriate transitional expressions. Fill in the blanks with the correct formal connector from the list below: however, consequently, furthermore, therefore, conversely, nevertheless, in addition, in conclusion, firstly, similarly. Each expression should be used only once:

1. The defendant breached the confidentiality agreement; _____, he disclosed trade secrets to a direct competitor.
2. The trial court dismissed the initial claim for damages. _____, the Court of Appeal overturned this decision, citing a misinterpretation of the statute.
3. The contract lacked a mandatory witness's signature. _____, it was declared void ab initio.
4. The European Union has implemented strict data protection rules. _____, many non-EU countries are now adopting similar privacy frameworks.
5. The witness's testimony was consistent during the first hearing. _____, under cross-examination, several contradictions emerged.
6. The state failed to provide adequate legal counsel to the accused. _____, it violated the fundamental right to a fair trial.
7. Intellectual property rights encourage innovation by protecting creators. _____, overly restrictive laws can hinder scientific progress.
8. To establish liability, the claimant must meet several criteria. _____, they must prove that a duty of care existed.
9. The mediation process failed to reach a settlement. _____, the parties were forced to proceed to a lengthy judicial trial.
10. _____, the evidence presented by the prosecution establishes the defendant's guilt beyond a reasonable doubt.

TASK 12. Transform a series of disconnected sentences into a cohesive and professional legal paragraph using transitional expressions and summary nouns. Rewrite it by: integrating formal transitional expressions (however, consequently, furthermore, therefore, moreover); using summary nouns after demonstrative pronouns (this oversight, this breach, these findings); applying academic register (eliminating contractions and informal verbs):

The defendant didn't deliver the goods on time. The contract said they had to be there by Friday. This broke the agreement. The claimant lost a lot of money. They couldn't fulfill orders from their own customers. The defendant said it was because of a strike at the port. The judge didn't accept this. There wasn't enough evidence to prove a force majeure event. The court ruled in favor of the claimant. The defendant must pay for all the losses.

Word Order

In both Academic English and Legal English, word order is critical. It determines not only the stylistic quality of a text but also the accuracy of legal interpretation. It serves as the primary tool for ensuring clarity, precision, and legal certainty. Unlike languages with flexible word order (e.g., Ukrainian), English relies on a strict S-V-O (Subject-Verb-Object) structure to convey precise meaning and avoid ambiguity.

In scholarly writing, the subject and the verb should be placed as close together as possible (*the standard sentence structure (S-V-O)*) to ensure clarity and prevent the reader from losing the logical thread of the sentence:

- ✗ The judge, after listening to all the witnesses and reviewing the evidence for three days, ruled...
- ✓ After listening to all the witnesses and reviewing the evidence, the judge ruled that...

Adverbs of frequency or degree typically appear before the main verb but after the auxiliary verb (be, have, will):

- ✓ The court frequently relies on international precedents.
- ✓ The judicial decision has recently been overturned.

In English sentences, the most important information usually comes at the end (the stress position). Legal writers use this strategic emphasis to show their main point.

- ✓ The defendant breached the contract *on Friday* (focus on the time).
- ✓ On Friday the defendant *breached the contract* (focus on the legal violation).

In legal discourse, we can use inversion to highlight a significant aspect of a case or theory without relying on emotional punctuation like exclamation marks:

- ✓ The violation of the treaty is particularly significant (standard structure).
- ✓ Of particular significance is the violation of the treaty (inverted structure).

In legal opinions and dissertations, it is common to place conditions or timeframes at the beginning of a sentence to set the legal stage (e.g., Provided that the notification is served in writing, the claimant may initiate proceedings).

An *ambiguous modifier* may create legal problems, when an adverb placed so that it could modify either the preceding or the following part of the sentence. It is advisable to *place the adverb directly near the word it modifies*:

- ✗ The council decided immediately to implement the reform.
- ✓ The council immediately decided to implement the reform.
- ✓ The council decided to implement the reform immediately.
- ✗ The judge decided frequently to review the cases.
- ✓ The judge frequently decided to review the cases.
- ✓ The judge decided to review the cases frequently.

TASK 13. Rewrite the following sentences to ensure legal certainty. Pay close attention to the placement of adverbs and the proximity of the subject to the verb:

1. The defendant decided immediately to appeal the court's ruling.
2. The witness claimed on Friday he had seen the suspect.

3. The Parliament, after months of heated debates and several failed attempts at reaching a consensus, passed the new AI Act.
4. The prosecutor stated during the hearing the evidence was missing.
5. The parties agreed secretly to resolve the dispute out of court.
6. The company violated repeatedly the environmental regulations.
7. To terminate the contract the claimant must formally provide notice.
8. Of particular significance the violation of the bilateral treaty is.
9. Only the judge can determine the amount of damages.
10. The judge can only determine the amount of damages.

NB In legal drafting (contracts, statutes, and briefs), a misplaced word can lead to costly litigation. For Law students, the golden rule is: keep the subject, verb, and object in a clear, unbroken line whenever possible to minimize the risk of misinterpretation.

Nominalization in Academic Legal Writing

Nominalization is the process of transforming verbs or adjectives into nouns (e.g., to decide → a decision; to violate → a violation). In scholarly and legal discourse, this technique is used to shift the focus from actions and actors to concepts and outcomes, which is a fundamental requirement of an objective academic style.

Thus, nominalization allows authors to: focus on the legal issue rather than the person performing the action (e.g., The court decided to dismiss the case. → The decision to dismiss the case was based on...); compress complex legal ideas into singular, manageable concepts (e.g., If the parties violate the treaty... → A violation of the treaty...; When the State intervenes in the economy... → State intervention in the economy...); avoid wordiness that often occurs when a strong verb is replaced by a noun and a “weak” verb (e.g., make, give, take, provide; compare: The parties made an application for the cancellation of the agreement. → The parties applied to cancel the agreement).

Verb (Action)	Nominalized Form (Concept)	Weak Construction (Avoid)
Apply	Application	Make an application
Decide	Decision	Reach a decision
Examine	Examination	Conduct an examination
Protect	Protection	Provide protection
Adjust	Adjustment	Make an adjustment

NB Nominalization is essential for titles, headings, and thesis statements to provide a sense of authority. However, in conclusion or recommendations sections of a paper, it is advisable to return to strong verbs to make writing more dynamic and persuasive.

TASK 14. To master the transition between action-oriented and concept-oriented writing styles in legal discourse use nominalization in sentences 1–5 to make the tone more formal and objective; simplify the sentences 6–10 by restoring wordiness to make the writing more direct and readable:

1. The court intervened in the dispute, which prevented further escalation.
2. The parties negotiated for several months before they signed the treaty.
3. The witness contradicted her earlier statement during the hearing.
4. The government distributed the funds, which helped the local economy.
5. The committee reviewed the policy to ensure it was fair.
6. The judge made a decision to grant a stay of proceedings.
7. The company conducted an investigation into the violation of the rules.
8. The prosecutor provided a description of how the crime was committed.
9. The parties reached an agreement to make an amendment to the contract.
10. The law provides protection for whistleblowers who make a disclosure of corruption.

TASK 15. In approximately 100 words, present a critical discussion on a controversial or problematic issue within your academic discipline. It is advisable to initially set out the notes and then determine how the various ideas should be linked together using transitional expressions. The text should be written as a single paragraph comprising no more than five sentences.

Common Tenses in Academic Legal Writing

In scholarly and legal discourse, tenses signal the status of the information (e.g., fact, historical event, or ongoing research). The four most commonly used tenses in academic legal writing are: The Present Indefinite Tense, The Past Indefinite Tense, The Present Perfect Tense, and The Future Indefinite Tense.

The Present Indefinite Tense

is the default tense for stating established truths, describing the current study, and citing authorities

Functions	Example
<i>Framing the research (e.g., in introductions to establish current knowledge and in conclusions to state finalized findings)</i>	Scholarly consensus holds that international law is the foundation of global security. The timing of treaty ratification is associated with a variety of geopolitical variables.
<i>Defining the scope and objectives (e.g., to state the focus, primary thesis, or aim of the current dissertation or article)</i>	This paper analyzes the impact of European integration on national administrative procedures.
<i>Formulating general statements and interpretations (e.g., to present interpretations of findings or general legal principles as they are understood today).</i>	A breach of contract is regarded as a fundamental violation of the principle of “pacta sunt servanda” because failure at this stage undermines commercial certainty.

<i>Referencing established facts (e.g., anonymous citation to report findings from previous research when the author's name is omitted from the sentence itself).</i>	Member states implement EU directives within an average period of two years
<i>Directing the reader to visual data (e.g., to refer to tables, figures, or charts within the manuscript).</i>	Table 1 presents the comparative data on judicial reforms in Eastern Europe.
<i>Narrative present (e.g., legal case scenarios to describe the facts of a case or a hypothetical scenario to make the events feel immediate and relevant).</i>	In a typical tort scenario, a buyer reaches for a product, and a moment later, a contract is concluded through conduct (per concludentiam).

The Past Indefinite Tense

is primarily used to describe completed actions, historical events, and specific empirical data from finalized studies

Functions	Example
<i>Reporting specific findings from previous research (e.g., to support a general claim by citing a specific study, typically when the authors' names are mentioned directly in the sentence).</i>	Szabo (2024) first introduced this term to describe protocols that facilitate the execution of
<i>Describing methodology and data sets (the standard tense for the methodology section to explain how a completed experiment or legal analysis was conducted).</i>	Comparative legal analysis was employed to examine the differences between the common law and civil law approaches to liability.
<i>Reporting results of the current empirical study (once the analysis is finished, the past simple is used to present the specific data and outcomes discovered during the research).</i>	During the study of 200 judicial rulings, the researchers determined that the courts applied the principle of proportionality in 85% of cases.
<i>Following specific past time markers (whenever a sentence includes a definite point in time (e.g., in 2008, during the 20th century, after the crisis)).</i>	After the financial crisis of 2008, many jurisdictions tightened their banking regulations.

The Present Perfect Tense

links past actions to the present, indicating that previous findings or events remain legally relevant or academically significant today

Functions	Example
<i>Introducing a new subject or paper (e.g., to establish the current scholarly context or introduce a new inquiry).</i>	There has been significant debate regarding the legal status of digital assets in the European Union.
<i>Summarizing previous research with general subjects (e.g., to provide a synthesis of prior scholarly activities or legal trends)</i>	Several international legal scholars have argued that the principle of non-refoulement should be expanded to include climate refugees.
<i>Highlighting a research gap (e.g., to transit from a summary of existing knowledge to the identification of an unaddressed legal problem).</i>	While various treaties have proved effective in regulating maritime boundaries, there has been little analysis of their application to disputed deep-sea resources.
<i>Describing findings without direct attribution (e.g., to present a consensus or established fact that has emerged over time).</i>	It has been shown that the lack of transparency in judicial appointments often undermines public trust in the rule of law.

The Future Perfect Tense

is a strategic tool used for research framework and predictive analysis

Functions	Example
<i>Outlining the organizational framework of the research (e.g., in the introduction or at the beginning of chapters to inform the reader about the forthcoming structure and sequence of the analysis).</i>	The following section will examine the jurisdictional challenges posed by Decentralized Autonomous Organizations.
<i>Predicting legal impacts and consequences (e.g., to provide reasoned forecasts regarding future legal trends or the outcomes of policy implementation).</i>	The adoption of the proposed AI Act will likely reduce legal uncertainty for developers within the Digital Market.

<i>Stating research intent and thesis commitment (e.g., to state the scholarly objectives or methodological steps the author intends to take)</i>	This study will demonstrate that the existing international framework is insufficient to protect refugees.
<i>Describing conditional legal outcomes (e.g., to delineate legal consequences that are expected to arise if specific conditions are met).</i>	If the Parliament passes the amendment, it will alter the balance of power between the executive and legislative branches.

Passive Voice in Academic Legal Writing

Although grammar checkers often caution against the use of the Passive Voice, it remains an essential tool in scholarly and legal discourse. In Academic English, the passive is preferred when the agent (the person performing the action) is unimportant, unknown, or when the focus must shift to the object of the law or the result of an analysis. Thus, authors should limit, but do not completely avoid, the passive voice, and use it strategically to maintain objectivity and academic distance:

- ✓ when the statute, treaty, or ruling is more significant than the person who created it (e.g., The treaty was ratified in 2022.);
- ✓ in methodology section, to describe research procedures (e.g., Comparative legal analysis was employed to examine the statutes.);
- ✓ to present widely accepted views or consensus (e.g., It is widely believed that the current administrative procedure is outdated.).

TASK 16. Read the provided excerpts from The Cambridge Law Journal, underline each verb, and identify its tense. Match each tense with its specific function (e.g., referring to established law, reporting a past ruling, identifying a research gap, or providing a roadmap):

1. Sanger, A. (2024). Genocide Cases Before the International Court: Community Action to Enforce Fundamental Norms. The Cambridge Law Journal, 83(2). P. 199:

THE Convention on the Prevention and Punishment of the Crime of Genocide continues to play an important role in international litigation. Recent cases have demonstrated anew states' willingness to make use of its compromissory clause (entitling State Parties to submit to the Court disputes relating to the interpretation, application or fulfilment of the Convention) and *erga omnes partes* obligations to protect groups from genocide. However, they also demonstrate that making good on the promise of the Convention – and what it means to enforce fundamental community norms – remains challenging and continues to reflect unequal power dynamics inherent in the international legal system.

2. O'Sullivan, J. (2024). *Negligent Damage to Bailed Property and Foreseeable Financial Loss. The Cambridge Law Journal*, 83(2). P. 218:

ONE of the delights of the common law is that the smallest claims often generate the knottiest legal issues (Mrs. Donaghue's upset tummy, for example), and it is always a disappointment to discover that behind the small claim there is an issue of economic importance, typically to battling insurance companies. *Armstead v Royal Sun Alliance Insurance Company Ltd.* [2024] UKSC 6 is no exception. Ms. Armstead's car was negligently damaged, without fault on her part. To tide her over, she hired a Mini from a company called Helphire on "credit hire terms" (meaning the cost of the hire would be recovered from the other driver's insurer). Her contract with Helphire obliged her to return the Mini in good condition, and contained clause 16, common in credit hire agreements, that she would "on demand pay to [Helphire] an amount equal to the daily rental rate [of £130] up to a maximum of 30 days in respect of damages for loss of use for each ...day ... when the vehicle is unavailable to Helphire for hire because [it] has been damaged". £130 was higher than the standard daily rate for hiring the Mini.

By unhappy coincidence, a negligent van driver collided with the hired Mini, again without fault on Ms. Armstead's part. When she returned it to Helphire, the necessary repairs took 12 days, so she incurred liability of £1,560 under clause 16. The question for the Supreme Court was whether Ms. Armstead could recover damages to compensate her for this £1,560 liability – in practice, under the European Communities (Rights Against Insurers) Regulations 2002, her claim was brought directly against the driver's insurer, RSA.

Additional tasks: re-examine the full excerpts from Sanger (2024) and O’Sullivan (2024) and identify at least four examples of nominalization (e.g., proliferation, implementation, interpretation, loss). Rewrite the following action-oriented sentences into concept-oriented ones using these nouns. Identify the terms of art: find and define the specific legal terms in the excerpts. Explain how these terms ensure legal certainty.

3. Manwaring, J. (2024). Homicide: Losing Control. The Cambridge Law Journal, 83(2). P. 210:

WHEN Parliament replaced murder’s partial defence of provocation with the new partial defence of loss of control, it did so in part to give judges more control over proceedings. Judges should only leave loss of control to juries where there is “sufficient evidence ... adduced to raise an issue” as to the defence, where “sufficient” means that a jury “could reasonably conclude that the defence might apply” (Coroners and Justice Act 2009 (hereafter “CJA”), s. 54(5)–(6)). In *Gurpinar* [2015] EWCA Crim 178, at [14], Lord Thomas C.J. explained that judges “must undertake a much more rigorous evaluation of the evidence before the defence could be left to the jury than was required under the former law of provocation”. But there is a fine line between “rigorously evaluating” the evidence and usurping the jury’s fact-finding role. Judges “should not reject disputed evidence which the jury might choose to believe” (*Clinton* [2012] EWCA Crim 2, at [46]).

Whether there is sufficient evidence of the defence arising depends on what *counts* as sufficient evidence. Unfortunately, Parliament formulated loss of control’s substantive elements in ambiguous terms. Some disambiguations make the defence surprisingly generous. This limits the ability of judges to play their intended gatekeeping role, for a jury may (reasonably) interpret the statutory language in a generous way.

The problem is illustrated by *R. v Turner* [2023] EWCA Crim 1626. Turner killed his wife by stabbing her 68 times. He claimed loss of control. The trial judge refused to leave the defence to the jury on the basis that no reasonable jury could find that Turner passed *any* of defence’s three stages. He was convicted of murder. By contrast, the Court of Appeal considered all three stages potentially surmountable. They quashed his conviction and ordered a retrial.

4. Arzandeh A. (2024). *Interpreting Multiple Dispute-Resolution Clauses in Cross-Border Contracts. The Cambridge Law Journal*, 83(2). P. 255:

The starting point in understanding the courts' treatment of jurisdiction and arbitration clauses that are not naturally reconcilable is the first-instance ruling in *Paul Smith Ltd. v H&S International Holding Inc.*⁵⁰ *Paul Smith* concerned a licensing agreement under which the plaintiffs, designers and manufacturers of clothing, granted a licence to the defendants to manufacture, promote, distribute and sell their products in North, Central and South America. Clause 13 of the agreement, headed "Settlement of Disputes", stated that:

If any dispute or difference shall arise between the parties hereto concerning the construction of this Agreement or the rights or liabilities of either party hereunder the parties shall strive to settle the same amicably but if they are unable to do so the dispute or difference shall be adjudicated upon under the Rules of Conciliation and Arbitration of the International Chamber of Commerce by one or more Arbitrators appointed in accordance with those Rules.⁵¹

This provision was followed by Clause 14, entitled "Language and Law", which stated that "[t]his Agreement is written in the English language and shall be interpreted according to English law. The Courts, of England shall have exclusive jurisdiction over it to which jurisdiction the parties hereby submit".⁵²

The plaintiffs accused the defendants of breach of contract. Following negotiations, the defendants referred the claim to an arbitral hearing under ICC Rules, which made a number of preliminary determinations – namely, that the arbitration agreement was valid, that three arbitrators should be appointed and that London was the place of arbitration. Not long thereafter, the plaintiffs commenced court proceedings in England, seeking, *inter alia*, an injunction to restrain the defendants from continuing with the arbitration. In this respect, they argued that, because of the inconsistency between Clauses 13 and 14, the arbitration agreement should be ruled ineffective. Steyn J. was, however, unpersuaded by this submission, regarding it to be a "drastic and very unattractive result ... [as it] involves the total failure of the agreed method of dispute resolution in an international commercial contract".⁵³

Additional tasks: compare the authorial stance in excerpt 1 (Sanger, 2024) and excerpt 4 (Arzandeh, 2024) and find examples of boosters (e.g., fundamental norms, inherently contradictory), explain their strategic

purpose. Transform the following boosted claim from excerpt 4 into a hedged one to make it more defensible. Discuss: why is hedging particularly important in excerpt 4 when dealing with cross-border contracts?

5. Purshouse, C. (2024). *Justice in Private Law*. By Peter Jaffey. *The Cambridge Law Journal*, 83(2), Pp. 382–383:

Justice in Private Law. By PETER JAFFEY. [Oxford: Hart Publishing, 2023. xi + 179 pp. Hardback £85.00. ISBN 978-1-50995-388-2.]

Arguments about the proper place of corrective and distributive justice are a perennial feature of private law scholarship and so it might be thought that there is little new to be said about the topic. Peter Jaffey's monograph, *Justice in Private Law*, suggests a "new approach" to these debates (p. 1).

The early chapters cover familiar topics, such as private law's structure, its remedies and critiques of corrective and distributive justice. This provides a useful overview of these issues but for those who research private law theory, it is the middle part of the book where the real novelty lies. Here, the focus is on distributive justice and what Jaffey calls the standpoint limitation. For Jaffey, a distinction can be made between the evidence-based (subjective) concept of a moral duty and the fact-based (or objective one). With the former, "D's duty depends on what D knows or ought to know, that is to say, on the facts D has access to" (p. 84). By way of contrast, the fact-based concept treats D's duty as dependent "on all the actual facts, irrespective of what D knows or ought to know" (p. 84). The concepts are relevant in different contexts, with the former applicable to whether a defendant is morally responsible for the consequences of a wrongful act whereas the latter should be used when considering what it would be best for D to do if advised or instructed "by an omniscient person or at least someone well placed to give advice or instructions" (p. 85).

When it comes to remedial liability, it is, according to Jaffey, D's moral responsibility that is in issue and so the evidence-based concept should apply. He maintains that the law developed by the courts is made subject to the standpoint limitation because it "requires that new rules be constructed from the standpoint of people to whom the law applies, on the basis of ordinary common knowledge" (p. 86). This does not mean adopting the parties' own moral standards. Rather, the court "applies the moral considerations that it determines are sound, but it is confined to those considerations that apply in the light of the facts that were accessible to the parties at the time of the interaction" (p. 86). Under this standpoint limitation, private law "depends on what is required by distributive justice – justice with respect to benefits and harms across society – on the basis of ordinary common knowledge" (p. 96).

Application of the theory to various areas of private law then occupies the latter part of the book before conclusions are offered. In a book of 180 pages, trying to cover torts, contract and property law is ambitious and so some sacrifices have to be made. As much as I am keen to read further work on how the standpoint

Additional tasks: analyze the logical structure of excerpt 2 (O’Sullivan, 2024) and excerpt 5 (Purshouse, 2024), identify the transitional expressions used to signal contrast or addition. In Excerpt 5, the author mentions that Jaffey’s work “challenges the assumptions...”. Propose a sentence that follows this one using a summary noun (e.g., This challenge...). Explain how the use of Passive Voice in Excerpt 5 (were established) helps the author maintain an objective academic tone.

Academic Vocabulary

The precise definition of academic vocabulary is not straightforward and is open to interpretation. One comprehensive definition of academic vocabulary is the lexicon employed in academic contexts. The question thus arises as to how the term “academic contexts” is to be defined. This raises the question of whether the context is oral, such as presentations, lectures and seminars, or written, as in articles and reports, or indeed both. The majority of scholars who have written on the subject of academic vocabulary have tended to focus on the latter aspect, and have often overlooked the former. Furthermore, the specific subject matter under discussion is a further determining factor. The academic vocabulary required for composing a science report (e.g. procedure, errors) exhibits certain divergences from the academic vocabulary that might be employed in social science research (e.g. survey, sample). However, it is reasonable to assume that there would also be considerable overlap.

In general, academic vocabulary can be considered to comprise three principal categories: general words that are appropriate for use in an academic context; non-general words that are specifically associated with the academic domain; and technical words that are unique to a particular subject area.

Academic Words and Word Lists

Researchers have been working on developing a list of words that are frequently encountered in academic disciplines but are not commonly taught. One well-known example is the **Academic Word List (AWL)**,

which can help PHD students to build their academic vocabulary. However, it is important to note that the AWL is based on written academic texts, so it is most useful for written contexts. Instead of simply trying to memorize all the words, a helpful tool called AWL Highlighting is available, which allows users to learn words in context and provides definitions, pronunciations, and example sentences. Another list, the **New Academic Word List (NAWL)**, is more up-to-date as it is based on the New General Word List (NGSL). Two further lists are commonly used for academic English. One such list is the **Academic Collocation List, or ACL**, which provides examples of collocations that are commonly used in written academic texts. These include phrases such as “vast array” and “great accuracy.” Another list is the **Academic Formulas List, or AFL**. This list contains examples of formulaic sequences that are commonly used in academic English. These include phrases such as “in terms of” and “at the same time.” As with the AWL, both of these lists were produced following extensive research.

General vocabulary can also include general words which have special meaning in academic contexts. Examples include:

discipline

- ▶ general meaning: training people to obey rules
- ▶ academic meaning: a subject of study

population

- ▶ general meaning: the number of people living in a country/region
- ▶ academic meaning: all individuals who could possibly be included in a study/survey

control

- ▶ general meaning: power over sb/sth
- ▶ academic meaning: a group used in a scientific experiment to check results

New Lexical Tendencies in English

There are some new trends for using English that are necessary to be aware of, even though they affect the language in general. Knowledge of

them is particularly important for researchers in the humanities and social sciences. The first tendency is the avoidance of unnecessary distinctions based on sex. These distinctions are referred to as “sexist language” and is likely to be challenging in some cases, particularly for Ukrainian language, where grammar is strongly influenced by the category of gender.

The most significant shift in recent years is the complete rejection of masculine pronouns (he/him) as universal placeholders for a person of unknown gender, i.e. shift to gender-inclusive language (e.g., replacing gender-specific suffixes (-man) with neutral terms (chairman → chair or chairperson; policeman → police officer; using “they/them/their” as a singular pronoun for a person whose gender is unknown or irrelevant is now the standard in UN, EU, and academic style guides):

- ✗ When a judge makes a decision, he must remain objective.
- ✓ When a judge makes a decision, they must remain objective.

The so-called politically correct language is the second tendency considered here. This tendency, which is particularly characteristic of American English, consists of the use of euphemisms that soften precise meanings in accordance with socio-political values.

Tech-driven neologisms and digital terminology is the third tendency. Thus, the digitalization of justice has introduced new terms that have moved from technical jargon into formal legal dictionaries (e.g., hybrid terms, i.e. emerging concepts like smart contracts, cyber-sovereignty, algorithmic bias, and crypto-assets are now essential for modern legal analysis; blending (portmanteau words), i.e. the merging of two words to describe new sectors is now common in official reports: RegTech (Regulatory Technology), FinTech (Financial Technology), InsurTech (Insurance Technology)).

TASK 17. Rewrite the following sentences according to modern lexical tendencies:

1. Each legal scholar should present his findings at the conference.
2. The Chairman of the committee made a decision to look into the case.

3. We must find a way to stop computer programs from being unfair to certain groups.
4. Actually, the policeman made an attempt to find out the truth.
5. The Fintech sector has a lot of problems with rules.
6. A witness must be careful when he gives a description of the event.
7. The parties reached a settlement about digital money.
8. Maybe the Chairmanship will bring up the tech-regulations.
9. The government gives protection to people who make a disclosure of bad things in companies.
10. Very often, the man in the street doesn't understand smart contracts.

Classification of Legal Terminology

Legal discourse is frequently characterized by its complexity, largely due to the use of highly specialized vocabulary known as “terms of art.” These technical terms, essential for conveying precise doctrine in statutes, judicial rulings, and contracts, are generally categorized into three distinct groups based on their origin and function: specialized, foreign, and archaic terminology.

Specialized terminology encompasses vocabulary unique to the legal profession and includes *original legal terms*, i.e. words created specifically to express unique legal concepts (e.g., affidavit (a sworn written statement), tort (a civil wrong), writ (a formal court order), and litigation (the process of a lawsuit)); *adapted quotidian terms*, i.e., common everyday words that have been assigned specific, technical meanings within a legal context (e.g., motion (a formal request to a judge), damages (monetary compensation), and assume (the legal agreement to take over contractual obligations)).

Foreign terminology of legal English is derived from non-English sources, primarily Latin and French. These terms provide a standardized shorthand for complex procedural or substantive rules, e.g., *en banc* (French, *on the bench*; refers to a full session of an appellate court), *habeas corpus* (Latin, *you have the body*; a writ challenging unlawful detention), and *in camera* (Latin, *in chambers*; proceedings conducted in private).

Archaic terminology consists of words that were once common but are now almost exclusively found in legal drafting. Their primary function is to provide specific direction and ensure textual conciseness without repetitive phrasing (e.g., heretofore, thereupon, and whereabouts). While these archaic words have vanished from everyday speech, they remain prevalent in the law to maintain traditional precision and formality.

TASK 18. Read the excerpt (Crawford, M. J. R. (2023). Contract As Property: Triangles and Tragic Choices. The Cambridge Law Journal, 82(1), PP. 94–95 [39] and identify the type of each used term.

Academic Writing for Legal Professionals: Peer-Review Checklist

Use this checklist for the final review of your manuscript (dissertation, abstract, or scientific paper) before submission.

1. Register and formality

- ✓ No contractions: have all contracted forms (don't, it's, won't) been replaced with full forms (do not, it is, will not)?
- ✓ No exclamations: have all exclamation marks been removed? Has emotional emphasis been replaced with formal intensifiers (paramount, crucial, significant)?
- ✓ Declarative tone: have rhetorical questions been transformed into assertive propositions or formal research objectives?
- ✓ Professional vocabulary: have phrasal verbs (look into, find out) been substituted with precise academic equivalents (investigate, determine)?

2. Objectivity and perspective

- ✓ Third-person only: have direct addresses to the reader (you/your) been eliminated? Have they been replaced with impersonal constructions (It is evident that...)?
- ✓ No expletives: have sentences been cleared of redundant introductory phrases (There is / There are) to enhance conciseness?
- ✓ Single-word negatives: have strong negatives (no evidence, few cases) been used instead of wordy alternatives (not any, not many)?

3. Cohesion and precision

- ✓ Attended pronouns: is every this/these followed by a summary noun (this approach, these findings) to eliminate ambiguity?
- ✓ Formal connectors: have simple coordinating conjunctions at the beginning of sentences (And, But, So) been replaced with formal conjunctive adverbs (Furthermore, However, Consequently)?
- ✓ Legal accuracy: does the terminology suit the specific legal context (e.g., execute a contract instead of sign a paper)?

4. Hedging and cautiousness

- ✓ Nuanced claims: have categorical statements been softened with modal verbs (may, might, could)?
- ✓ Tentative verbs: have verbs of suggestion (suggests, appears, indicates) been used where alternative interpretations are possible?
- ✓ Scholarly doubt: have constructions such as “It is questionable whether...” been employed for the critical analysis of sources?
- ✓ Probability markers: have degree adverbs (likely, relatively, frequently) been added to specify the scope or probability of a phenomenon?



UNIT 2

RESEARCH PAPER



*Say not, "I have
found the truth,"
but rather, "I have
found a truth."
K. Gibran*

UNIT 2

RESEARCH PAPER

A **research paper**, also frequently referred to as **an article**, is a relatively brief piece of research published in a journal. There is considerable variation in the features of research papers across different academic disciplines.

Empirical Research Paper

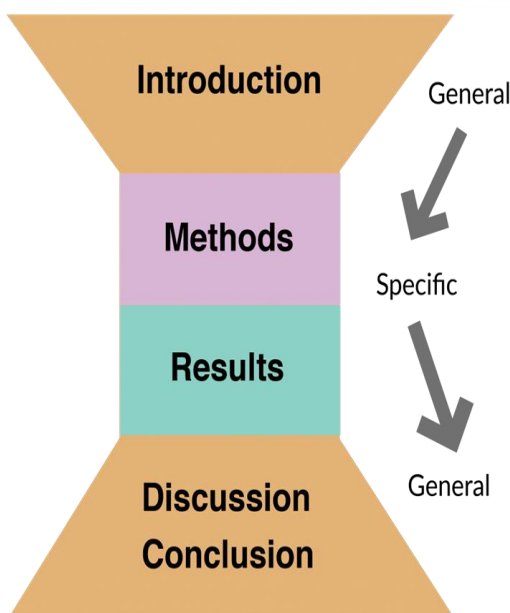
IMRD format

The hourglass demonstrates the generality of the Introduction, the Discussion, or Conclusion sections in contrast to the more specific nature of the middle two sections - Methods and Results.

IMRD format refers to a paper that is structured by four main sections:

Introduction,
Methods,
Results,
and Discussion.

This format is often used for reporting any planned, systematic research in sciences.

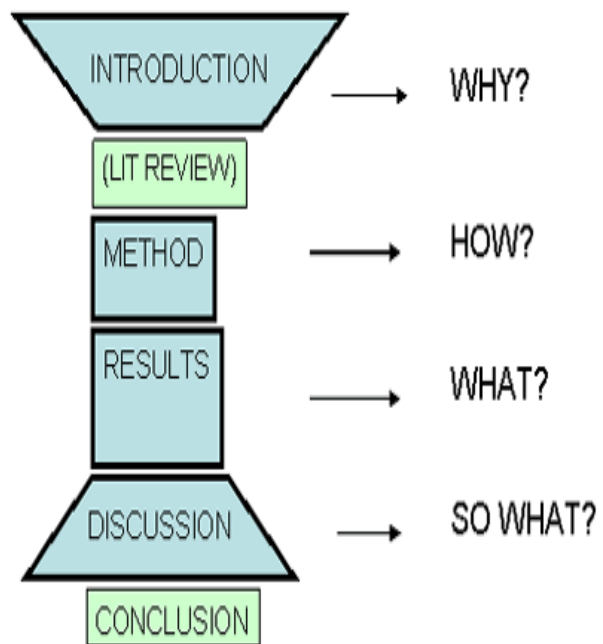


The ***Introduction*** provides the theoretical and conceptual framework that informs the subsequent discussion. It progresses from a general discussion to a specific issue or question under investigation. A secondary objective is to capture the attention of readers.

The ***Methods section*** outlines methodology, methods, materials, and procedures.

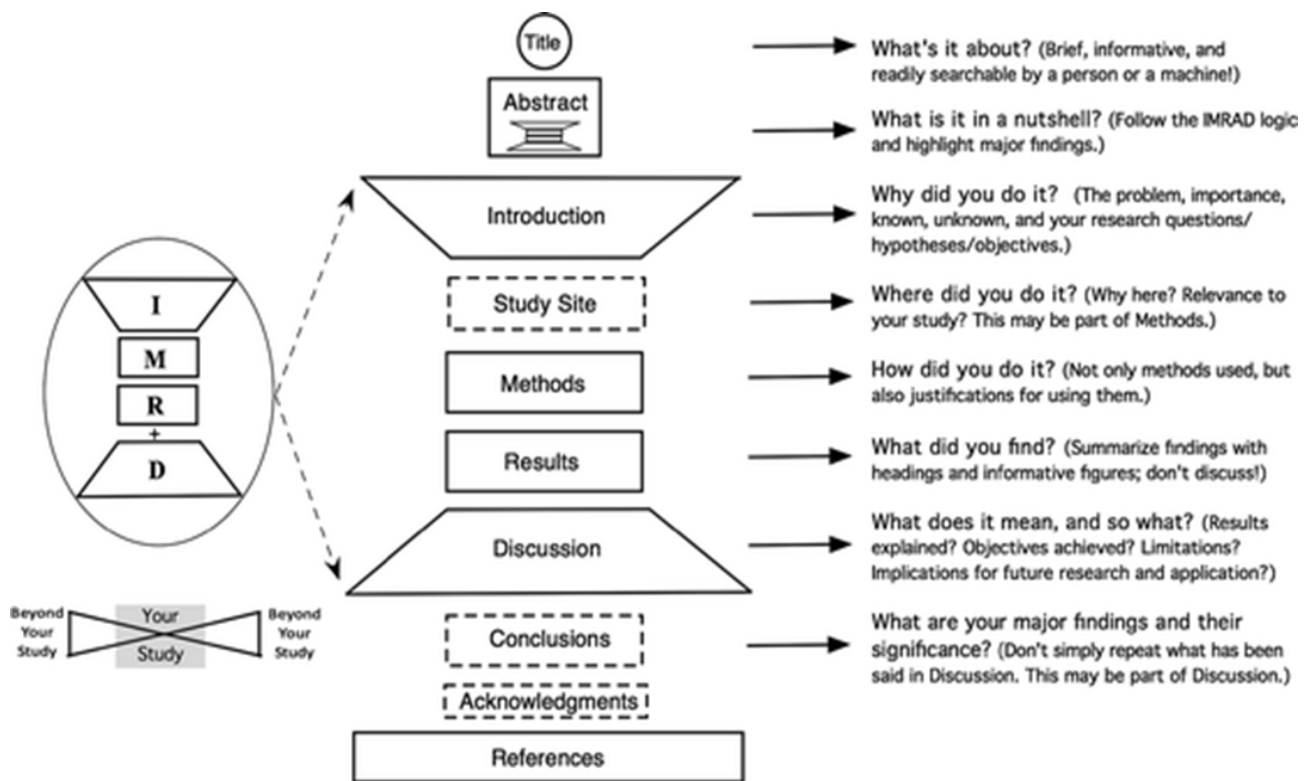
The ***Results section*** presents the outcomes of the study. This presentation includes a description of the findings, accompanied by the necessary commentary.

The ***Discussion section*** interprets the previously presented results, providing meaningful insights into the study. The authors highlight their primary conclusions, some of which may reference statements made in the Introduction.



IMRD Structure in Law Research Papers

The IMRD model is the globally recognized standard for structuring empirical and doctrinal research papers.



In the fields of Law, IMRAD structure ensures a logical progression from the identification of a legal problem to its proposed resolution.

	Introduction (I)	Methods (M)	Results (R)	Discussion (D)
Purpose	To provide context, identify a research gap, and state the thesis.	To explain how the legal analysis or empirical study was conducted so other scholars can verify the findings.	To present the raw findings or data without subjective interpretation.	To interpret the results, link them back to existing theories, and state the legal significance.
Key Elements	Significance of the legal issue, a concise literature review, and the specific research objectives.	Description of legal methods (comparative, dogmatic, socio-legal), the selection criteria for cases (case law), or the statutes analyzed.	Statistics from judicial practice, identified contradictions in legal norms, or specific outcomes of a comparative survey.	Confirmation or refutation of the hypothesis, recommendations for legislative reform, and limitations of the study

Common Tenses	Present Simple (for established law) and Present Perfect (for summarizing prior research).	Past Simple (to describe actions taken) and Passive Voice.	Past Simple.	Present Simple (for conclusions that are currently valid).
Example	Despite the proliferation of digital trade, there has been little analysis of how smart contracts align with the CISG.	A comparative legal analysis was employed to examine the privacy regulations in the EU and the US.	The data showed that 70% of the surveyed courts rejected digital evidence due to authentication errors.	These findings suggest that the current administrative procedure is insufficient to protect digital rights.

TASK 19. Match the following sentences from a legal manuscript to the correct IMRD section:

The findings revealed that only 15% of SMEs are compliant with the new Act. Introduction

This study demonstrates that the current regulation contradicts the Constitution. Methods

We analyzed 50 rulings of the ECHR issued between 2020 and 2024. Results

The legal status of AI remains one of the most contentious issues in modern law. Discussion.

TASK 20. Read the paper and analyze the system of presenting the four main parts of IMRD format (Zglinski, J. (2023). The Uk Internal Market: A Global Outlier? The Cambridge Law Journal, 82(3), PP. 530–562 [39]).

Theoretical Research Papers

It would be inaccurate to suggest that all research papers are empirical. In ***theoretical research papers***, the use of logical argumentation is typical. The structure of such a paper typically follows a general to specific pattern,

whereby the author moves from established principles to observations and then to equations that account for the phenomena under study. Such scientific papers can be found in law. In summary, papers with a theoretical orientation do not typically adhere to the IMRD pattern.

Theoretical legal research (often called doctrinal or normative research) focuses on the “law in books.” Unlike empirical studies that rely on social data, theoretical papers prioritize the systematic analysis of legal principles, the philosophy of law, and the conceptual coherence of statutes and judicial rulings, e.g., doctrinal analysis examines the internal logic of the legal system through statutes, precedents, and scholarly opinions; defines complex legal notions.

Papers that do not adopt the IMRD pattern tend to include a greater proportion of academic terminology and jargon to assist the reader in navigating the content. In other words, this linguistic structure provides a roadmap of the paper’s organization. Additionally, theoretical papers tend to utilize the first-person pronoun more frequently than empirical papers.

TASK 21. Read the excerpt and analyze the system of presenting information in the scientific paper written by Stark, F. (2023). Recycled Malice. The Cambridge Law Journal, 82(3). PP. 509–512 [39].

TASK 22. To practice the transition from description to a high-level theoretical research thesis using academic vocabulary and precise legal terminology, rewrite the following descriptive sentences into formal, theoretical thesis statements. Use the EU AI Act as a reference point for your arguments:

1. The new law on AI in the EU was adopted in 2024 and it has many rules about high-risk systems.
2. Companies must train their workers to use AI because the new EU law says they have to.
3. Some AI things are banned now, like voice toys that can be dangerous for kids.
4. AI is growing fast because there is more data and better computers.
5. The law says that social scoring is bad and nobody can do it in Europe.

A Review Paper in Law

A review paper is a type of academic writing that presents a critical analysis of existing literature on a specific topic. A review paper in legal research is not a descriptive list of summaries, instead, it is a critical synthesis and evaluation of existing scholarly work on a specific legal problem. For a PhD candidate, publishing a review paper is often the first step in establishing the originality of their future dissertation. There are two main categories of review papers: systematic reviews and review articles.

A **systematic review** is typically structured according to the IMRD model. It comprises a transparent methodology that can be replicated by other researchers and that will yield comparable results.

A **review article**, in contrast, adheres to a logical structure.

The value of such papers is twofold: they provide an in-depth overview of important literature within the field of study and a snapshot view of the current state of the field.

In order to be considered for publication, such an article must not merely present a summary or synthesis of relevant articles and books. Furthermore, it must offer a critical perspective, identifying contradictions, gaps, and enigmas in the literature, while also suggesting avenues for future research.

The process of writing a review paper requires the following steps:

- ✓ Decide on the topic and be clear on the rationale for undertaking the review.
- ✓ Select the appropriate type of review, ensuring that it aligns with the objectives of the paper.
- ✓ Outline the structure and organization of the review.
- ✓ Refer to the submission guidelines for review articles provided by the target journal.
- ✓ Conduct thorough research and select a range of articles that will not result in a biased review.
- ✓ Gather data. While reading, lists and images are especially useful. Utilize the data and form figures or tables.

- ✓ Provide a rationale for your perspective. Offer comments on the future trajectory of the field or areas that require further investigation.
- ✓ It is important to ensure that the review is focused, yet of broad interest. Obtaining feedback is also essential, as is editing, rewriting and repeating this process.

TASK 22. Read the excerpt and analyze the system of presenting information in the book review written by Georgiou, A. (2024). Standing in Private Law: Powers of Enforcement in the Law of Obligations and Trusts. By Timothy Liao. The Cambridge Law Journal, 83(1). P. 184:

Dr. Timothy Liao's *Standing in Private Law* explores – as its title suggests – the nature of “standing” in private law, as well as the content of and justification for private law’s standing rules. It offers a much-needed examination of what has traditionally been a neglected issue in private law scholarship. While scattered outposts of standing in private law have been charted in some detail, such as in company law and the tort of nuisance, the subject as a systematic whole has never received direct attention. Liao’s project is, therefore, a novel and ambitious one: to carve out space for “standing” as a “distinct and separable private law concept” (p. 2). The result is a meticulous and scholarly work which ought to be read carefully by anyone with a practical or academic interest in the law of remedies.

The book comprises three main parts. Part I, which spans Chapters 2 to 5, forms the primary theoretical backbone of the book. In that part, Liao develops a definition of “standing” in terms of “a power ... to hold [a defendant] accountable before an adjudicative body ... thereby subjecting her to its power (jurisdiction) to make an order against her” (p. 34). He distinguishes this concept from the primary and secondary rights which one might seek to enforce by exercise of one’s standing (p. 34), as well as from the court’s power to make orders to enforce those rights

At the heart of these issues lies the simple fact that there are a range of different senses of “standing”. True it is that we might meaningfully speak of “standing” in the procedural sense of persons who are at liberty to initiate proceedings and thereby invoke the jurisdiction of the court. We might equally speak of “standing” in the sense of being the right person to complain of a particular wrong. Conversely, it is true to say that there is a sense in which people subject to vexatious litigant orders are deprived of standing; and a different sense in which people whose statements of case disclose no wrong done to them personally have no standing to sue for those wrongs (p. 95). In this respect, the novelty and ambition of *Standing in Private Law* truly shines – in forcing us to interrogate and clarify a term which has been used all too infrequently and all too imprecisely. To conclude with one final sense of “standing”: *Standing in Private Law* will certainly stand out as a rigorous and rich contribution to an area of private law which has long awaited such a work.

TASK 23. Synthesize the following conflicting scholarly views into cohesive academic paragraph using transitional expressions (however, conversely, while, on the other hand, nonetheless):

Scholar A: International law is effective in stopping cyber-warfare.

Scholar B: International law is too weak and needs a new treaty.

Scholar C: Private tech companies should regulate themselves.

TASK 24. To synthesize conflicting scholarly perspectives into a cohesive academic narrative using formal transitional expressions, summary nouns, and a balanced academic tone, combine the following sets of conflicting legal views into a single, well-structured sentence or short paragraph. Discuss the findings in the context of modern legal practice:

Scenario 1: Legal Status of AI-Generated Works (Intellectual Property)

Scholar A: Copyright should belong to the person who programmed the AI.

Scholar B: AI-generated works should be in the public domain because there is no human author.

Scholar C: A new “sui generis” right should be created specifically for AI content.

Scenario 2: Environmental Liability of Multinational Corporations (International Law)

Scholar A: Corporations should only be sued in the country where the pollution happened.

Scholar B: Victims should be allowed to sue in the corporation’s home country (parent company liability).

Scholar C: We need an international environmental court to handle these cases.

Scenario 3: State Sovereignty vs. Humanitarian Intervention

Scholar A: State sovereignty is absolute and no one can intervene without UN permission.

Scholar B: There is a “Responsibility to Protect” (R2P) that allows intervention to stop mass atrocities.

Scholar C: Intervention is just a tool for powerful states to control weaker ones.

Scenario 4: Digital Sovereignty vs. Global Internet Governance

Scholar A: Nations should have full control over the data of their citizens (Data Sovereignty).

Scholar B: The internet must remain borderless to protect freedom of speech.

Scholar C: Regional blocs (like the EU) should create digital borders to protect privacy.

Scenario 5: The Right to be Forgotten vs. Public Interest

Scholar A: Individuals should have an absolute right to delete any personal data online.

Scholar B: Freedom of information and historical accuracy are more important than personal privacy.

Scholar C: Search engines should decide what is important for the public to know.

A Case Study Research Paper

A case study article is a valuable contribution to the academic literature as it can provide insights that inform future research directions. For example, a case study may highlight deficiencies in an operating procedure or identify necessary modifications to a protocol or policy. Such cases may identify a more significant issue that requires further investigation and resolution through future studies. Additionally, case studies may yield novel hypotheses and stimulate the initiation of new research avenues.

A case study research paper employs a method of inquiry that involves the examination of a person, condition, event, place, phenomenon, or other subject of analysis. This approach is designed to facilitate the extrapolation of key themes and results that can inform the prediction of future trends, the

illumination of previously hidden issues that can be applied to practice, and/or the provision of a means for understanding an important research problem with greater clarity.

A case study research paper typically analyses a single subject, although case study papers may also adopt a comparative approach, examining the relationships between two or more subjects. The methodology employed to examine a case may be based on a quantitative, qualitative, or mixed-methods approach.

The ***Introduction*** is typically a brief paragraph that outlines the background and significance of the topic under investigation.

The Case Presentation provides the relevant case information that is worthy of discussion.

The Discussion section is where the uniqueness and importance of the case are elucidated, as well as the reasons for this.

The Conclusion section sets forth the key insights gleaned from the case study and the rationale behind these insights.

TASK 25. To practice summarizing judicial facts, analyzing legal reasoning, and discussing the broader implications of a specific case, rewrite the following 10 informal sentences into a cohesive, professional case study report. Focus on: legal terminology, Passive Voice for methodology, and hedging for discussion. Use the hypothetical case of Company A vs. The State regarding environmental liability:

1. This paper looks at the court case between Company A and the State about water pollution. (Introduction)
2. I used a comparative method to look at how different courts usually decide such things. (Methods)
3. The court said that Company A broke the law because they didn't have the right filters. (Results)
4. The judge thought that the company must pay for all the damage to the river. (Results)
5. The data shows that 90% of similar companies don't follow these rules. (Results)

6. This means that the law is not working well for the environment.
(Discussion)
7. Maybe the fines are too small to stop big companies from polluting.
(Discussion)
8. My research proves that we need a new law with bigger penalties.
(Discussion)
9. Other scholars say the same thing about corporate responsibility.
(Discussion)
10. This case will change how judges think about pollution in the future.
(Conclusion)

TASK 26. Read the excerpt and analyze the system of presenting information in the case study research paper written by Crawford, M. J. R. (2023). Contract As Property: Triangles And Tragic Choices. The Cambridge Law Journal, 82(1). PP. 83-85 [39].

TASK 27. Read the excerpt and analyze the system of presenting information in the case and comment article by Mirfield, P. (2023). Bad Character Evidence – Again. The Cambridge Law Journal, 82(3). P. 395 [39].

TASK 28. Having read the excerpts from Crawford (2023) and Mirfield (2023), identify and analyze the structural components of each text. Specifically, determine how the authors transition from the presentation of legal facts to doctrinal evaluation. Use a table to compare how the information is prioritized: which sections rely on descriptive narrative and which employ analytical argumentation?

TASK 29. Identify the linguistic markers (hedging and boosters) used by Crawford (2023) and Mirfield (2023) to express their academic stance. How do these devices help the authors manage conflicting legal views or emphasize the significance of a particular judicial ruling? Provide three examples of each from the text.

TASK 30. Analyze the cohesion mechanisms used in the case study and comment articles, trace how the authors use summary nouns (e.g., this paradox, this inconsistency, this shift) and transitional expressions to link complex legal propositions. How does this system of information delivery ensure textual clarity in a sophisticated scholarly debate?

TASK 31. Use this checklist to assess the depth of your structural and linguistic analysis of the articles by Crawford (2023) and Mirfield (2023):

Evaluation Checklist:
Analyzing Information Systems in Legal Research Papers

Analysis Criterion	Evidence of Mastery	Self-Check
Structural mapping	Clear identification of the transition from factual narrative to ratio decidendi and critical commentary .	☐
Functional analysis	Explanation of how Crawford (2023) employs conceptual mapping (e.g., the property metaphor) to redefine contract law.	☐
Linguistic markers	Identification of at least 3 instances of hedging (<i>suggests, appears</i>) and 2 boosters (<i>clearly, undeniably</i>) in Mirfield's text.	☐
Cohesion mechanisms	Evidence of summary nouns (e.g., <i>this paradox, this inconsistency</i>) used to link complex legal propositions.	☐
Authorial stance	Description of how the author expresses disagreement with a ruling (e.g., via tentative verbs or adjectives of conviction).	☐
Terminology	Correct identification of terms of art (e.g., <i>bad character evidence, triadic relationship, proprietary interest</i>).	☐

Research Paper Structure

The Introduction section presents the reader with an overview of the subject area, before narrowing the focus to a specific topic of enquiry.

The introduction should provide a clear overview of the research topic, including a summary of existing knowledge and background information,

the research problem, and a statement of purpose. It should also present the methodology employed to investigate the problem and indicate the potential insights the study may offer. Finally, it should set out the structure and organization of the paper.

An effective introduction is crucial, as it establishes the foundation for the entire paper. It is often said that one has only one chance to make a good first impression, and this is particularly true in academic writing.

The opening paragraphs of a research paper are instrumental in forming the initial impressions of the reader regarding a number of factors, including the logic employed in the argument, the writing style, the quality of the research conducted and, finally, the validity of the findings and conclusions presented.

An introduction that is vague, disorganized or error-filled will create a negative impression; conversely, an introduction that is concise, engaging and well-written will lead the reader to view the author's analytical skills, writing style and research approach in a favorable light.

It is advisable to conclude the introduction with a brief paragraph that describes the structure of the following sections of the paper.

The structure of the introduction may be conceived of as an inverted triangle of information, which serves to establish a foundation for understanding the research problem.

The information can be organized in such a way that the more general aspects of the topic are presented at the outset of the introduction. Thereafter, the analysis should be narrower, encompassing more specific topical information that provides context. The paper should finally arrive at the research problem itself and the rationale for studying it. This may be presented as a series of key questions to be addressed, as a hypothesis or set of assumptions for testing, for example. Whenever possible, a description of the potential outcomes that the study can reveal should be included.

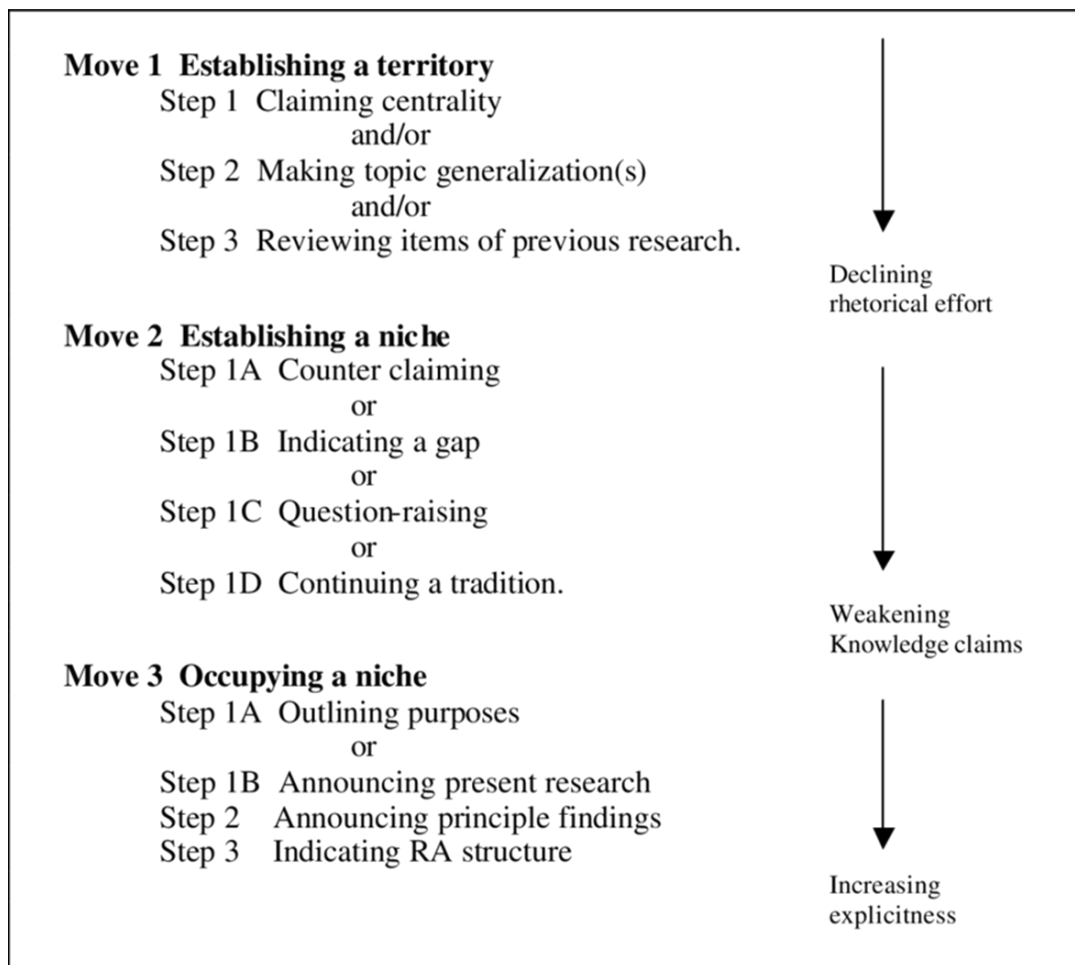
It is common practice to undertake a review of the introduction towards the latter stages of the writing process. This is an appropriate approach given that the outcomes remain unknown until the study is complete. Once

the body of the paper has been completed, it is advisable to revisit the introductory descriptions of the paper's structure, the method of data gathering, the reporting and analysis of results, and the conclusion. A review and potential rewrite of the introduction is essential to ensure that it accurately reflects the overall structure of the final paper.

The objective of engaging the reader is to capture their attention and hold it until the end of the text. The following strategies may assist a writer: using a compelling narrative to humanize an issue can assist in elucidating its significance and enabling the reader to empathize; including a strong quotation or a vivid anecdote to highlight the research problem; posing a thought-provoking question to reconsider an established assumption or to contemplate an alternative perspective that serves to elucidate the importance of the study; outlining a perplexing scenario or incongruity to entail identifying an intriguing conundrum pertaining to the research problem or delineating conflicting findings from prior studies on a given topic; posing an unresolved intellectual riddle about the issue; providing a compelling example or case study to elucidates the importance of the research problem. It is important to note that only one of the suggested strategies for engaging the reader should be selected. This prevents the impression being given that the paper is more superficial than substantial and does not distract from the substance of the study.

Swales posits that introductions in English academic papers adhere to a discernible structural pattern in the organization of their content. The constituent elements of this model are referred to as “moves”. Each move may be realized through a number of rhetorical strategies, which may be obligatory or optional.

The Creating a Research Space (CARS) Model by Swales can assist a writer in: 1) initiating the writing process, which is often the most challenging aspect; 2) comprehending the manner of establishing context of the paper; and 3) evaluating the integration of the introduction within the broader framework of the study.



Introductions to research papers tend to be relatively short compared to the other sections of the text but quite complex in terms of their functional elements. Some of common elements include:

- ✓ establishing the context, background and/or importance of the topic;
- ✓ giving a brief review of the relevant academic literature;
- ✓ identifying a problem, controversy or a knowledge gap in the field of study;
- ✓ stating the aim(s) of the research and the research questions or hypotheses;
- ✓ providing a synopsis of the research design and method(s);
- ✓ explaining the significance or value of the study;
- ✓ defining certain key terms;
- ✓ providing an overview of the dissertation or report structure.

TASK 32. *Identify the Three Moves of the CARS model in the introduction of the article by Crawford (2023) (Crawford, M. J. R. (2023). Contract As Property: Triangles And Tragic Choices. The Cambridge Law Journal, 82(1) [39]) Highlight the sentences where the author establishes a territory (Move 1), indicates a research gap (Move 2), and occupies the niche by stating the paper's aim (Move 3). Which specific linguistic markers (e.g., however, little attention, this paper aims to) signal the transition between these moves?*

TASK 33. *Analyze how Mirfield (2023) (Mirfield, P. (2023). Bad Character Evidence – Again. The Cambridge Law Journal, 82(3) [39]) establishes a research niche (Move 2). Does the author use counter-claiming (challenging a court's reasoning), gap-indicating (pointing out a lack of clarity in evidence law), or question-raising? Formulate a brief paragraph explaining how identifying this legal lacuna justifies the necessity of his case comment.*

TASK 34. *Using the CARS model, draft a three-sentence introduction for a hypothetical legal paper based on the themes discussed in Crawford (2023) (Crawford, M. J. R. (2023). Contract As Property: Triangles And Tragic Choices. The Cambridge Law Journal, 82(1) [39]):*

Sentence 1 (Move 1): Establish the importance of the contract as property debate.

Sentence 2 (Move 2): Use a negative connector to point out a missing perspective.

Sentence 3 (Move 3): Occupy the niche by announcing your research objective.

NB In high-tier journals like *The Cambridge Law Journal*, Move 2 is the most critical element. It marks your transition from a student who summarizes to a scholar who contributes. Without a clearly defined niche, your introduction is merely a summary. Use hedging to criticize previous works politely, ensuring your tone remains professional and objective.

TASK 35. Read the introductions by Sales (2024) (Sales, P. (2024). Constitutional Values in the Common Law of Obligations. The Cambridge Law Journal, 83(1). Pp. 132–134 [39]) and Campbell & Milman (2023) (Campbell, D., & Milman, D. (2023). The Unexplored Contract and Insolvency Law Dimensions of Hedley Byrne V Heller. The Cambridge Law Journal, 82(1). Pp. 58–60 [39]). Identify how each author establishes the research territory (Move 1). Compare their strategies for creating a niche (Move 2): how does Sales justify a focus on constitutional values in common law, and how do Campbell & Milman identify the unexplored dimensions of a classic case? Map the specific linguistic markers (e.g., negative connectors, tentative verbs) used to signal these shifts.

TASK 36. Analyze introduction by Campbell & Milman (2023) (Campbell, D., & Milman, D. (2023). The Unexplored Contract and Insolvency Law Dimensions of Hedley Byrne V Heller. The Cambridge Law Journal, 82(1). Pp. 58–60 [39]) focusing on their implementation of Move 2 (establishing a niche). In your opinion, is their identified gap (the unexplored dimensions of Hedley Byrne) presented as a deficiency in current scholarship or a necessary evolution of legal doctrine? Critique their use of nominalization and adjectives expressing conviction to persuade the reader of the necessity of their study.

TASK 37. Examine the final paragraphs of both introductions (Move 3: occupying the niche). Analyze how Sales (2024) (Sales, P. (2024). Constitutional Values in the Common Law of Obligations. The Cambridge Law Journal, 83(1). Pp. 132–134 [39]) and Campbell & Milman (2023) (Campbell, D., & Milman, D. (2023). The Unexplored Contract and Insolvency Law Dimensions of Hedley Byrne V Heller. The Cambridge Law Journal, 82(1). Pp. 58–60 [39]). transition from the problem to their thesis statement. Identify the use of Active Voice and Present Simple to announce the paper's roadmap. How does the system of presenting information in these samples reflect the analytical rigor required for a PhD dissertation in Law?

CARS Model: Research Space Self-Assessment Checklist

Research Move	Key Self-Check Questions	Linguistic Markers (Examples)	Status
Move 1: Establishing a Territory	Have you explicitly stated why this legal topic is significant to the current legal order?	<i>Central to, pivotal issue, remains a primary concern...</i>	☐
	Have you summarized the existing scholarly consensus or the current state of legislation?	<i>Scholars have noted, traditionally held, established by...</i>	☐
	Have you used the Present Perfect to describe the ongoing academic debate?	<i>There has been significant debate, researchers have argued...</i>	☐
Move 2: Establishing a Niche	Have you identified a specific legal lacuna (gap), contradiction, or ambiguity in the law?	<i>However, nevertheless, despite this, unfortunately...</i>	☐
	Have you used negative connectors to signal that something is missing or insufficient?	<i>Little attention has been paid to, remains unexplored, fails to address...</i>	☐
	Is it clear to the reader why this specific problem requires urgent scholarly intervention?	<i>This inconsistency necessitates, requires a reassessment...</i>	☐
Move 3: Occupying the Niche	Have you clearly stated the primary aim or objective of your current research paper?	<i>This article aims to, the purpose of this study is to...</i>	☐
	Have you presented a clear thesis statement or a research hypothesis?	<i>This paper argues that, the author maintains that...</i>	☐
	Have you provided a roadmap of the paper's structure (sections/chapters)?	<i>The first section examines, finally, the study proposes...</i>	☐
	Have you used the Present Simple and Active Voice to describe your own actions?	<i>This paper analyzes, we demonstrate, I establish...</i>	☐

The Methods Section

The Methods section provides a detailed account of the methodologies and procedures employed in the study. The format and content of this section vary across different academic disciplines. The methodologies should be sufficiently detailed to enable another competent researcher to replicate the study and obtain comparable results. If the methods employed are novel, unfamiliar, or potentially controversial, or if the intended audience is drawn from a multitude of disciplines, the Methods section will be considerably more comprehensive. A description of the methods employed is an essential component of any academic paper, as it serves to establish the credibility of the author.

You are to account for what you have done, and explain why. You are also to describe how you collected your material and how you will analyze it, as well as any delimitations you have made.

The first thing to consider when writing the method chapter is whether the method you have chosen reflects the aim of your text. You must therefore explain your choice of method, and how you will apply it to address and answer your research issue or research question. You are also to describe how the choices you made have affected the validity and reliability of the study

In simple terms, validity and reliability describe how well you have succeeded in measuring the things you intended to measure.

A study is considered to have high validity if it addresses what is important in the context, i.e. if the data produced is relevant to the aim of the assignment.

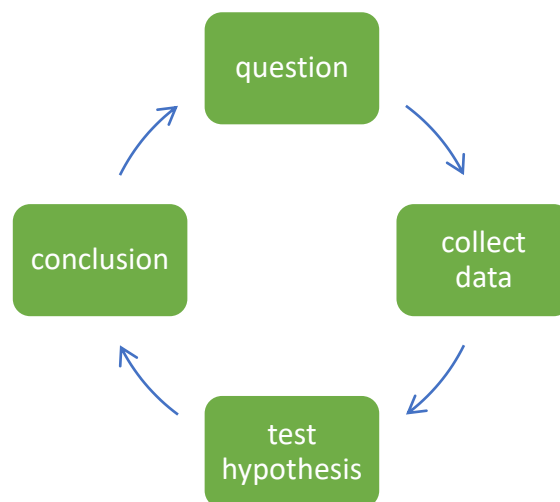
A study is considered to have high reliability if the measurement is performed correctly, i.e. if you have been careful when producing your data.

If your study includes surveys, it is important that you clarify for the reader that the respondents were, as far as possible, given equal opportunities to answer the questions.

Although the concepts of reliability and validity originate in quantitative research, today they are also used in qualitative research.

For obvious reasons, the application of the concepts slightly differs depending on the method used, but the basic assumption remains the same: without high reliability and validity, it is impossible to achieve good research. This is particularly important if you claim that you are able to draw general conclusions based on the material.

If your study concerns humans, you also need to include an ethical discussion in your method chapter. For example, if you have conducted interviews, what can you say about their validity and reliability? And if you performed an experiment, how sure can you be that you used the right instrument? How confident can you be about the conclusions drawn on the basis of the method you have chosen? Was the selection sufficiently wide? Can the results be applied in general? By answering these questions, the different parts of the paper will be linked together. Specifically, the method chapter involves you showing that you have understood the practical meaning of the theoretical concepts you use in your text.



The ***scientific method*** is a process of objective fact-finding through the means of testing and experimentation. The fundamental process entails the initial observation, hypothesis formation, prediction, experimental procedure, and subsequent analysis of the results.

A methodological discussion is sometimes also included in the method chapter, in which you discuss the strengths and weaknesses of your choice

of method in relation to your aim and research material. In other instances, the methodological discussion is incorporated into the subsequent discussion chapter.

Legal research methodology is a systematic and structured framework of principles, rules, and procedures employed by legal scholars to identify, retrieve, analyze, and interpret legal information. It encompasses the strategies used to examine the relationship between legal rules, social facts, and ethical values to generate new legal knowledge or to resolve complex doctrinal ambiguities.

The objective of **legal research methodologies** is to examine unresolved legal issues, obtain and analyze pertinent data, and utilize the findings to address legal challenges.

The principal **functions of legal research methodologies** are threefold:

1. To explore a legal problem;
2. To critically describe facts and legislation;
3. To explain or interpret legal concepts and issues.

Nevertheless, it is important to **distinguish between research methodology and research methods**. The term “research method” typically encompasses all methods and techniques employed for the collection and processing of data. Consequently, the method represents a tool or technique, such as a qualitative or quantitative method. Furthermore, it incorporates techniques such as surveys, interviews and case studies.

Conversely, research methodology denotes the corpus of methods that inform the conceptual framework within a given field of study. A methodology is justifying or rationalizing the study approach, and is concerned with the general strategy or approach of undertaking research.

The term “legal research methodology” is used to describe a systematic approach to addressing and exploring unsettled legal questions; refers to the techniques employed to obtain legally relevant information, analyze, interpret and apply it in order to resolve issues and present findings. Consequently, legal research methodology represents a scientific and systematic approach to the resolution of any legal question.

Furthermore, legal research methodology encompasses the rules of interpretation of legal problems. It is a methodical endeavor to construct an argument that accurately represents the subject matter under consideration.

A combination of quantitative and qualitative approaches may prove the optimal methodology for achieving the desired outcomes of legal research. It is widely acknowledged that the use of multiple methods enhances the validity and credibility of the study.

The *classification of legal research* as either descriptive or exploratory is dependent upon the nature of the research question.

Descriptive research aims to provide a systematic account of a given situation, problem, phenomenon, or behavior. A description is focused on rendering complex concepts comprehensible and elucidating their underlying simplicity.

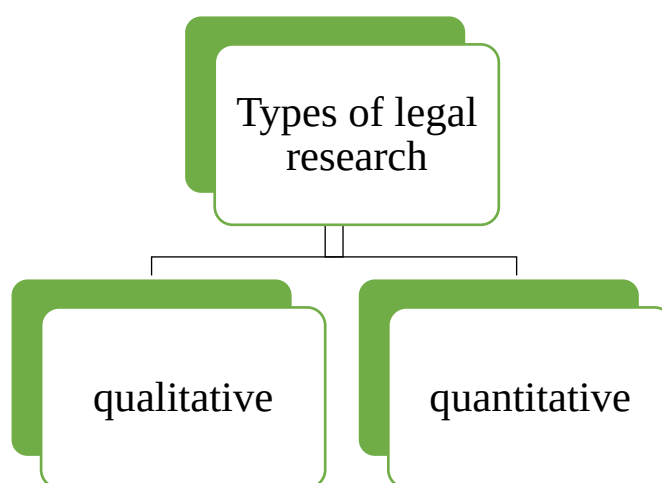
Exploratory research is conducted with the objective of investigating areas about which the researcher has limited or no prior knowledge. It entails identifying the underlying causes of phenomena, elucidating the processes by which they came to be, and demonstrating the reasons for their current state. The formulation of problems for more in-depth study, the development of hypotheses and the identification of optimal solutions is all enabled by exploratory study.

An additional distinction that is frequently made is between two distinct forms of research: *pure doctrinal research and non-doctrinal (empirical) research*. The former may be defined as theoretical work undertaken primarily for the purpose of acquiring new knowledge without any immediate practical application in view. In contrast, the latter may be defined as original work undertaken for the explicit purpose of acquiring new knowledge with a specific practical application in view.

Doctrinal legal research concerns the analysis of legal concepts, theories and principles. The majority of doctrinal legal research is based on the “black-letter law” approach, which prioritizes an understanding of law derived from legal texts, legal theories, statutes and court judgments, without significant engagement with external perspectives. The objective of

doctrinal legal research is to elucidate, organize, and clarify the law on a specific topic through the application of a unique analytical approach. In recent times, pure doctrinal legal research has been subjected to criticism for its inflexibility, limited scope and narrow perspective, which impede its ability to address the complex and varied contexts in which legal concerns emerge and are operationalized.

Consequently, *empirical legal research* emerged as a discrete category of legal study within the curricula of law schools in Western countries, with the objective of examining the legal system in a broader social and political context. This empirical or interdisciplinary legal research employs a range of social science and humanities methods. The defining feature of empirical research is its foundation in observations of the world, which are then subjected to analysis and interpretation. This process of observation and analysis is conducted with the objective of gathering data, which can be defined as facts about the world. Such facts may derive from historical or contemporary sources, be based on legislative or case law, or be the result of interviews or surveys. They may also result from primary data collection or secondary archival research.



The choice between qualitative and quantitative methods depends on whether the researcher seeks a deep understanding of legal phenomena or statistical confirmation of a trend. These approaches form the backbone of non-doctrinal (empirical) research, shifting the focus from “law in books” to “law in action.”

Qualitative legal research focuses on understanding meanings, motives, and social contexts. It answers the how- and why-questions of legal phenomena; uses interviews with judges or practitioners, focus groups, judicial observations, and detailed case studies to uncover complex legal issues that cannot be measured numerically, such as judicial attitudes, the impact of legal culture, or the quality of legal reasoning.

Quantitative legal research focuses on numbers, statistics, and mathematical models; answers the how much and how often questions of legal trends; uses content analysis of thousands of judicial rulings, large-scale surveys, and statistical modeling of legal risks to identify objective patterns and correlations, such as whether a change in court fees directly affects the volume of appeals filed.

Qualitative Research vs. Quantitative Research: Comparative Framework

Feature	Qualitative Research	Quantitative Research
Nature of data	Textual, narrative, and descriptive.	Numerical, statistical, and structured.
Sample size	Small, but provides high depth.	Large and statistically representative.
Scientific outcome	Generates new theories or insights.	Provides generalizable trends.
Perspective	Subjective / Interpretive.	Objective / Empirical.

TASK 38. Identify whether each of the following legal research objectives requires a qualitative or quantitative research. Explain your choice briefly using academic terminology (e.g., statistical significance, in-depth analysis, large datasets, subjective motives):

1. Examining the reasons why specific judges in the Supreme Court often write dissenting opinions.
2. Calculating the success rate of asylum applications in the EU from 2015 to 2023.
3. Investigating the perceptions of corporate lawyers regarding the ethical risks of using Generative AI in legal drafting.

4. Determining if there is a correlation between the length of a prison sentence and the rate of recidivism (repeat offending).
5. Exploring the historical evolution of the “right to be forgotten” through a detailed study of three landmark ECHR cases.
6. Measuring the financial impact of intellectual property theft on 500 small and medium-sized enterprises (SMEs).
7. Analyzing the lived experiences of victims of domestic violence during the mediation process.
8. Assessing the frequency of procedural errors in administrative courts across ten different regions.
9. Evaluating the effectiveness of a new anti-corruption law by interviewing ten high-ranking prosecutors.
10. Comparing the number of environmental lawsuits filed against multinational corporations before and after the 2015 Paris Agreement.

Approaches to Legal Research Methodology

It is incumbent upon the researcher to justify the important methodological choices that inform their work.

The process of legal research may entail the utilization of a combination of methods for the interpretation and application of legally relevant information. It is inaccurate to suggest that there is a single, universal approach to legal research methodology.

There are a number of different *approaches to legal research methodology, including analytical, interdisciplinary, comparative and historical*.

The specific methodology employed is contingent upon the research question formulated and the sources of materials selected.

Analytical methodology is the most significant and pervasive approach in legal research. The analysis entails an explication of the causal relationships between complex phenomena. The analytical approach necessitates the application of logical reasoning and the interpretation of laws in order to reach a conclusion.

Given that legislation is inherently written in abstract and general terms, it falls upon researchers and judges to apply those general rules to concrete factual circumstances. In order to do so, they must apply logic and common sense to analyze and interpret the words in the law. In the majority of cases, the analytical approach concerns itself with one or more legal concepts or legal theories. Analytical research employs interpretive methods to examine cases, statutes, and other forms of legislation with the objective of identifying, formulating, or reconstructing rules and principles.

An analytical approach is sometimes considered to be a form of doctrinal research. Doctrinal research in law offers a systematic account of the rules that govern a specific legal category. It analyses the relationship between the rules, explains areas of difficulty, and predicts future developments.

The principal sources of law have been the legal doctrines, case law, and legislation. The majority of legal research is focused on an analysis of legal doctrine. The defining feature of the analytical approach is its focus on the autonomy of law as a distinct discipline or science. Consequently, the analytical approach to legal research may result in a form of “close reasoning”. The analytical method is employed with the objective of effectuating the terms of a legislative instrument.

In the analytical approach, it is important to emphasize the positive aspects of the law, such as the definition of a legal situation and its underlying principles. Consequently, the analytical approach not only describes the facts and circumstances of a given situation, but also defines the parameters and interprets the facts. This entails the application of critical judgement and the formulation of a personal perspective on the situation in question. The normative analysis pertains to the rational criticism and evaluation of legal doctrines and rules. Such an interpretative approach on the part of the judiciary is to be regarded as a logical application of existing legal rules.

Conversely, the *positivistic approach* maintains that the concept of law constitutes a unified and comprehensive system. Such an approach requires

a coordinated attempt to synthesize the insights of different disciplinary perspectives and to deploy these integrated insights in the examination of problems.

The *interdisciplinary approach* to legal research advances the proposition that research in this area should not be constrained by the boundaries of a single discipline. Instead, it should also explore the interface between legal studies and other academic disciplines. It draws upon a range of disciplines, including history, political science, economics and philosophy, as well as incorporating diverse methodologies.

The interdisciplinary approach is characterized by a synthesis of knowledge and perspectives from multiple disciplines, whereas the multidisciplinary approach merely juxtaposes these without any integrative or synthesizing intent.

The interdisciplinary approach necessitates an examination of the subject from a multitude of viewpoints and an acknowledgement of the necessity for a multifaceted perspective.

The interdisciplinary approach proposes the incorporation of the sociology of law, economics and technology within a unified discourse, with the objective of fostering communication and collaboration across disciplinary boundaries.

Interdisciplinary research seeks to transcend the theoretical and methodological limitations imposed by a single discipline by combining the knowledge, expertise, and research approaches of two or more disciplines. This integration creates a basis for developing a new analytical approach that can address issues that cannot be fully explored within the constraints of a single discipline alone.

The necessity for such an integration is made evident when one considers that those engaged in legal research and those practicing as lawyers must consider the law from an angle that is much broader than was previously the case.

Interdisciplinary research is defined as research designed to facilitate a more profound comprehension of the legal system as a social phenomenon.

This encompasses an array of disciplines, including historical, philosophical, linguistic, economic, social, and political studies, which collectively illuminate the multifaceted implications of the law.

A ***sociological approach*** to law is one of the most distinctive features of modern jurisprudence. The socio-legal approach regards law as a mechanism for social control and transformation. This approach posits that the law is essentially a social phenomenon.

Socio-legal research employs the theories and methods of social science to investigate the functioning of law, legal processes, and legal institutions. The socio-legal approach maintains that an analysis of the law must be conducted in conjunction with an analysis of the social context in which it is applied. This necessitates the consideration of the law within the context of the social situation in question.

This contrasts with the “black letter law” approach, which places emphasis on the text meaning. This approach requires an investigation of the social context in which legislation is enacted and applied, moving beyond the examination of the text itself.

The sociological approach seeks to examine how legal and institutional frameworks influence human attitudes, and to what extent these influence societal processes. It further attempts to assess the extent to which these institutions meet the needs of society at any given point in time. Its principal objective is to comprehend the nature of legal and social phenomena; in contrast, the overarching aim of conventional jurisprudence is to engage in linguistically analytical studies.

Each legal system has its own historical development, set of fundamental principles, procedural framework, and array of legal publication sources.

In the context of a globalized world, the study of the law of other countries is assuming greater significance. The interaction between various legal systems is sometimes described as a transnational legal system. The objective of the ***comparative approach*** is to achieve a harmonious synthesis of the diverse legal systems and legal cultures that exist across the globe.

The ***historical approach*** examines the evolution and development of a specific system of rules, providing researchers and the general public with a comprehensive understanding of a particular legal discipline. A historical approach examines the relations between law and events, demonstrating how the law has been deployed at different times for disparate purposes and how it is connected with interests and classes, political objectives, and social movements. This perspective holds that historical analysis is a valuable tool for understanding the present state of law, its past evolution, and potential future developments.

TASK 39. Read the excerpt from Sales (2024) (Sales, P. (2024). Constitutional Values in the Common Law of Obligations. The Cambridge Law Journal, 83(1). P. 132 [39]) and analyze the type of legal research presented by the author. Is this a purely doctrinal analysis of the common law, or does it incorporate a normative/theoretical approach by integrating constitutional values? Identify the specific methodological steps Sales uses to justify the constitutionalisation of private law obligations. Highlight the linguistic markers (e.g., it is argued, systemic coherence, normative weight) that indicate a transition from description to theoretical interpretation.

TASK 40. Critically assess the specific methodology employed in Sales (2024) (Sales, P. (2024). Constitutional Values in the Common Law of Obligations. The Cambridge Law Journal, 83(1). P. 132 [39]). Does the author rely on a deductive approach (deriving rules from constitutional principles) or an inductive approach (generalizing from common law precedents)? Evaluate how this methodology serves his primary research goal. Prepare a short report (200 words) explaining how Sales's system of information delivery (the logical flow from abstract values to concrete obligations) demonstrates the analytical rigor required for a doctoral dissertation in Law.

The Results Section

The Results section presents the data or information obtained during a study, offering a detailed account of the findings in a systematic and comprehensive manner.

In the case of qualitative results, the researcher identifies and provides commentary on the themes that emerge from the analysis. Such commentary frequently is supported by extracts from the original data. In studies based on textual sources, this may entail the incorporation of quotations from primary sources.

In quantitative studies, the results section often comprises tables and figures. The writer proceeds to offer commentary on the data represented in such a way. Additionally, a writer may include a highlighting statement or statements, which draw attention to and provide a description of the data that is deemed to be particularly relevant or significant. It is essential that all figures and tables are numbered and given a title.

The presentation of results is typically followed by the Discussion section, although the distinction between these two sections is not absolute, and they may appear together as a single structural element of a research paper.

Even when the Results section is formally separated from the Discussion, it often contains some commentary on the data. The objective of such commentary is to provide a prompt and pertinent response to any critical observations or queries pertaining to the methodology or findings that the author of a paper is likely to anticipate. It is customary to reserve more elaborate commentary on the results for the Discussion section.

In research articles, however, authors may provide detailed commentary on the presented results, with the result that it is common practice for the Results and Discussion sections to be combined under a single heading.

TASK 41. Examine the system of presenting information in Doucet & Porter (2023) (Doucet, M., & Porter, L. B. (2023). What Is the Harm in

Addiction? Autonomy, Vulnerability, and the Case for Harm Reduction Drug Policy. The Cambridge Law Journal, 82(2). Pp. 289-290 [39]) and identify the linguistic markers of authorial stance (hedging and boosters) used to balance the controversial nature of harm reduction with legal rigor. How do the authors employ conceptual mapping to link the abstract notions of autonomy and vulnerability to concrete policy recommendations? Contrast this interdisciplinary system of information delivery with the purely doctrinal approach found in previous samples (e.g., Sales, 2024) (Sales, P. (2024). Constitutional Values in the Common Law of Obligations. The Cambridge Law Journal, 83(1). P. 132 [39]).

In APA style, the Results section includes preliminary information about the participants and data, descriptive and inferential statistics, and the results of any exploratory analyses. Participant flow and recruitment period. Report the number of participants at every stage of the study, as well as the dates when recruitment took place. Missing data. Identify the proportion of data that wasn't included in your final analysis and state the reasons. Any adverse events. Make sure to report any unexpected events or side effects (for clinical studies). Descriptive statistics. Summarize the primary and secondary outcomes of the study. Inferential statistics, including confidence intervals and effect sizes. Address the primary and secondary research questions by reporting the detailed results of your main analyses. Results of subgroup or exploratory analyses, if applicable. Place detailed results in supplementary materials. Write up the results in the past tense because you are describing the outcomes of a completed research study.

The word “chart” is usually used as a catchall term for the graphical representation of data.

“Graph” refers to a chart that specifically plots data along two dimensions, as shown in figure 1.

When you plot your data, the known value goes on the x-axis and the measured (or unknown) value goes on the y-axis.

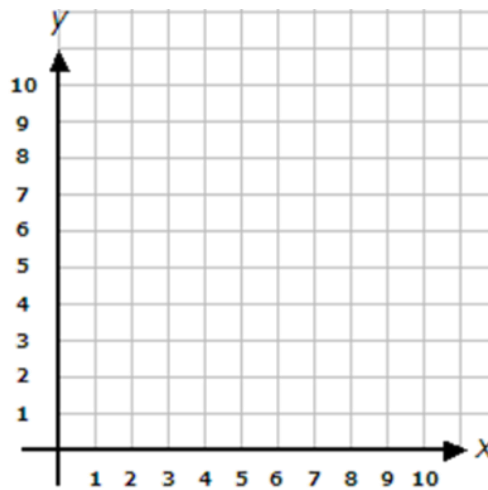


Figure 1. *x- and y-axes*

A graph is a visual representation of data expressed as numbers.

Graphs offer a visual means of encapsulating intricate data sets and elucidating the interrelationships between diverse variables or data sets. Furthermore, graphs are an effective method for illustrating trends and relationships within the data. It is often the case that people are better able to comprehend numerical or complex data when it is presented visually in the form of a picture or graph. This makes graphs an effective tool for facilitating the processing of information by your audience.

1. The graph should be introduced to the audience by presenting the title and explaining the topic of the graph. It is important to provide an overview of the data, including the topic, values and subjects of the research. It is crucial to provide the audience with an introduction to this information, as it will facilitate their comprehension of the subsequent data presented. It is also helpful to make the data relevant to the audience so they may have more interest in your presentation.

2. Identify variables

Graphs such as bar and line graphs have a y- and x-axis.

Both axes represent values or variables.

Identifying the variables the graph displays is a way of explaining the data it represents and it's useful to highlight these characteristics of the graph so the audience may understand the data.

Useful Phrases (1): Introducing the Graph

Basic Pattern

1. Figure 1 shows + noun phrase.
2. Figure 2 shows that + verb phrase.

Variations

The graph { demonstrates ...
illustrates ...
proves ...
indicates ...
summarizes ...

Useful Phrases (2): Trends

Subject + verb showing direction + amount + time period.

↗ rise, increase, improve, grow	... by W % ...	... between p and q.
→ remain the same, be stable	... from x to y ...	... by r.
↘ fall, decrease, worsen, shrink	... z times ...	... since s.

3. Highlight key information

Highlight the key information in your graph so that the audience takes notice of your important findings. This may include recognizing patterns, identifying outliers or comparing the data. Consider the conclusions you collect from your data, and ensure you share relevant information from the graph with your audience.

4. Share conclusions

Share the conclusions you can make from the data the graph displays. Your conclusions help explain the purpose of the graph and let the audience know how they can use the data. Graphing data can help make decisions, which may be the type of conclusions you make.

The Discussion Section

The Discussion section provides an interpretation of the results in the context of the research problem and hypotheses. The distinction between the Discussion and the Results sections is not absolute; furthermore, the border between them is not always clear. The Discussion section of a research article is arguably the most complex in terms of its constituent elements frequently structured into a series of discussion cycles.

It should be noted that when offering explanations and suggesting implications, the language used is characterized by a high degree of tentativeness and caution.

Discussion section provides following: background information; results obtained; unanticipated outcomes; a reference to previous research for comparison purposes; a rationale for the unsatisfactory outcomes; some examples to illustrate the point; deduction and hypothesis (claims); a citation to substantiate the claim; recommendations and justifications. The distinction between the Discussion and Conclusions sections is largely a matter of convention, dependent on the traditions of a given field and the norms of a particular journal. It is not uncommon for Discussions and Conclusions to be presented as a single, final section of a research paper. Conclusions are shorter sections of academic texts that typically serve two functions: to provide a summary and synthesis of the main areas covered in the text; to offer a concluding comment or evaluation. Additionally, the concluding remarks may encompass recommendations for enhancements and conjectures regarding prospective avenues of inquiry.

TASK 42. Read the excerpt and analyze the elements of Conclusion Section written by Crawford, M. J. R. (2023). Contract As Property: Triangles and Tragic Choices. The Cambridge Law Journal, 82(1). P. 109 [39]:

V. CONCLUSION

Proponents of the Inadequacy Thesis are correct to point out that, like chattels, contractual rights can be vulnerable to the depredations of third parties. Whilst the ability of third parties to damage the interests of promisees is not doubted, to search for a solution in personal property law is to pursue a conceptual dead end. Acts of third-party interference with contracts are not analogous to simple cases of conversion, but to more complex triangle disputes. The problem at the heart of all triangle disputes is not a gap in the law, but how to allocate loss between two *prima facie* innocent parties, neither of whom can recover from the true wrongdoer. When applied to the resolution of triangle disputes, the term “property” simply becomes, as Cohen famously observed, one of the “magic ‘solving words’ of traditional jurisprudence” which “add[s] precisely as much to our knowledge as Moliere’s physician’s discovery that opium puts men to sleep because it contains a dormitive principle”.¹⁵¹

Putting aside the Realists’ extreme scepticism of legal concepts,¹⁵² Cohen’s observation captures the flaw at the heart of the Inadequacy Thesis. To say, for instance, that a rogue “stole” or “converted” a customer’s contractual rights against the bank is simply to state the conclusion that the loss allocation exercise between the bank and its customer has been resolved in favour of the former. What it cannot explain is why the customer drew the short straw. If the law is to at least approximate the efficient resolution of such disputes, it needs better contracts, not more property.

¹⁵⁰ For customer-sided criticisms, see A.L. Tyree, *Banking Law in Australia*, 9th ed. (Chatswood 2017), 379–80. On the other hand, one wonders why £35 was selected as the cap for customer liability under *PSR*, s. 77(1), particularly when the predecessor regulations imposed a maximum liability of £50. See *Payment Services Regulations 2009*, s. 62(1).

¹⁵¹ F.S. Cohen, “Transcendental Nonsense and the Functional Approach” (1935) 35 *Columbia Law Review* 809, 820.

¹⁵² *Ibid.*, at 821.

TASK 43. Analyze the Conclusion by Crawford (2023) (Crawford, M. J. R. (2023). Contract As Property: Triangles and Tragic Choices. The Cambridge Law Journal, 82(1). P. 109 [39]) and identify how the author mirrors the research gap established in the Introduction. Does the conclusion simply repeat the findings, or does it provide a final synthesis of the triangles concept? Map the transition from re-stating the thesis to

addressing tragic choices. How does this structure reinforce the overall analytical rigor of the paper?

TASK 44. Examine the tense usage in the conclusion section by Crawford (2023) (Crawford, M. J. R. (2023). Contract As Property: Triangles and Tragic Choices. The Cambridge Law Journal, 82(1). P. 109 [39]) and identify the shift from the Present Perfect (to summarize what has been achieved) to the Future Indefinite (to predict future legal impacts). How do these tense choices, combined with boosters (e.g., clearly demonstrates, inherently) and hedging, help Crawford establish a defensible and authoritative final position?

TASK 45. Identify the summary nouns used by Crawford (2023) (Crawford, M. J. R. (2023). Contract As Property: Triangles and Tragic Choices. The Cambridge Law Journal, 82(1). P. 109 [39]) to encapsulate his complex arguments (e.g., this triadic relationship, this doctrinal shift). Based on the conclusion, formulate a three-sentence policy recommendation or future outlook using nominalization. Explain how Crawford's conclusion addresses the "so-what?" question – why does the contract as property debate matter for future judicial practice?



UNIT 3

RESEARCH PAPER ABSTRACT



*“Good science
is never outdated.”
H. Shwan*

UNIT 3

RESEARCH PAPER ABSTRACT

A research paper (or journal) abstract (Ukr. анотація) is a short account of a research paper placed before it.

A conference abstract (Ukr. тези доповіді) is a short account of an oral presentation proposed to the organizers of a conference.

A summary (Ukr. розширена анотація, реферат) is a shortened version of a text aimed at giving the most important information or ideas of the text.

A research paper (article) (Ukr. наукова стаття) may be defined as a relatively short piece of research usually published in a journal.

An annotation (Ukr. анотація) is a short explanation or note added to a text or image, or the act of adding short explanations or notes. The word “annotation” is derived from the Latin word “annotatio” which means “a written comment”

A bibliography (Ukr. бібліографія) is a list of works (books, articles, films, etc.) on a particular topic.

An annotated bibliography (Ukr. анотована бібліографія) includes a paragraph following each citation that summarizes the work.

An annotation can help the reader determine the value of each work on the topic and the contribution it might make to his own research. The typical length of an annotation in an annotated bibliography is between 50 and 200 words. Annotations exceeding the typical length may be divided into paragraphs.

The content of the annotation is dependent upon the specific assignment requirements. An annotation may be descriptive, whereby the source is evaluated objectively; evaluative, whereby the usefulness of the source is assessed; or reflective, whereby the intended use of the source in the context of the author's own research is explained.

Abstract vs. Annotation

An abstract and an annotation are both brief summaries of a longer text, but they serve different purposes. An abstract is a brief summary of the main points of an academic text such as a thesis, dissertation or journal article. It should summarize the whole text, not just introduce it. Abstracts are usually found at the beginning of the document and provide a quick overview of the content. They are useful for determining whether a document is relevant to your research or interests without reading the entire document.

In contrast, an annotation is defined as a concise summary and evaluation of a source. It is typically included in an annotated bibliography, which presents a list of sources along with their respective publication details and a succinct overview of each item. The function of the annotation is to perform two distinct roles: firstly, to describe the source, and secondly, to evaluate it. The description is typically a succinct summary of the content, scope, and general character of the source. The evaluation, in contrast, goes beyond this and considers factors such as the source's authority, currency, and relevancy to a given researcher's objectives.

In summary, an abstract is a type of summary, but it is specific to academic writing and is used to summarize the main points of an academic text. An annotation, on the other hand, is a brief summary and evaluation of a source, and is usually found in an annotated bibliography.

Abstract vs. Summary

An abstract and a summary are both brief summaries of a longer text, but they serve different purposes. An abstract is a brief summary of the main points of an academic text such as a thesis, dissertation or journal article. It should summarize the whole text, not just introduce it. Abstracts are usually found at the beginning of the document and provide a quick overview of the content. They are useful for determining whether a document is relevant to your research or interests without reading the entire document.

On the other hand, a summary is a brief statement or account of something. It can be used to summarize various types of writing or events,

not just academic texts. Summaries are often used in academic writing to summarize research articles or papers, but they can also be written elsewhere in academic writing, such as in a literature review, or as a standalone assignment.

In summary, an abstract is a type of summary, but summaries are not always abstracts. Abstracts are specific to academic writing and are used to summarize the main points of an academic text, while summaries are more general and can be used to summarize various types of writing or events.

TASK 46. Analyze the fundamental differences between an abstract, a summary, and an annotation based on a selected article from The Cambridge Law Journal: identify the CARS model moves present in the abstract, contrast this with a 200-word summary of the same text (focusing on the narrative flow of arguments). Draft a 50-word annotation (focusing solely on the source's relevance for other researchers). How does the system of presenting information change across these three genres?

TASK 47. Take the Conclusion section of Crawford (2023) (Crawford, M. J. R. (2023). Contract As Property: Triangles and Tragic Choices. The Cambridge Law Journal, 82(1). P. 109 [39]) and transform it into three distinct formats:

- ✓ ***an informative abstract, using the IMRD structure (250 words max);***
- ✓ ***an executive summary, highlighting only the legal implications and policy recommendations for practitioners (150 words);***
- ✓ ***a critical annotation, evaluating the methodological rigor and originality of the 'triangles' concept (75 words).***

Analyze how your use of nominalization and summary nouns fluctuates to meet the word count requirements of each format.

TASK 48. Based on a selected article from The Cambridge Law Journal examine the authorial stance required for an annotation versus an abstract:

- ✓ *in an annotation, use boosters and evaluative adjectives to judge the sources quality;*
- ✓ *in the abstract, use hedging and Present Simple to objectively describe your own findings.*

Prepare a table comparing the lexical choices made for each task. Which format requires a more dispassionate tone, and which allows for scholarly critique?

Research Paper Abstract

An abstract is a brief, 100- to 250-word summary of a research paper, providing readers with a concise overview of the content and structure of the work. The abstract should express the central idea and key arguments of the paper, as well as any implications or applications of the research discussed.

The abstract is the final component of a research paper writing process. It is recommended that the abstract be written only after the research is complete, in order to ensure an accurate summary of the research paper.

Research paper abstract serves a number of important functions. Firstly, it provides a concise overview of the paper, highlighting the most important information. Secondly, it enables potential readers to determine whether the full article is worth reading. Thirdly, it prepares readers for the content of the paper, allowing them to anticipate what they can expect to find. Finally, it can be used for indexing purposes, with keywords enabling researchers to locate the paper within online databases.

The main purpose of an abstract is to provide a description of the paper, rather than to evaluate or offer a defense of it.

TWO MAJOR TYPES OF ABSTRACTS:

DESCRIPTIVE	INFORMATIVE
*Brief, usually one- or two- sentence paragraph explaining what the original document contains, e.g.: <i>This report provides conclusions and recommendations on ...</i>	*Summarizes key information from every major section from the body of the paper. *The informative abstract is NOT an introduction!

An informative abstract provides a comprehensive overview of the background, major claims, methods, significant findings, conclusion, and recommendations presented in the paper. This enables readers to gain a clear understanding of the paper's main elements before delving further. The typical length of an informative abstract is 250 words, although this may vary depending on the academic discipline.

A descriptive abstract offers an introductory overview of the content, delineating the principal points and research methods employed. However, in contrast to informative abstracts, they do not present any significant findings, conclusions, or recommendations. Furthermore, they typically comprise approximately 100 words. As a result, they are frequently less useful in establishing the relevance of a given work when undertaking research, in comparison to informative abstracts.

Abstract Models

The majority of academic journals provide clear and detailed guidance to authors on the formatting and content of different sections of the manuscript. Such instructions frequently include detailed specifications regarding the content of abstract sections.

It is incumbent upon authors to ensure that their abstracts are tailored to the specific requirements of the journal to which they plan to submit their manuscripts. Furthermore, an excellent strategy for developing a high-quality abstract is to model it, sentence for sentence, after a relevant and comparable paper published in the same journal. While some journals still publish abstracts in a relatively *free-flowing paragraph style*, the majority require a more formal structure, typically within the range of 200 to 250 words.

A structured abstract will usually comprise the following sections: Background, Methods, Results and Conclusions. Alternative headings may be used to convey similar information; for example, the term “Introduction” may be used in place of “Background” or the term “Findings” may be used in place of “Results”. Some journals require additional sections, such as an Objectives section between the Background and Methods sections, and a Limitations section at the end of the abstract.

The abstract should comprise a selection of the **keywords** pertaining to both the methodology and content. This facilitates access to the abstract by computer search and enables the reader to decide whether to peruse the entire document. Keywords identify the core elements of a paper, including the research topic, methodology, and the application of findings. It is important to note that keywords are specific terms used to search, index, or categorize content within a document or body of work. A **key word** is simply a significant word.

The most appropriate tense to use in an abstract is the present tense. It is used to provide factual information, describe methodologies, establish comparisons and highlight outcomes. In the context of the author's own experiments, calculations, observations, and so forth, the past tense is the preferred option.

TASK 49. Read samples of abstracts and analyze their main elements (type, structure, vocabulary, grammar aspects):

Sample 1. Sales, P. (2024). Constitutional Values in the Common Law of Obligations. The Cambridge Law Journal, 83(1). P. 132:

CONSTITUTIONAL VALUES IN THE COMMON LAW
OF OBLIGATIONS

PHILIP SALES*

ABSTRACT. *"Constitutional values" is a term which appears to relate to concepts of what is now called public law. By constitutional values, I mean the basic ideas and interests which structure relations between the individual and the state, and the obligations to which they give rise, which underlie the common law and to which it gives recognition in more or less articulated forms. These are ideas and interests such as liberty, private life, freedom of expression and access to justice. Constitutional values and human rights overlap, but they are not necessarily and always the same, either in content or in effect. In exploring this topic I hope to retrieve and bring to the surface an important aspect of the common law in terms of both private law and public law.*

KEYWORDS: *Constitution; human rights; public law; private law; obligations*

Sample 2. Customs Scientific Journal CUSTOMS № 1, 2021:

CUSTOMS REPRESENTATION IN POLAND

Wiesław „Wes” Czyżowicz, Ewa Gwardzińska
Business Law Department, Warsaw School of Economics, Warsaw

Abstract

The article is devoted to considering customs representation as one of the legal institutes facilitating relationships between customs and business partners. The EU and Polish Customs regulations are analysed to determine the forms of representation. The special procedural requirements for performing the function of the customs broker in Poland are defined. The recommendations as to unification of the market of customs representation services are made.

Keywords: representation, transactions, regulations, power of attorney, customs, entrepreneurs, brokers.

Sample 3 Campbell, D., & Milman, D. (2023). *The Unexplored Contract and Insolvency Law Dimensions of Hedley Byrne V Heller*. The Cambridge Law Journal, 82(1). Pp. 58.

**THE UNEXPLORED CONTRACT AND INSOLVENCY
LAW DIMENSIONS OF *HEDLEY BYRNE V HELLER***

DAVID CAMPBELL  AND DAVID MILMAN*

ABSTRACT. *It has been argued in previous work that Hedley Byrne v Heller addressed no actual mischief. In the case itself, the defendant's credit reference about Easipower Ltd. was neither a misstatement nor negligently given, and in general the indemnification of reliance on negligent statements is far better regulated by contract than it can possibly be by negligent misstatement. This paper expands on the significance of contract relative to tort in Hedley Byrne, but mainly argues that the mischief perceived by the claimant was caused by the operation of the statutory regime regulating Easipower's insolvency. This makes regarding Hedley Byrne as a necessary response to "the privity of contract fallacy" even more implausible.*

KEYWORDS: *negligent misstatement, privity of contract fallacy, insolvency law, intervention, judicial legislation.*

Sample 4. Ana Mercedes Lopez Rodriguez (2024) Class Action in the EU: Lessons from Mixed Jurisdictions. Journal of International and Comparative Law. P. 277.

CLASS ACTION IN THE EU: LESSONS FROM MIXED JURISDICTIONS

Ana Mercedes Lopez Rodriguez*

Abstract: *Class actions enable consumers to take collective action against wrongdoing by businesses, which individual consumers may not find affordable or worthwhile. One of the drivers of the success of class actions has been the availability of funding to litigants. Along with these benefits come risks of abuse of the legal process. This article discusses how mixed jurisdictions have selectively adapted the uniquely American model of class action to suit their own circumstances. It argues that this experience is instructive for Member States of the European Union (EU) when they legislate to put in place a representative regime compatible with the EU's Representative Action Directive. Notably, the EU has retained the right to institute class actions in the hands of independent bodies rather than affected consumers, aiming to mitigate potential abuses and ensure a more balanced approach to collective redress. The article highlights the principal differences between the American model and the model the EU has adopted, focusing on the perceived role of the state and private initiatives in consumer protection, the nature of compensation that consumers could receive, how class actions are funded by the state or private agencies, and the role of the judge in legal proceedings.*

Keywords: *class action; legal transplants; litigation funding; mixed jurisdictions; redress for consumers; Representative Actions Directive*

Sample 5. Doucet, M., & Porter, L. B. (2023). What Is the Harm in Addiction? Autonomy, Vulnerability, and the Case for Harm Reduction Drug Policy. The Cambridge Law Journal, 82(2). P. 265 [39]:

WHAT IS THE HARM IN ADDICTION? AUTONOMY,
VULNERABILITY, AND THE CASE FOR HARM
REDUCTION DRUG POLICY

MATHIEU DOUCET* AND LINDSEY BROOKE PORTER** 

ABSTRACT. *Successful drugs policy must be driven by thoughtful principle and intergovernmental consensus, not by departmental or legal inertia, nor by public (mis)conceptions about drug use. Perhaps the most pressing choice for drugs policymakers at present is between harm reduction and abstinence approaches to drugs policy. To choose between these two approaches, we need to know addiction's normative status: is having an addiction a misfortune or a harm in its own right, even setting aside knock-on health and wellbeing consequences? We argue that the harm of addiction is driven by poor policies, but that harm is not inevitable.*

KEYWORDS: *addiction, criminal law, harm reduction, autonomy, vulnerability.*

Sample 6. Ben Hines (2024) *Reinterpreting the Legality of Forcible Self-Defence in Response to Non-Kinetic Cyber Attacks* Melbourne Journal of International Law Volume 25 (1).

**REINTERPRETING THE LEGALITY OF FORCIBLE SELF-
DEFENCE IN RESPONSE TO NON-KINETIC CYBER
ATTACKS**

BEN HINES*

Article 51 of the Charter of the United Nations provides states who are subject to an armed attack the right to respond in self-defence through the use of force, a form of recourse prohibited in all other circumstances, absent Security Council authorisation, by art 2(4). Despite unequivocal agreement that the Charter of the United Nations applies to the cyber realm, there remains no consensus as to how arts 2(4) and 51 apply to cyber attacks. This uncertainty is significantly more pronounced vis-à-vis “non-kinetic” cyber attacks which do not manifest physically. Given the imperatives underpinning the ability to defend against ever-increasing cyber attacks which may have ramifications far greater than traditional weaponry, a novel approach is required. This article provides a bespoke framework to appropriately fill this lacuna, termed the “Substantive Necessity” approach. In arguing that notions of “force” and “gravity” do not have inherent requirements of physicality, it proposes that a non-kinetic cyber attack will amount to an “armed attack” animating the right to forcible self-defence where it is apprehended by the victim state based on clear and convincing evidence as a hostile act or set of acts which (a) has fundamentally compromised, or (b) is imminently poised to fundamentally compromise, the (i) functioning or (ii) security of (c) infrastructure crucial to a state’s ability to function as such. This framework, it is argued, protects state interests and reinstates critical deterrents for aggressor states, yet crucially does not “open the floodgates” to enable the unacceptable escalation of unlawful force.

Sample 7. Tiverios, N. A. (2023). Preventing the Infinite Regress: Discretion, Bars to Relief and the Structure Of Equity. The Cambridge Law Journal, 82(2). P. 350:

**PREVENTING THE INFINITE REGRESS: DISCRETION,
BARS TO RELIEF AND THE STRUCTURE OF EQUITY**

NICHOLAS A. TIVERIOS*

ABSTRACT. *A growing body of literature has emphasised the role of equity as a body of second order principles. These scholars argue that what makes equity distinct is that it assumes a particular outcome at common law, but then controls or disables one party's insistence on her legal entitlements. Where do equitable bars to relief fit within such accounts? This article argues that equitable bars to relief fit comfortably with the view that equity is second order law. This is for a simple reason: equity prevents the unjust exercise of legal entitlements. However, equitable rules are also amenable to being exercised unjustly. To prevent equitable rules being abused, equitable doctrines require some limited discretion to be built in. If this were not the case, then the general law would require a third set of rules to control equity and then a fourth set of rules to control those rules (ad infinitum).*

KEYWORDS: *equity, bars to relief, discretion, conscience, common law.*

TASK 50. In what ways can the above abstracts be characterized as informative or indicative? What common elements can be identified in these abstracts? In which tense is an abstract most frequently written? Identify employed tenses together with an explanation of their functions.

TASK 51. In a group setting, engage in a discussion to identify the strengths and weaknesses inherent to each example.

TASK 52. Select five English journal abstracts from your field of research and analyze their rhetorical structure in comparison with that described in this unit. A table should be constructed, listing the similarities and differences between the examples. Also provide a written account of the instances of meta-text and a list of useful phrases for the composition of journal abstracts.

TASK 53. Write an abstract of your research paper.



UNIT 4

CONFERENCE ABSTRACT



*Use soft words
and hard
arguments.
English proverb*

UNIT 4

CONFERENCE ABSTRACT

A conference abstract (Ukr. *mezu donosiidi*) is a short account of an oral presentation proposed to the organizers of a conference. It is a widespread and important genre that plays a significant role in promoting new knowledge within scientific communities, both national and international.

Nowadays, Ukrainian scholars often try to submit abstracts to international conferences. For many of our academics, the conference abstract is a kind of a "pass" to the world research communities that provides, if accepted, various opportunities for professional contacts and communication.

The abstracts submitted for international and major national conferences are usually reviewed (sometimes blind-reviewed, i.e. considered without seeing the names of the authors) by conference committees. A certain number of abstracts are, as a rule, rejected. Conference abstracts, therefore, participate in the competition for acceptance and need to impress reviewing committees; that is why they may be written in a somewhat promotional, self-advertising manner.

How Long Should a Conference Abstract Be?

The length of a conference abstract can vary significantly depending on the conference's guidelines. Generally, **abstracts should be succinct**, ranging from 150 to 500 words. It's crucial to check the specific requirements of the conference to which you're submitting, as some may have strict word limits.

- **Short Abstracts (150-250 words):** These abstracts are typically required for poster sessions or brief presentations. They should include only the most critical elements of your research: the problem statement, methodology, key findings, and conclusions.
- **Medium-Length Abstracts (250-350 words):** These are common for oral presentations and should provide a bit more detail about your research. In addition to the basics, you can include more context or background information.
- **Long Abstracts (350-500 words):** These are often required for panel proposals or more comprehensive presentations and must offer a thorough overview of your research, including detailed methodology, along with a discussion of the implications of your findings.

What is a Call for Proposals (CFP)?

A CFP, issued by the conference organizers, announces the conference and asks scholars in the field to send their proposals for presentations and/or other formats like panels, roundtable discussions, workshops, and poster presentations. It provides details about

- The conference dates, location, and theme
- Guidelines for presentations and other formats
- Requirements for the proposal
- Deadline for submitting the proposal

Session formats

Formats vary among conferences and disciplines, but these are a few you might see in a CFP:

- **Paper presentation:** A paper presentation is a standard oral presentation where one or more speakers share their work. Typically, each individual presentation is allotted 15 to 20 minutes, with 3 – 4 speakers on similar topics assigned to the same panel.
- **Poster presentation:** The presenter creates a poster that provides an overview of their project and displays it in a poster session.
- **Panel presentation:** In a panel presentation, the presenters propose their own panel of (typically) 3 – 4 papers.
- **Roundtables:** In a roundtable session, the roundtable organizers lead a discussion on a specific theme or issue, rather than presenting their own research.

Drafting Your Proposal

- Look carefully at the guidelines for proposals, including word count and required information. Conference proposal guidelines vary widely across conferences and disciplines.
- Conference proposals are somewhat similar to abstracts, in that they typically provide the context or background for your project, explain its significance, describe the method, preview the findings, and highlight the contributions.
- Locate your project in the research or scholarship in your field—the proposal should cite key sources.
- Think about how you could frame your research to connect it to the conference theme.
- Spend some time to create a descriptive title that clearly communicates the topic and focus of your presentation (think of readers skimming or doing a keyword search of the conference program).
- Get guidance and feedback from colleagues, faculty, and advisors in your field of study.

SAMPLE STRUCTURE

The conventions for conference proposals and abstracts vary across conferences and disciplines. In addition to following the conference proposal guidelines, be sure to consult a colleague, faculty member, or advisor for guidance and feedback. A typical proposal would cover these areas:

Context or background: Identify your topic and establish its importance in a current policy, practice, and/or scholarly debate, problem, or issue. Establish what is known about your topic; this is one place to reference key sources. Then present a need or gap in knowledge that your project will fill.

Purpose and significance: Describe the purpose of the study and its significance. If appropriate, briefly describe the theoretical frame you use.

Methods: If you are presenting an empirical project, discuss the methods you will use in the project. For some disciplines, this is an important section when it comes to having a conference proposal accepted. Be specific, clear, and detailed as you describe the methods used to collect and analyze the data.

Findings or conclusions: If your research has already been conducted or completed, describe your findings concisely. If you haven't yet conducted your research, discuss the kind of findings you hope to present. This section may also highlight contributions your research makes to the field and a discussion of key takeaways of relevance to the audience.

An abstract is a brief summary of an author's main ideas, key aspects, and concepts. Abstracts are shorter and have a simpler structure than articles. The abstract topic should be narrow and clear. Abstracts are part of many presentations, theses, and papers. A presentation usually takes 10–15 minutes, so it is important to plan accordingly. An abstract is not a summary of a research paper. An abstract is a separate text with its own rules. The format of abstracts and articles varies by conference. Each conference has its own rules for presentations. The format is as important as the content. If it does not meet the standards, the conference may reject the abstract.

Starts with a problem statement and captures interest Mentions foundational literature and research Describes learning activities and method of audience involvement Describes skills to be developed, benefits of participation and contribution to the field Concludes with how information can be transferred	1. The following section outlines the research field, referencing established knowledge, importance claims and previous research. 2. The justification of a specific research project or study may be achieved by indicating a gap in the existing body of knowledge, by presenting a counter-claim, by posing a research question, or by building upon a tradition of previous studies. 3. The following section introduces the paper that will be presented at the forthcoming conference. 4. A concise overview of the paper should be provided. 5. It is important to highlight the outcome or results of the study, indicating the most significant findings or their potential applications and implications.
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TASK 54. Draft a 250-word conference abstract for an upcoming international symposium on Digital Sovereignty. You must strictly adhere to the CARS Model: sentence 1–2 (move 1 – claim the centrality of digital sovereignty in current International Law); sentence 3 (move 2 – use a negative connector to identify a specific legal lacuna you intend to address); sentence 4–5 (move 3 – occupy the niche by stating your thesis and methodology). Self-check: have you used nominalization to increase the information density within the word limit?

What Should an Abstract Include?

A well-crafted abstract should give readers a clear and concise summary of your research. Here are the essential components that should be included:

- **Title:** The title should be clear, concise, and descriptive, giving readers a quick overview of your research topic. In fact, according to Dormain Drewitz, writing for Medium, titles are critical: "Your title is the most valuable real estate when selling your talk to a track organizer and prospective audience."
- **Introduction/Background:** Provide context for your research. What is the problem or question your research addresses? Why is it important?
- **Research Question or Objective:** Clearly state the main research question or objective. This will help readers understand the purpose of your study.
- **Methodology:** Briefly describe the methods you used to conduct your research. This could include your study design, data collection methods, and analysis techniques.
- **Results:** Summarize the key findings of your research. Be concise and focus on the most significant results. **Conclusion:** Highlight the main conclusions or implications of your research. How do your findings contribute to the field? What are the broader impacts?

Tips and Strategies for Standing Out with Your Conference Abstract

Writing an effective conference abstract requires clear communication and strategic presentation. Use these tips to help your abstract stand out:

- **Be Clear and Concise:** Use straightforward language and avoid unnecessary jargon. Your abstract should be easy to read and understand, even for those not familiar with your specific area of research.
- **Follow the Guidelines:** Adhere strictly to the conference's submission guidelines. This includes word count, formatting, and any specific content requirements.
- **Highlight the Novelty:** Emphasize what is new or unique about your research. What sets it apart from other studies in your field?
- **Use a Structured Format:** Organize your abstract with clear headings for each section (e.g., Background, Methods, Results, Conclusion). This makes it easier for reviewers to follow your argument.
- **Proofread:** Ensure your abstract is free from grammatical and typographical errors. A polished abstract reflects well on your professionalism and attention to detail.
- **Use Active Voice:** Write in an active voice to make your abstract more engaging and dynamic. This can help maintain the reader's interest.

TASK 55. Analyze a real call for papers from a top-tier legal conference in your field and identify the key terms and themes requested. Write an abstract that uses boosters to highlight the urgency of your topic and hedging to describe your preliminary findings. How does the authorial stance in your abstract respond to the specific information system of the conference theme?

Common Mistakes to Avoid in Conference Abstracts

When writing your conference abstract, be mindful of these common pitfalls:

- **Lack of Clarity:** Ensure your abstract clearly communicates your research question, methods, results, and conclusions. Avoid vague statements and ensure each section is well-defined.
- **Overuse of Jargon:** While technical terms are sometimes necessary, excessive use of jargon can make your abstract difficult to understand. Aim for clarity and simplicity.
- **Insufficient Detail:** Provide enough detail to give readers a clear understanding of your research. Avoid being too brief, which can leave readers with unanswered questions.
- **Ignoring Guidelines:** Each conference has specific guidelines for abstract submissions. Failing to adhere to these can result in your abstract being rejected outright.
- **Poor Structure:** A disorganized abstract can confuse readers and detract from your message. Use a structured format with clear headings for each section.
- **Neglecting the Audience:** Consider the audience of the conference. Tailor your abstract to their interests and level of expertise.
- **Weak Titles:** Your title is the first thing readers see. Ensure it accurately reflects your research and grabs attention.

TASK 56. Compare the requirements for a review abstract (synthesizing existing debates) and an original research abstract (presenting new case analysis). Draft a version for each using the same legal topic. In the review version, focus on Present Perfect to show cumulative knowledge. In the research version, focus on Past Simple to report your specific analysis of case law and Future Indefinite for the outlook.

6 Additional Abstract Considerations...

- **Understanding Your Audience:** Before writing your abstract, it's crucial to understand who will be reading it. Tailor your language and content to the conference's audience, considering their level of expertise and interests.
- **The Importance of Keywords:** Keywords help index your abstract for search engines and databases. Choose relevant keywords that accurately reflect your research topic and ensure they are included in your abstract.
- **Revising and Refining Your Abstract:** Writing an effective abstract often involves multiple drafts. Take the time to revise and refine your abstract, seeking feedback from colleagues or mentors to ensure clarity and impact.
- **The Role of Visuals in Poster Abstracts:** For poster submissions, consider how visuals will complement your abstract. Mention key figures or tables included in your poster to give reviewers a sense of your presentation's visual elements.
- **Aligning with Conference Themes:** Many conferences have specific themes or focus areas. Align your abstract with these themes to increase the chances of acceptance. Highlight how your research contributes to the conference's overarching topics.
- **Ethical Considerations in Abstract Writing:** Ensure your abstract honestly represents your research. Avoid overstating your findings or making unsupported claims. Ethical integrity is paramount in academic writing.



UNIT 5

ORAL PRESENTATION & PARTICIPATION IN CONFERENCE



*“The endless cycle of
ideas and action.
Endless invention,
endless
experimentation
Brings knowledge of
motion,
But not of stillness.”
T. Eliot*

UNIT 5

ORAL PRESENTATION AND PARTICIPATION IN THE CONFERENCE

TASK 57. Choose a suitable heading for the paragraphs of the text “Participating in Scientific Conferences”

Networking

Knowledge Sharing

Professional Development

Feedback and Critique

Visibility

Innovation and Inspiration

Participating in Scientific Conferences

Participating in scientific conferences is incredibly valuable for several reasons:

1. Conferences provide a unique opportunity to meet and connect with peers, experts, and influencers in your field. These interactions can lead to collaborations, mentorship, and career opportunities.

2. Presenting your research allows you to share your findings with the community, receive feedback, and inspire others. It is also a chance to learn about the latest advancements and trends from other presentations.

3. Engaging in discussions, workshops, and presentations helps enhance your knowledge and skills. It can also improve your public speaking and communication abilities.

4. Presenting at conferences increases your visibility in the academic community. It helps build your reputation and can lead to invitations to collaborate on projects, join research groups, or contribute to publications.

5. Constructive criticism from experts and peers can significantly improve your research. It provides a different perspective and can highlight areas for improvement or new directions for your work.

6. Exposure to diverse ideas and approaches can spark new ideas and inspire innovative solutions to challenges in your research.

Overall, scientific conferences are a cornerstone of academic and professional growth, offering countless opportunities to advance both personally and professionally.

Networking

The ability to network is a highly valuable skill for the development of professional relationships and the improvement of career prospects. Networking is the process of establishing connections with individuals who may be able to provide valuable insights, opportunities, and career support.

Conferences offer a valuable opportunity to connect with industry peers, discover emerging trends and advancements, and share knowledge with others. However, to fully benefit from a conference, it is essential to conduct thorough research on the event, attendees, and speakers beforehand. Additionally, it is crucial to prepare an effective elevator pitch that succinctly outlines your background, professional expertise, and career objectives.

The advantages of networking at a conference are manifold. Attending conferences offers legal professionals the opportunity to advance careers and develop skills, facilitating professional growth and advancement. The following section will outline some of the most significant advantages associated with networking at a conference.

The fostering of existing professional relationships is a further advantage of networking at a conference. The formation of stronger connections can be facilitated by the act of reconnecting with colleagues and peers, which may subsequently lead to the inception of future collaborations or the provision of referrals.

Enhancing career prospects is another key benefit of networking at a conference. Conferences provide an opportunity to explore potential career opportunities and to meet individuals who can support your professional development. Networking with industry experts, recruiters, and employers can facilitate the discovery of job openings, career opportunities, and the current state of the industry.

The expansion of your business: Conferences provide an excellent opportunity to cultivate business relationships and gain new clients. Networking with potential partners and customers can facilitate the growth of your professional network and increase the potential for business opportunities.

Accessing resources: Conferences frequently offer workshops, forums, and networking events, which can assist in the development of particular business practices. The utilization of these resources enables the acquisition of novel insights and competencies that facilitate career advancement.

The development of legal knowledge and soft skills: Attending seminars, workshops, and forums which offer expert insights into modern trends, forecasts, and best practices can facilitate the acquisition of new skills and new approaches that can be implemented in your legal area. Networking at a conference can also facilitate the identification of mentors who can provide support and guidance in the context of your career development. By establishing connections with other legal professionals, you can gain insight from their experiences and benefit from their counsel.

To optimize your conference experience, it is vital to plan your networking strategy well in advance. Whether your objective is to expand your professional network or to connect with potential clients, these tips will assist you in making the most of your networking opportunities and creating a lasting impression on new contacts.

1. Pre-Conference Preparation

It is crucial to adequately prepare for a conference before attending. This preparation should include research into the conference and attendees, setting goals and practicing introductions of yourself and your work.

When researching conferences and attendees, it is important to bear the following points in mind:

conference agenda provides an overview of the event's schedule, including details of the keynote speakers, panel discussions, workshops and sessions. Identify the sessions that are relevant to your work or interests, noting the date, time, and location. This information will assist you in

planning your schedule and ensuring that you do not miss any critical sessions;

keynote speakers are typically the most prominent and expert individuals in a particular field. It is advisable to research the backgrounds and areas of expertise of the keynote speakers in order to identify potential topics for discussion during networking opportunities. Note the date and time of the keynote addresses and plan to attend those that align with your interests.

social events provide an opportunity to meet new people and network in a more relaxed setting. Research the social events offered, and note the date, time, and location. Plan to attend those that align with your networking goals and interests;

attendees: most conferences provide a list of attendees, or attendees can create profiles in the conference app or website. It is recommended that you identify individuals you want to connect with, noting their names, job titles and company names.

When setting goals, it is important to determine what you hope to achieve from attending the conference and networking. Your objectives may include the following:

networking with new contacts: conferences provide a distinctive chance to connect with individuals from your industry. You may wish to set a goal of meeting a certain number of new people each day, or alternatively, seek out specific types of people, such as those working in a particular role or company;

gaining insight into the professional field: attending conference sessions, workshops, and other events can facilitate the acquisition of knowledge about your industry. You may wish to set a goal of attending a certain number of sessions or focusing on learning about specific topics or trends.

identifying potential employment opportunities: conferences provide an excellent opportunity to network and identify potential job opportunities. It is possible to aim to connect with recruiters or hiring managers from companies of interest, or to learn about job openings at the conference;

It is advisable to practice introducing yourself and your work. Attending conferences provides an excellent opportunity to meet new people, connect with potential clients and find new business opportunities. However, initiating contact with unfamiliar individuals and making a favorable impression can prove challenging. A well-crafted introduction is essential for making a positive first impression and starting a meaningful conversation.

When practicing your introduction, it is important to consider the following key aspects:

it is important to ***create a memorable introduction***. The first step to successful networking is to create a memorable introduction. It is advisable to make a good impression in the first few seconds of meeting someone, as your introduction is likely to be the key factor in determining how the meeting progresses. A well-crafted introduction should include your name, job title, and a summary of your experience and skills;

adapt the introduction to suit the audience and the occasion. It is crucial to ***tailor your introduction*** to the audience and the event you are attending. For instance, if you are attending a law conference, it would be advisable to focus on your experience in legal practice and in a leadership;

also, it is advisable to ***practice your introduction***. It is advisable to rehearse your introduction before attending the event, ensuring that it sounds natural and confident. Rehearse your introduction in front of a mirror or with a colleague and request feedback. The more you practice, the more at ease you will be in introducing yourself to unfamiliar contacts;

be authentic, avoid exaggerating or overstating your skills and experience. Instead, present your achievements and objectives in a truthful and sincere manner; be aware that others can quickly detect insincerity, which can damage your credibility and reputation;

demonstrate active listening skills: Networking is not merely about introducing yourself; it is also about listening to others. In order to gain a deeper understanding of the other person's work and experience, it is advisable to ask open-ended questions and demonstrate a genuine interest.

Good listening skills are an invaluable asset in legal area, enabling the building of meaningful connections and the acquisition of valuable insights.

2. During the Conference

It is important to attend social events and meet-ups during the conference. This will allow you to network with other attendees, exchange business cards, take notes and ask open-ended questions to start conversations. This includes approaching people with a smile and a handshake, asking open-ended questions to initiate conversations, taking notes, and exchanging business cards.

Initiate Contact with a Friendly Gesture

Greetings with a smile and a handshake can help break the ice and create a positive first impression. It demonstrates confidence, friendliness and approachability. Furthermore, a handshake is a universally recognized form of greeting that helps to establish a connection with the other person.

The following tips are provided for those wishing to approach people with a smile and a handshake: it is advisable to ***prepare an opening line*** in advance. Prior to initiating contact with a prospective contact, it is advisable to prepare a few opening lines to facilitate the commencement of the conversation. For instance, you might introduce yourself and inquire as to their experience at the conference. ***Maintain a confident demeanour.*** When it comes to networking, confidence is of the utmost importance. It is important to remember that all attendees are there for the same reason and are likely interested in meeting new people. ***Maintain eye contact*** with the other person. This demonstrates your active participation in the discussion and your interest in the other person's input. A ***smile*** can significantly contribute to fostering a sense of comfort and ease in a professional setting. It is important to maintain a positive and engaging demeanor, including smiling, when approaching someone and throughout the conversation. A ***handshake*** is an appropriate gesture to make when greeting someone. Once you have introduced yourself, it is appropriate to offer a handshake. Ensure the handshake is firm but not excessive. This demonstrates professionalism and confidence.

One of the most effective ways to initiate dialogue with a colleague at a conference is to ***ask open-ended questions***. They prompt an individual to provide a comprehensive response, which can facilitate a deeper understanding of their interests and preferences. The following tips are provided for those wishing to ask open-ended questions at a conference: When approaching someone, ***demonstrate curiosity and authenticity***. Demonstrate ***interest*** in their work and inquire about topics that will facilitate a deeper understanding of their background and expertise. Avoid asking questions solely for the purpose of engaging in superficial conversation. Instead, focus on questions that facilitate the development of a meaningful dialogue.

It is advisable to prepare some open-ended questions in advance. This will help you to feel more confident and prepared when talking to someone. Prior to the meeting, consider what you would like to know about the person, company or industry and prepare a list of questions based on this information. ***Inquire about their areas of interest***. People are often keen to discuss their interests, so it is advisable to ask questions that will help you gain a deeper understanding of their area of expertise. Another effective method for initiating a dialogue is to ***inquire about an individual's experiences***. For instance, you could inquire about their most rewarding project or the most significant challenge they have encountered in their professional career.

It is advisable to ***take notes and exchange business cards*** during conversations. This will assist you in remembering key details about the person and their interests. Following the conclusion of a conversation, please exchange business cards to facilitate future contact. It is advisable to record any pertinent details on the business card, such as the date and location of the conference, in order to facilitate future recollection of the meeting.

The following tips will assist you in taking effective notes and exchanging business cards: during conversations, it is advisable to take

notes in order to retain key details about the person and their interests. Record the individual's name, company or organization, and any other pertinent details. This will assist you in recalling details when contacting them subsequently. It is advisable to be prepared to ensure that you have sufficient business cards to distribute during the event. It is also advisable to keep them in a convenient location, such as a pocket or business card holder, so that you can access them quickly when required. Following a conversation, exchange business cards to facilitate future contact. Ensure that any relevant details are noted on the card, such as the date and location of the conference, to assist with recollection of the meeting. Obtain their contact information, such as email or LinkedIn profile, to facilitate future communication.

3. After the Conference

Networking at conferences can provide valuable opportunities to expand your network and make meaningful connections, which can lead to new business opportunities. However, the real work of networking begins after the conference has concluded. To optimize the value of your contacts, it is essential to follow up with them in a personalized and professional manner. The following tips will assist you in following up effectively:

Send tailored follow-up emails to new contacts to facilitate ongoing communication with individuals you have met and help to foster long-lasting connections. This can be particularly beneficial if you intend to collaborate with them. The email should be personalized in order to make a lasting impression. Include details of the discussion or topic covered, and refer to them by name. This will demonstrate your commitment to the relationship. Begin by *expressing gratitude* for their time and insights. Express your gratitude for the opportunity to converse and connect. It is advisable to *remind* the other party of the content of your *previous conversation*. Outline the key points of the discussion and any key insights or takeaways you gained from it. Kindly *offer to connect* with them again at a future date. This could be a follow-up telephone call or an invitation to a

future event. This demonstrates your commitment to developing the relationship further.

Connect with your new contacts on social media and LinkedIn: staying in touch and building your professional network is a key benefit of connecting with people on these platforms. When sending a connection request, include a personalized message that reminds the recipient of your meeting and expresses your interest in maintaining contact. This will help ensure that your request is accepted and that the connection is meaningful. ***Maintain a professional standard at all times.*** It is important to ensure that your social media and LinkedIn profile is up to date and presents a professional image. Use a professional headshot and ensure that your profile summary accurately reflects your skills and experience. Share content that is relevant and provides insight. ***Distribute pertinent and perceptive content to your connections.*** This could include industry news, articles offering insight and analysis, or research reports. ***Engage with your professional contacts*** by offering comments on their posts, sharing their content, and offering congratulations on their achievements. This demonstrates your commitment to the relationship and the value you place on their input.

Attending conferences is an essential part of professional development. It allows individuals to expand their professional network, gain insight into emerging trends and advancements in their industry, and potentially secure new business or job prospects.

Furthermore, these conferences can be invaluable for building one's brand and increasing visibility, which in turn can lead to professional growth and advancement.

To derive the greatest benefit from networking conferences, it is essential to be proactive, approachable and receptive to forming new connections. By taking an active role in networking events, professionals can expand their professional network, learn from peers and experts, and gain valuable insights to enhance their professional growth.

TASK 58. Match the words with their meanings:

conference	a question raised for inquiry, consideration, or solution; an intricate unsettled question
symposium	plan or system under which action may be taken toward a goal; a brief printed outline of the order to be followed, of the features to be presented and persons participating
problem	a meeting of two or more persons for discussing matters of common concern; a formal interchange of views
idea	a social gathering at which there is free interchange of ideas
program	a consideration of a question in open and usually informal debate; a formal treatment of a topic in speech or writing
discussion	a formal reproof; a discourse given before an audience or class for instruction
lecture	a conception (thought) which means what exists in the mind as a representation or as a formulation; a mental image or formulation of something seen or known, or imagined

TASK 59. Explain the differences between the words:

- a) a problem – an idea
- b) a discussion – a lecture
- c) a conference – a symposium

Five differentiated tasks progressing through Bloom's taxonomy:

Task 59.1 (foundational) – write your own definitions and example sentences.

Task 59.2 (analytical) – identify and correct six seeded lexical errors.

Task 59.3 (applied) – write an annotated paragraph using all six terms.

Task 59.4 (evaluative) – deliver a 3-minute oral seminar presentation.

Task 59.5 (integrative) – write a critical essay arguing which pair poses the greatest risk to scholarly credibility.

WORD PAIRS: DEFINITIONS AND KEY DISTINCTIONS

a

a problem vs an idea

A problem

A problem denotes a matter that is difficult, unresolved, or requires a solution. In academic writing it signals a gap, deficiency, or contradiction in existing knowledge, law, or practice – the intellectual challenge that justifies the research. It implies urgency, conflict, or dysfunction.

An idea

An idea denotes a thought, concept, or proposition that emerges from intellectual activity. In academic writing it refers to a theoretical proposition, argument, or insight advanced by a scholar. It is neutral in valence – neither inherently negative nor requiring resolution.

Key Distinction

A problem is something that needs to be solved – it belongs to the research justification and gap identification. An idea is something that needs to be developed and argued - it belongs to the theoretical contribution. In legal scholarship: The problem of enforcement gaps motivates this research vs. The central idea advanced in this paper is that jus cogens norms create erga omnes procedural obligations.

b

a discussion vs a lecture

A discussion

A discussion is a dialogic, interactive exchange in which two or more participants contribute, question, and respond. It implies intellectual reciprocity and the absence of a single authoritative speaker. In academic writing, a discussion section interprets and contextualises findings rather than merely presenting them.

A lecture

A lecture is a monologic, formal presentation of knowledge delivered by one speaker - typically an expert - to an audience that receives rather than contributes. It is unidirectional in structure. In academic settings it refers specifically to the formal didactic oral exposition of a subject.

Key Distinction

The axis of difference is directionality and interactivity. A lecture flows one way (expert → audience); a discussion flows in multiple directions (participant ↔ participant). At a conference: a keynote address is a lecture; the Q&A session and floor debate constitute a discussion. In a PhD seminar, a supervisor who presents material delivers a lecture; when the group interrogates the material together, they engage in discussion.

C

a conference vs a symposium

A conference

A conference is a large-scale, formally organised academic event convening scholars, practitioners, and institutions around a broad disciplinary or thematic area. It typically features multiple parallel sessions, keynote addresses, paper presentations, and networking opportunities. It is open in scope and accommodates diverse contributions.

A symposium

A symposium is a smaller, more focused academic gathering convening a select group of specialists to examine a specific, well-defined question or theme in depth. It is characterised by intellectual intensity, depth of engagement, and a more intimate format. The term derives from the Greek symposion – a gathering for shared inquiry.

Key Distinction

The axis of difference is scale, scope, and depth. A conference is broad, large, and diverse; a symposium is narrow, small, and deep. A conference on international law might host 500 participants across 40 panels; a symposium on jus cogens might convene 20 specialists for two days of focused exchange. A symposium implies greater prestige through selectivity; a conference implies greater visibility through scale.

DIFFERENTIATED TASKS

BLOOM'S TAXONOMY FRAMEWORK

59.1 Definition Discrimination

FOUNDATIONAL

For each of the three word pairs, write two concise definitions (40–60 words each) in your own words - without using the target word itself. Your definitions must capture the precise meaning as used in legal and academic English, not in everyday speech.

- Do not copy definitions from a dictionary. Reformulate in your own scholarly voice.
- Each definition must contain at least one feature that distinguishes the word from its pair partner.
- Use appropriate academic register throughout (avoid colloquial language).

Then: Write one sentence for each of the six terms demonstrating its correct use in a legal academic context.

DELIVERABLE

6 definitions (40–60 words each) + 6 example sentences in legal academic register. Written, individual submission.

59.2 Error Identification & Correction

ANALYTICAL

The following six sentences each contain a lexical error - one of the six target words has been incorrectly used in place of its pair partner. Identify the error, explain why it is incorrect, and rewrite the sentence correctly.

- The keynote discussion was delivered by Professor Cassese to an audience of 400 delegates.
- The paper identifies a central idea in the current framework for state responsibility: the absence of a compulsory dispute settlement mechanism.
- Thirty specialists convened for a two-day conference on the single question of civilian protection in non-international armed conflict.
- Following the presentation, a formal lecture broke out among the panellists regarding the applicability of erga omnes obligations.
- The original problem advanced by Lauterpacht - that individual rights are inalienable under general international law - has profoundly influenced subsequent scholarship.

- The Annual Symposium of the International Law Association attracted over 600 participants from 70 jurisdictions.

DELIVERABLE

For each sentence: identify the incorrect word; explain the error in one sentence; write the corrected sentence. Written submission.

59.3 Contextual Application in Legal Writing

APPLIED

Write a single coherent paragraph (180–220 words) for the introduction of a doctoral conference abstract on a topic from your own research. Your paragraph must:

- Use all six target words (a problem, an idea, a discussion, a lecture, a conference, a symposium) accurately and naturally - not forced.
- Deploy appropriate hedging and boosting language calibrated to the claims being made.
- Maintain a consistent formal academic register throughout.
- Include at least one Latin legal expression from the course glossary used correctly in context.

After writing the paragraph, annotate each of the six target words with a brief parenthetical note (in square brackets) explaining why that particular word - and not its pair partner - was the correct choice in that context.

DELIVERABLE

One annotated paragraph (180–220 words) using all six terms with bracketed justifications. Written submission.

59.4 Oral Seminar Presentation

EVALUATIVE

Prepare and deliver a 3-minute spoken explanation of all three word pairs for your doctoral seminar group. Your presentation must:

- Define each word precisely and explain the key distinction within each pair using your own legal academic examples - not the examples from the course materials.

- Use appropriate signposting language to structure your explanation (Turning to the second distinction..., The crucial difference here lies in...).
- Include at least one deliberately incorrect usage of a target word, which your audience must identify and correct - creating a moment of interactive scholarly debate.
- Conclude by explaining which distinction you consider most consequential for doctoral legal writing and why, with reference to your own research.

Following your presentation, respond to two questions from your peers using appropriate academic etiquette and the formulae practised in Unit 5.

DELIVERABLE

3-minute oral presentation + Q&A responses. Assessed by peers and supervisor using the Unit 5 evaluation framework.

59.5 Critical Comparative Essay

INTEGRATIVE

Write a critical comparative essay (400–500 words) arguing which of the three word pairs presents the greatest risk of lexical error for non-native PhD candidates in law - and why. Your essay must:

- Advance a clear thesis identifying the most problematic pair and defend it with specific linguistic and disciplinary reasoning.
- Analyse all three pairs, including the consequences that lexical confusion in each pair would have for scholarly credibility, argumentation, and register.
- Draw on metalinguistic concepts from Unit 1 (register, hedging, boosting, lexical density, academic discourse) to support your argument.
- Consider the specific legal disciplinary context: which confusion would be most damaging in a doctoral thesis, a conference abstract, or an oral presentation?
- Conclude with a practical recommendation for doctoral candidates on how to avoid the error you have identified as most serious.

DELIVERABLE

Critical essay (400–500 words) with clear thesis, structured argument, and metalinguistic analysis. Written, individual submission.

UNIT 5 EVALUATION FRAMEWORK ASSESSMENT CRITERIA

Criterion	Descriptor
Lexical precision	Correct, context-sensitive use of all six target terms; no conflation of pair partners; awareness of register variation across disciplinary contexts.
Academic register	Consistent formal scholarly tone; appropriate use of hedging and boosting; absence of colloquialisms or imprecise formulations throughout.
Argumentation	Clear thesis or analytical position; evidence-based reasoning; logical development of the argument from claim through evidence to conclusion.
Legal disciplinary awareness	Examples and reasoning grounded in legal scholarship; correct use of Latin expressions and doctrinal concepts where deployed in the response.
Metalinguistic reflection	Ability to reflect critically on language use; capacity to explain why a particular lexical choice is correct or incorrect in scholarly context.
Scholarly voice	Original formulation; avoidance of plagiarism; confident, authoritative academic voice appropriate to doctoral-level research output.

Note: Tasks progress from foundational language production (Task 1) through critical analysis (Tasks 2–3) and evaluative engagement (Task 4) to full integrative performance (Task 5), allowing PhD candidates at different stages of development to engage at the level appropriate to their scholarly maturity.

TASK 60. Give English equivalents to the following:

інноваційна ідея; сформулювати ідею; цікаве твердження; наукова конференція; програма конференції; міжнародні симпозиуми; план роботи; університетська лекція; невирішене питання; обговорювати питання; розглянути питання; офіційне обговорення; неформальне обговорення.

TASK 61. Translate into English:

1. Вам надіслали запрошення на Ірпінську конференцію з податкового права?
2. Ця міжнародна конференція присвячена питанню реформування кримінально-правової політики України.
3. Хто веде пленарне засідання?
4. Проблеми трансформації фіскальної політики України в умовах євроінтеграції обговорюються на засіданні другої секції.
5. Важливі питання е-трансформації фінансової політики держави обговорювались на пленарному засіданні.
6. Реченець подання тез – 5 жовтня.
7. Видатного вченого буде запрошено виступити на пленарному засіданні.

An oral presentation at an international legal conference is a form of strategic communication where the speaker defends their legal position before an expert community.

Structural components of a legal presentation:

- ✓ the opening captures the audience's attention by highlighting a high-profile court case or a pressing legal conflict;
- ✓ the context (move 1 CARS) explains why this problem is relevant to international or national law at this specific moment;
- ✓ the argument (the core) presents the key aspects of the research, utilize visual evidence (e.g., tables, judicial decision flowcharts, or comparative maps);

- ✓ the conclusion (the impact) states clearly what the proposal will change in legal practice or future legislation.

Signposting (navigating the audience) is critical for maintaining logical flow:

- ✓ introduction: *I will focus on three primary jurisdictional challenges...*;
- ✓ transition: *moving from the doctrinal aspect to the practical application...*;
- ✓ emphasis: *it is crucial to observe that this ruling alters the burden of proof*;
- ✓ handling Q&A (defensive and offensive strategies): *that is a plausible interpretation; however, my data suggests...; if I understand your question correctly, you are referring to...; that is a pivotal point; let us examine it in the context of...*

TASK 62. The 3-Minute Thesis Challenge: *condense your 250-word abstract into a 3-minute speech. Eliminate all complex subordinate clauses and replace them with Active Voice and Strong Verbs. Use at least three signposting expressions to guide the audience through your logic. Record yourself and analyze: is your authorial stance too tentative (over-hedging) or too aggressive (lack of hedging)?*

TASK 63. Prepare for a hypothetical Q&A session (3-5 Q&A) based on your research topic. Formulate the most difficult counter-argument to your thesis. Draft a response using the Acknowledge-Bridge-Refute strategy (i.e., Acknowledge: *while I recognize the validity of that doctrinal view...Bridge: ...one must also consider the empirical findings of my study...Refute: ...which clearly demonstrate that the current law is ineffective*).

TASK 64. Using the list of signposting expressions below, construct a full spoken outline for a 15-minute conference presentation on a legal topic of your choice from your PhD research.

Your outline must include the following stages, each introduced by an appropriate signposting phrase:

- ✓ *Opening and self-introduction*
- ✓ *Statement of the research problem and its significance*
- ✓ *Overview of the structure*
- ✓ *Main argument (3 points)*
- ✓ *Conclusion and implications*
- ✓ *Invitation to questions*

Language bank to draw from: I would like to begin by..., The central argument I wish to advance is..., Turning now to..., This brings me to my final point..., To summarise the main findings, I would welcome any observations on...

Deliverable: A written outline (300–400 words) using the above stages and at least 8 signposting expressions, with a brief annotation explaining why each expression was chosen.

Assessment focus for self-control and peer discussion: logical sequencing, appropriate register, accurate use of signposting language.

TASK 65. You are given the following poorly designed slide from a fictional PhD candidate's conference presentation:

SLIDE 7. MY ARGUMENT

International law is broken. The UN doesn't work.

Nobody follows the rules anymore.

We need something new. My thesis proves this.

Your task: identify and explain five specific weaknesses in this slide in terms of academic register, argumentative precision, evidential grounding, and appropriate use of legal terminology. Rewrite the slide as it should appear in a doctoral-level conference presentation, using precise civil law and international law terminology, a clear thesis statement, and

appropriate hedging and boosting language. Write the spoken commentary (100–120 words) that would accompany your revised slide, as it would be delivered orally at an international academic conference.

Assessment focus for self-control and peer discussion: critical analysis, command of legal academic register, ability to translate complex argument into effective visual and oral format.

TASK 66. After attending a colleague's 15-minute doctoral conference presentation, you are required to produce a structured written evaluation (500–600 words) using the framework below.

Your evaluation must assess the presentation across four dimensions, providing specific evidence from what you observed and constructive recommendations for improvement:

<i>Dimension</i>	<i>Criteria to assess</i>
<i>Content</i>	Clarity of thesis; originality of argument; use of evidence and sources; doctrinal accuracy
<i>Structure</i>	Logical sequencing; use of signposting; balance of sections; time management
<i>Delivery</i>	Academic register; confidence; clarity of spoken English; engagement with audience
<i>Participation</i>	Quality of responses in Q&A; handling of critical questions; academic etiquette

Your evaluation must:

- ✓ *open with a concise summary of the presentation's central argument;*
- ✓ *use specific examples and quotations from the presentation;*
- ✓ *employ appropriate academic hedging (it might be suggested that..., the presenter would benefit from...);*
- ✓ *conclude with an overall assessment of the presentation's contribution to the scholarly debate;*

Assessment focus for self-control and peer discussion: Critical listening, analytical writing, constructive scholarly engagement.

TASK 67. Produce a conference participation portfolio on a legal topic of your choice from your PhD research for simulating your full engagement with an international academic legal conference. Your portfolio must contain four components:

Component 1. Abstract submission (250 words)

Write a conference abstract for a paper drawn from your doctoral research, complying with academic abstract conventions: background, objective, methodology, findings, and originality.

Component 2. Presentation slide deck (6–8 slides)

Prepare a slide deck for a 15-minute oral presentation of your paper. Each slide must be accompanied by a written note (50–70 words) explaining the spoken commentary you would deliver and the rhetorical function of the slide.

Component 3. Floor discussion contribution (200 words)

Write the text of a substantive scholarly intervention you would make during the floor discussion following another speaker's presentation on state responsibility for cyber operations. Your contribution must pose a precise legal question or advance a counterargument, using appropriate Latin expressions and academic discourse conventions.

Component 4. Reflective commentary (300 words)

Reflect critically on the experience of preparing this portfolio and identify: the linguistic and rhetorical skills you found most challenging; how your use of boosting and hedging evolved across the four components; and what the preparation of this portfolio revealed about your development as a scholarly communicator.

Assessment focus for self-control and peer discussion: synthesis of all conference competencies; scholarly voice; self-awareness; integration of academic language skills across all four modes of conference participation.



GLOSSARY



GLOSSARY

UNIT 1. ENGLISH ACADEMIC LANGUAGE

Mastery of academic English conventions is a prerequisite for producing scholarly work of international standard. The following terms define the core linguistic and stylistic features of legal academic discourse.

Term	Definition	Usage / Example
Academic register	A formal style of language used in scholarly writing, characterised by precision, objectivity, and adherence to disciplinary conventions.	<i>Maintain an academic register throughout your doctoral dissertation.</i>
Boosting language Hedging language	Linguistic devices that strengthen, intensify, or assert the certainty of a claim - the opposite of hedging Linguistic devices used to express caution, tentativeness, or limited certainty regarding claims (e.g., may, arguably, it is suggested that).	<i>Boosting language amplifies the writer's commitment to a proposition, signals confidence in the evidence, or emphasises the significance of a finding. Hedging language is essential when presenting unverified legal propositions.</i>
Nominalization	The process of converting verbs or adjectives into nouns to achieve greater abstraction and formality in academic prose.	<i>The court decided → the court's decision; nominalization increases objectivity.</i>

Term	Definition	Usage / Example
Passive voice	A grammatical construction in which the subject receives the action, commonly used in academic writing to achieve impersonality and objectivity.	<i>Passive voice is frequently employed in legal texts: The statute was amended in 2003.</i>
Cohesion	The grammatical and lexical linking within a text that creates structural unity and logical flow between sentences and paragraphs.	<i>Cohesion is achieved through the use of linking adverbials such as furthermore , however , consequently .</i>
Coherence	The logical organisation and thematic unity of a text, ensuring that ideas develop clearly and consistently throughout.	<i>A coherent argument is fundamental to a well - structured legal research paper.</i>
Discourse markers	Words or phrases that organise and signal relationships between ideas (contrast, addition, causality, exemplification) within academic discourse.	<i>Notwithstanding the foregoing , by contrast , it follows that are typical legal discourse markers.</i>
Citation convention	The standardised system of referring to sources within academic texts, ensuring attribution, verifiability, and intellectual honesty.	<i>Doctoral candidates must adhere to the citation conventions prescribed by their institution.</i>

Term	Definition	Usage / Example
Paraphrase	The restatement of a source's ideas in one's own words while preserving the original meaning, used to demonstrate comprehension and avoid plagiarism.	<i>Paraphrasing scholarly sources is preferred over direct quotation in legal academic writing.</i>
Critical analysis	The systematic evaluation of legal arguments, sources, and evidence through reasoned judgment, identifying strengths, weaknesses, and underlying assumptions.	<i>PhD candidates are expected to engage in critical analysis rather than mere description of the law.</i>
Lexical density	The proportion of content words (nouns, verbs, adjectives) to total words in a text, which is typically higher in academic writing than in spoken language.	<i>High lexical density characterises formal legal scholarship.</i>
Argumentative structure	The logical organisation of a scholarly text comprising a thesis, supporting evidence, counterarguments, and a conclusion.	<i>A clear argumentative structure is indispensable in doctoral legal research.</i>

UNIT 2. RESEARCH PAPER

A research paper is the primary means for communicating original legal scholarship. These terms cover the structural, methodological, and ethical dimensions of legal research writing.

Term	Definition	Usage / Example
Research paper	A scholarly written work presenting original research, analysis, or argumentation on a specific legal or academic topic, supported by evidence and properly cited sources.	<i>A peer -reviewed research paper constitutes a primary output of doctoral legal scholarship.</i>
Thesis statement	A concise declarative sentence articulating the central argument or claim of a research paper, guiding the direction of the entire work.	<i>The thesis statement should appear in the introduction and be substantiated throughout the paper.</i>
Literature review	A critical synthesis of existing scholarly sources relevant to the research topic, identifying gaps, debates, and the state of knowledge in the field.	<i>A rigorous literature review situates the doctoral research within the broader academic discourse.</i>
Research methodology	The systematic framework of methods, approaches, and procedures employed to conduct research and generate reliable, valid findings.	<i>Legal research methodologies include doctrinal analysis, comparative law, and socio -legal inquiry.</i>

Term	Definition	Usage / Example
Doctrinal research	A methodology focused on the systematic analysis of legal rules, principles, and concepts as found in statutes, case law, and legal scholarship.	<i>Doctrinal research remains the dominant methodology in black - letter legal scholarship.</i>
Comparative legal research	A methodology involving the systematic analysis and evaluation of legal systems, rules, or institutions across different jurisdictions.	<i>Comparative legal research is employed to identify best practices in international law reform.</i>
Empirical legal research	A methodology that employs social science techniques (surveys, interviews, statistical analysis) to study the operation and effects of law in practice.	<i>Empirical legal research examines how law functions beyond its formal textual expression.</i>
Footnote / Endnote	A citation or explanatory remark placed at the bottom of a page (footnote) or at the end of a document (endnote) to attribute sources or provide supplementary information.	<i>Footnotes are standard in legal academic writing for source attribution and doctrinal commentary.</i>
Peer review	The process by which a scholarly work is evaluated by independent experts in the relevant field to assess its quality,	<i>Submission to a peer - reviewed journal is a hallmark of credible legal scholarship.</i>

Term	Definition	Usage / Example
	validity, and originality prior to publication.	
Research gap	An area of inquiry that has not been adequately addressed or examined in existing scholarship, providing the justification for new research.	<i>Identifying a research gap is essential to establishing the originality of a doctoral thesis.</i>
Plagiarism	The presentation of another's ideas, words, or work as one's own without proper attribution, constituting a serious breach of academic integrity.	<i>All doctoral submissions are screened for plagiarism using specialised detection software.</i>
In-text citation	A brief reference within the body of a text that identifies the source of an idea, quotation, or paraphrase, directing the reader to the full reference.	<i>In-text citations in legal scholarship typically appear in footnotes rather than parenthetical form.</i>

UNIT 3. RESEARCH PAPER ABSTRACT

The abstract is the most widely read part of any research paper. These terms equip PHD candidates to produce precise, informative, and professionally structured abstracts.

Term	Definition	Usage / Example
Abstract	A concise, self-contained summary of a research paper, presenting its purpose, methodology, key findings, and conclusions, typically ranging from 150 to 300 words.	<i>The abstract must accurately represent the content of the research paper without embellishment.</i>
Structured abstract	An abstract organised into clearly labelled sections (Background, Objectives, Methods, Results, Conclusions), commonly required by legal and social science journals.	<i>Many peer-reviewed law journals require a structured abstract with designated headings.</i>
Unstructured abstract	A continuous prose abstract without section headings, presenting the research overview in a single cohesive paragraph.	<i>Unstructured abstracts are standard in humanities and traditional legal scholarship.</i>
Keywords	A set of significant terms (typically 4–8) selected to represent the core subjects of a paper, facilitating indexing and	<i>Keywords such as international legal order , jus cogens , state responsibility enhance the paper s visibility.</i>

Term	Definition	Usage / Example
	discoverability in academic databases.	
Background / Context	The section of an abstract that situates the research within the broader scholarly and legal context, explaining why the topic is significant.	<i>The background section should briefly identify the legal problem being addressed.</i>
Objective / Aim	A statement within the abstract articulating the specific purpose or research question the paper seeks to address.	<i>The objective must be stated with precision: This paper examines the legal status of...</i>
Findings	The substantive results or conclusions reached through the research, presented concisely in the abstract.	<i>The findings section should present the paper's principal legal conclusions without elaboration.</i>
Originality / Contribution	A statement identifying the novel scholarly contribution the paper makes to existing legal knowledge or debate.	<i>Originality may be established by advancing a new doctrinal interpretation or comparative analysis.</i>
Implications	The practical or theoretical consequences of the research findings for law, policy, or future scholarship.	<i>Implications may include recommendations for legislative reform or treaty revision.</i>
Indicative abstract	An abstract that describes the topics covered in a paper without revealing	<i>Indicative abstracts are common in book chapters and edited collections.</i>

Term	Definition	Usage / Example
	the findings or conclusions.	
Informative abstract	An abstract that presents both the topics and the substantive conclusions of a research paper, providing a comprehensive overview.	<i>Informative abstracts are preferred for research articles as they convey the paper's value independently.</i>

UNIT 4. CONFERENCE ABSTRACT

Conference abstracts serve as the gateway to scholarly participation. These terms cover the full cycle from submission to publication within the international academic conference system.

Term	Definition	Usage / Example
Conference abstract	A short scholarly submission (typically 250–500 words) presenting the subject, argument, and significance of a proposed conference paper for evaluation by a scientific committee.	<i>Conference abstracts are reviewed anonymously by the programme committee prior to acceptance.</i>
Call for Papers (CFP)	A formal announcement inviting scholars to submit abstracts or papers for consideration at an academic conference, specifying thematic scope, deadlines, and submission requirements.	<i>The Call for Papers specified a submission deadline of 30 April and a maximum length of 400 words.</i>

Term	Definition	Usage / Example
Scientific committee	The body of academic experts responsible for evaluating submitted abstracts and papers and determining the conference programme.	<i>The scientific committee applies double -blind peer review to all submitted abstracts.</i>
Submission guidelines	The formal requirements prescribed by the organising committee governing the format, length, language, and content of abstract or paper submissions.	<i>Failure to comply with submission guidelines may result in the rejection of the abstract.</i>
Double -blind review	A peer review process in which both the identity of the author and the reviewer are concealed from each other to ensure impartiality of evaluation.	<i>Double -blind review is the standard for evaluating conference abstracts in legal academia.</i>
Acceptance notification	Official communication from the organising committee informing the author of the outcome of the review process.	<i>Acceptance notifications were dispatched within six weeks of the submission deadline.</i>
Proceedings	The published collection of papers or abstracts presented at an academic conference, serving as a formal record of scholarly contributions.	<i>The conference proceedings will be published in a peer - reviewed volume indexed in Scopus.</i>
Panel session	A thematic grouping of conference presentations	<i>The panel session on state responsibility attracted</i>

Term	Definition	Usage / Example
	on a related subject, typically moderated by a chair and followed by a question -and -answer session.	<i>significant scholarly debate.</i>
Poster presentation	A visual format of academic presentation in which research findings are displayed on a poster, allowing informal discussion with other conference participants.	<i>Doctoral candidates may be invited to present their preliminary findings in a poster session.</i>
Registration fee	The charge levied by the conference organiser for participation, which may be waived or reduced for doctoral students or invited speakers.	<i>The registration fee covers attendance, conference materials, and inclusion in the proceedings.</i>
Hybrid format	A conference format that accommodates both in-person and remote (online) participation simultaneously.	<i>The conference will be held in hybrid format, enabling international participation without travel.</i>
Working language	The official language(s) in which presentations, discussions, and submissions are conducted at a conference.	<i>The working languages of the conference are Ukrainian and English.</i>

UNIT 5. ORAL PRESENTATION AND PARTICIPATION IN THE CONFERENCE

Effective oral communication in academic settings requires both subject expertise and command of presentational conventions. These terms address the practical and professional dimensions of conference participation.

Term	Definition	Usage / Example
Oral presentation	A structured spoken delivery of research findings to an academic audience, typically accompanied by visual aids and limited to a specified time allocation.	<i>Oral presentations at the conference are limited to fifteen minutes, followed by five minutes for questions.</i>
Slide deck	A set of visual slides (typically prepared in PowerPoint or equivalent software) used to support and structure an oral academic presentation.	<i>The slide deck should complement rather than replicate the spoken content of the presentation.</i>
Time management	The effective allocation of the allotted presentation time across introduction, main argument, and conclusion, without exceeding the prescribed limit.	<i>Poor time management is among the most common weaknesses in academic conference presentations.</i>
Q&A session	The question -and - answer period following an academic presentation during which the audience poses queries	<i>Doctoral candidates should anticipate challenging questions during the Q&A session.</i>

Term	Definition	Usage / Example
	and the presenter responds.	
Moderator / Chair	The academic appointed to manage a panel session, introduce speakers, enforce time limits, and facilitate discussion.	<i>The chair will signal to speakers when two minutes of presentation time remain.</i>
Floor discussion	The open exchange of questions, comments, and observations among conference participants following a presentation or panel session.	<i>Substantive engagement in floor discussion demonstrates scholarly confidence and expertise.</i>
Academic etiquette	The conventions of respectful, professional behaviour expected in scholarly settings, including appropriate modes of questioning, disagreement, and acknowledgment.	<i>Academic etiquette requires that criticism of a colleague's work be expressed constructively.</i>
Visual aids	Supplementary materials (slides, charts, tables, diagrams) used during a presentation to illustrate, organise, or reinforce spoken content.	<i>Visual aids in legal presentations should be clear, uncluttered, and directly relevant to the argument.</i>
Signposting language	Verbal phrases used by a speaker to guide the audience through the structure of a presentation	<i>Effective signposting language helps the audience follow complex legal arguments.</i>

Term	Definition	Usage / Example
	(e.g., I will now turn to... , As I outlined earlier...).	
Scholarly debate	A formal or informal exchange of competing academic viewpoints and arguments, conducted with intellectual rigour and adherence to evidence.	<i>Active participation in scholarly debate is an indicator of doctoral -level engagement.</i>
Networking	The process of establishing and cultivating professional and academic relationships with scholars, practitioners, and institutions at conferences and academic events.	<i>Academic conferences provide valuable networking opportunities for early -career researchers.</i>
Conference paper	A scholarly paper presented at an academic conference, typically constituting a preliminary or specialised version of research intended for subsequent journal publication.	<i>Conference papers allow doctoral candidates to receive peer feedback prior to journal submission.</i>

GLOSSARY

Latin Legal Expressions

Ubi ius, ibi remedium - Where there is a right, there is a remedy

LEGAL RESEARCH & ACADEMIC WRITING

These Latin expressions are encountered in scholarly legal writing, citation practice, and academic discourse. Mastery of these terms is essential for producing research of international standard.

Latin Term	Translation	Legal Definition	Usage / Example
<i>Ibid.</i>	<i>In the same place</i>	An abbreviation of ibidem, used in footnotes to refer to the immediately preceding source cited, avoiding repetition of the full citation.	<i>Ibid., p. 47 - refers to the same source cited in the immediately preceding footnote.</i>
<i>Op. cit.</i>	<i>In the work cited</i>	An abbreviation of opere citato, used to refer to a work previously cited in full, when it is not the immediately preceding citation.	<i>Smith, op. cit., p. 112 - refers to the full citation of Smith's work given earlier in the footnotes.</i>
<i>Loc. cit.</i>	<i>In the place cited</i>	An abbreviation of loco citato, used to refer to the same page of a source already fully cited, when it is not the immediately preceding citation.	<i>Smith, loc. cit. - refers to the identical page of Smith's work previously cited.</i>

Latin Term	Translation	Legal Definition	Usage / Example
<i>Inter alia</i>	<i>Among other things</i>	A phrase used to indicate that the items mentioned are part of a larger, non-exhaustive list.	<i>The court considered, inter alia, the proportionality of the measure and its discriminatory effect.</i>
<i>Mutatis mutandis</i>	<i>With necessary changes</i>	A phrase indicating that the same principle or rule applies to a different situation with such modifications as the differences require.	<i>The rules governing state contracts apply, mutatis mutandis, to contracts concluded by international organisations.</i>
<i>Cf.</i>	<i>Compare</i>	An abbreviation of confer, directing the reader to compare a cited source with the point being made, often indicating partial support or contrast.	<i>Cf. Smith (2022), who reaches the opposite conclusion on the basis of the same facts.</i>
<i>Supra</i>	<i>Above</i>	Used in legal writing to refer the reader to a passage, footnote, or authority cited earlier in the same document.	<i>See the analysis of jus cogens supra, at pp. 34–38.</i>
<i>Infra</i>	<i>Below</i>	Used in legal writing to refer the reader to a passage, footnote, or authority to be cited later in the same document.	<i>The question of state responsibility will be addressed infra, in Section IV.</i>

Latin Term	Translation	Legal Definition	Usage / Example
<i>De lege lata</i>	<i>Of the law as it stands</i>	An analysis or statement of the law as it currently exists, as opposed to the law as it ought to be.	<i>De lege lata, the threshold for humanitarian intervention remains contested under international law.</i>
<i>De lege ferenda</i>	<i>Of the law as it should be</i>	A proposal or analysis regarding what the law ought to be, as distinct from what it currently is; a normative or reform-oriented perspective.	<i>The author argues de lege ferenda for the codification of a general obligation of climate due diligence.</i>

FOUNDATIONAL PRINCIPLES OF LAW

These maxims form the bedrock of the Western legal tradition, underpinning constitutional, civil, and criminal law across all jurisdictions that inherit the Roman law heritage.

Latin Term	Translation	Legal Definition	Usage / Example
<i>Audi alteram partem</i>	<i>Hear the other side</i>	A fundamental principle of natural justice requiring that no person be condemned without being given an opportunity to present their case.	<i>The tribunal violated audi alteram partem by issuing its decision without notifying the respondent.</i>
<i>Nemo iudex in causa sua</i>	<i>No one is a judge in</i>	A rule of natural justice prohibiting	<i>The arbitrator's undisclosed financial</i>

Latin Term	Translation	Legal Definition	Usage / Example
	<i>their own cause</i>	any person from adjudicating a matter in which they have a personal interest.	<i>interest in the outcome violated nemo iudex in causa sua.</i>
<i>Pacta sunt servanda</i>	<i>Agreements must be kept</i>	The foundational principle of contract and treaty law holding that parties are legally bound by their undertakings and must perform them in good faith.	<i>Pacta sunt servanda is codified in Article 26 of the Vienna Convention on the Law of Treaties.</i>
<i>Ex injuria jus non oritur</i>	<i>Rights do not arise from a wrongful act</i>	A principle of international law providing that no legal right or title can be acquired through an internationally wrongful act.	<i>The annexation of territory by force cannot generate legal title; ex injuria jus non oritur.</i>
<i>Jus cogens</i>	<i>Compelling law</i>	Peremptory norms of general international law from which no derogation is permitted and which can only be modified by a subsequent norm of the same character.	<i>Prohibitions on genocide, slavery, and torture are universally recognised as jus cogens norms.</i>
<i>Nullum crimen sine lege</i>	<i>No crime without law</i>	The principle that no act may be prosecuted as a crime unless it was	<i>Nullum crimen sine lege is enshrined in Article 7 of the European Convention on Human</i>

Latin Term	Translation	Legal Definition	Usage / Example
		proscribed by law at the time of its commission; a cornerstone of the rule of law.	<i>Rights.</i>
<i>Nulla poena sine lege</i>	<i>No punishment without law</i>	The corollary to nullum crimen sine lege, providing that no penalty may be imposed unless it was prescribed by law at the time the offence was committed.	<i>Retroactive application of a heavier sentence violates nulla poena sine lege.</i>
<i>In dubio pro reo</i>	<i>When in doubt, for the accused</i>	The presumption of innocence principle requiring that in criminal proceedings any reasonable doubt must be resolved in favour of the defendant.	<i>The court applied in dubio pro reo and acquitted the accused due to insufficient evidence.</i>
<i>Lex posterior derogat legi priori</i>	<i>Later law supersedes earlier law</i>	A rule of statutory interpretation providing that a more recent legal norm prevails over an earlier one where both govern the same subject matter.	<i>The 2020 regulation superseded the 1998 directive pursuant to lex posterior derogat legi priori.</i>
<i>Lex specialis derogat legi generali</i>	<i>Special law overrides general law</i>	A rule of legal interpretation holding that a	<i>The special statute on diplomatic immunity prevails over the</i>

Latin Term	Translation	Legal Definition	Usage / Example
		specific legal provision prevails over a general one governing the same situation.	<i>general criminal code by lex specialis.</i>

PUBLIC LAW & CONSTITUTIONAL LAW

Latin expressions in public and constitutional law define the architecture of state authority, the limits of governmental power, and the protection of fundamental rights.

Latin Term	Translation	Legal Definition	Usage / Example
<i>Ultra vires</i>	<i>Beyond the powers</i>	An act performed beyond the legal authority conferred upon the actor; commonly used to describe governmental or corporate action exceeding statutory or constitutional limits.	<i>The ministerial decree was struck down as ultra vires the enabling legislation.</i>
<i>Intra vires</i>	<i>Within the powers</i>	An act performed within the scope of the legal authority granted to the actor, and therefore valid and lawful.	<i>The court held the administrative decision to be intra vires and upheld it accordingly.</i>
<i>Habeas corpus</i>	<i>You shall have the body</i>	A writ requiring a person detaining another to bring the	<i>The prisoner's counsel filed a habeas corpus petition challenging the</i>

Latin Term	Translation	Legal Definition	Usage / Example
		detainee before a court to determine the legality of the detention.	<i>lawfulness of pre-trial detention.</i>
<i>Jus sanguinis</i>	<i>Right of blood</i>	The principle of nationality law by which citizenship is acquired through descent, based on the nationality of one or both parents.	<i>States applying jus sanguinis confer citizenship irrespective of the child's place of birth.</i>
<i>Jus soli</i>	<i>Right of soil</i>	The principle of nationality law by which citizenship is acquired by virtue of birth within the territory of a state.	<i>Under jus soli, any child born on national territory acquires citizenship by operation of law.</i>
<i>Ratio decidendi</i>	<i>Reason for the decision</i>	The legal principle or rule of law upon which the court's decision is based and which constitutes binding precedent in common law systems.	<i>Counsel must identify the ratio decidendi of the leading case before applying it to the facts at bar.</i>
<i>Obiter dictum</i>	<i>Said by the way</i>	A judicial remark made in passing that is not essential to the decision and does not constitute binding precedent, though it may have persuasive authority.	<i>The court's comment on diplomatic immunity was obiter dictum and not binding on subsequent tribunals.</i>

Latin Term	Translation	Legal Definition	Usage / Example
<i>Stare decisis</i>	<i>To stand by things decided</i>	The doctrine requiring courts to follow precedent established in prior decisions involving the same or analogous legal issues.	<i>The principle of stare decisis promotes consistency and predictability in the common law.</i>
<i>Locus standi</i>	<i>Place of standing</i>	The legal capacity of a party to bring an action before a court or tribunal; the right to be heard in judicial proceedings.	<i>The applicant lacked locus standi as they could not demonstrate a sufficient legal interest in the matter.</i>
<i>Parens patriae</i>	<i>Parent of the nation</i>	The doctrine by which the state assumes a protective role over persons who are unable to care for themselves, such as minors or persons lacking legal capacity.	<i>The court invoked parens patriae jurisdiction to appoint a guardian for the incapacitated adult.</i>

PRIVATE LAW: CONTRACT & OBLIGATIONS

The law of obligations and contracts retains an extensive Latin vocabulary inherited directly from Roman law, which remains the conceptual foundation of civil law systems worldwide.

Latin Term	Translation	Legal Definition	Usage / Example
<i>Consensus ad idem</i>	<i>Agreement on the same thing</i>	The meeting of minds between contracting parties on the essential terms of an agreement, required for the formation of a valid contract.	<i>Without consensus ad idem as to the subject matter, no binding contract came into existence.</i>
<i>Caveat emptor</i>	<i>Let the buyer beware</i>	The common law principle imposing on the buyer the duty of due diligence before a purchase, as the seller is not liable for defects the buyer failed to discover.	<i>Prior to statutory consumer protection, caveat emptor governed most commercial transactions.</i>
<i>Ex contractu</i>	<i>From the contract</i>	Referring to a right, obligation, or liability arising directly from a contractual relationship between the parties.	<i>The claimant's right to damages arose ex contractu, not from any tortious act.</i>
<i>Ex delicto</i>	<i>From a wrong</i>	Referring to a right, obligation, or liability arising from	<i>The action sounded ex delicto, as the defendant's negligence</i>

Latin Term	Translation	Legal Definition	Usage / Example
		a tort or civil wrong rather than from a contractual relationship.	<i>was independent of any contractual duty.</i>
<i>Restitutio in integrum</i>	<i>Restoration to the original position</i>	The principle that a party who has suffered loss as a result of a wrong is entitled to be restored, as far as possible, to the position they would have occupied had the wrong not occurred.	<i>The court ordered restitutio in integrum, awarding damages sufficient to restore the claimant's prior financial position.</i>
<i>Culpa in contrahendo</i>	<i>Fault in contracting</i>	Pre-contractual liability arising from a party's negligent or bad faith conduct during negotiations, causing loss to the other party.	<i>The defendant's abrupt withdrawal from advanced negotiations gave rise to culpa in contrahendo liability.</i>
<i>Dolus specialis</i>	<i>Special intent</i>	A heightened form of criminal or civil intent requiring proof that the actor specifically intended a particular outcome, beyond mere general intent.	<i>Proof of dolus specialis is required to establish the crime of genocide under international law.</i>
<i>Bona fides</i>	<i>Good faith</i>	The standard of honesty, sincerity, and absence of	<i>The purchaser acquired the property in bona fides and was therefore</i>

Latin Term	Translation	Legal Definition	Usage / Example
		fraudulent intent required of parties in the performance of legal acts and obligations.	<i>protected against the prior unregistered claim.</i>
<i>Mala fides</i>	<i>Bad faith</i>	Dishonesty, fraud, or deliberate deception in the performance of a legal act or obligation; the antithesis of bona fides.	<i>The seller's concealment of the defect constituted mala fides and voided the sale.</i>
<i>Nemo dat quod non habet</i>	<i>No one gives what they do not have</i>	The principle that a transferor cannot convey to another a greater title or right than they themselves possess.	<i>Since the pledgor had no title to the goods, nemo dat quod non habet precluded a valid transfer to the buyer.</i>

INTERNATIONAL LAW & TREATY LAW

International law preserves Latin as the language of its foundational doctrines, reflecting the historical role of Roman law in shaping the law of nations.

Latin Term	Translation	Legal Definition	Usage / Example
<i>Erga omnes</i>	<i>Towards all</i>	Obligations owed by a state to the international community as a whole, the breach of which entitles any	<i>The prohibition of genocide creates erga omnes obligations enforceable by all states.</i>

Latin Term	Translation	Legal Definition	Usage / Example
		state to invoke responsibility, irrespective of direct injury.	
<i>Opinio juris sive necessitatis</i>	<i>Opinion of law or necessity</i>	The subjective element of customary international law: the belief of states that a practice is legally obligatory rather than merely habitual.	<i>Without opinio juris, a consistent state practice cannot crystallise into a rule of customary international law.</i>
<i>Ex aequo et bono</i>	<i>According to what is just and good</i>	The power of an international tribunal to decide a case on the basis of equity and fairness rather than strict rules of law, if so authorised by the parties.	<i>Article 38(2) of the ICJ Statute permits the Court to decide ex aequo et bono if the parties agree.</i>
<i>Persona non grata</i>	<i>Unwelcome person</i>	A diplomatic term designating a foreign national, particularly a diplomat, whose presence in a host state is deemed unacceptable and whose removal is demanded.	<i>Following the espionage scandal, the ambassador was declared persona non grata and expelled within 48 hours.</i>
<i>Jus ad bellum</i>	<i>Right to war</i>	The body of international law governing the conditions under	<i>The UN Charter Article 2(4) constitutes the central prohibition within the jus ad bellum</i>

Latin Term	Translation	Legal Definition	Usage / Example
		which states may lawfully resort to armed force.	<i>framework.</i>
<i>Jus in bello</i>	<i>Law in war</i>	The body of international humanitarian law governing the conduct of parties during armed conflict, irrespective of the legality of the conflict itself.	<i>Jus in bello applies equally to all belligerents regardless of which party bears responsibility for the conflict.</i>
<i>Jus post bellum</i>	<i>Law after war</i>	An emerging body of international law governing the legal obligations of parties in the transition from armed conflict to peace, including occupation and reconstruction.	<i>Scholars debate whether jus post bellum constitutes a distinct branch of international law.</i>
<i>Uti possidetis juris</i>	<i>As you possess under law</i>	The principle of international law preserving the boundaries of former colonial or administrative units upon the accession of new states to independence.	<i>The ICJ applied uti possidetis juris to determine the post-independence boundary between the two states.</i>
<i>Non bis in idem</i>	<i>Not twice for the same thing</i>	The prohibition against prosecuting or punishing an	<i>Article 20 of the Rome Statute embodies the non bis in idem</i>

Latin Term	Translation	Legal Definition	Usage / Example
		individual more than once for the same offence; the international law equivalent of double jeopardy.	<i>principle within the ICC framework.</i>
<i>Rebus sic stantibus</i>	<i>Things standing thus</i>	The doctrine permitting a party to withdraw from a treaty when there has been a fundamental change of circumstances that was not foreseen at the time of the treaty's conclusion.	<i>The state invoked rebus sic stantibus to justify its withdrawal from the disarmament treaty following the geopolitical realignment.</i>

PROCEDURAL LAW & EVIDENCE

Latin procedural maxims govern the conduct of legal proceedings, the rules of evidence, and the rights of parties before courts and tribunals at both national and international level.

Latin Term	Translation	Legal Definition	Usage / Example
<i>Onus probandi</i>	<i>Burden of proof</i>	The obligation incumbent upon a party to establish the facts necessary to support their legal claim to the requisite standard of proof.	<i>In criminal proceedings, the onus probandi lies exclusively with the prosecution.</i>
<i>Prima facie</i>	<i>At first sight</i>	Sufficient evidence to establish a fact or	<i>The claimant established a prima facie case of</i>

Latin Term	Translation	Legal Definition	Usage / Example
		raise a presumption unless contradicted by other evidence; a preliminary assessment of a claim's merit.	<i>discrimination, shifting the evidential burden to the respondent.</i>
<i>In limine</i>	<i>At the threshold</i>	Preliminary; at the outset of proceedings. Used to describe motions or objections raised before the substantive hearing of a case.	<i>The defendant filed an in limine motion to exclude the unlawfully obtained evidence.</i>
<i>Res judicata</i>	<i>A matter already judged</i>	The doctrine that a final judgment on the merits by a court of competent jurisdiction is conclusive and bars relitigation of the same matter between the same parties.	<i>The defendant pleaded res judicata, arguing that the identical claim had been adjudicated and dismissed in prior proceedings.</i>
<i>Inter partes</i>	<i>Between the parties</i>	Binding only upon the parties to the proceedings; contrasted with erga omnes effects that bind all persons.	<i>The arbitral award was inter partes and could not be relied upon in subsequent proceedings involving third parties.</i>
<i>Ex parte</i>	<i>From one side only</i>	A legal proceeding, application, or communication conducted in the absence of or without notice to one of the parties.	<i>The court granted an ex parte injunction pending notification to the respondent.</i>

Latin Term	Translation	Legal Definition	Usage / Example
<i>In camera</i>	<i>In the chamber</i>	Proceedings conducted in private, excluding the public and press, to protect sensitive information, national security, or the privacy of the parties.	<i>The hearing was conducted in camera due to the classified nature of the intelligence evidence.</i>
<i>Amicus curiae</i>	<i>Friend of the court</i>	A person or organisation not party to the proceedings who is permitted by the court to submit observations or expertise relevant to a legal question before the court.	<i>Several human rights organisations were granted leave to appear as amicus curiae before the Constitutional Court.</i>
<i>Litis contestatio</i>	<i>Joinder of issue</i>	The formal stage in proceedings at which the issues in dispute between the parties are crystallised and defined for adjudication.	<i>Following litis contestatio, neither party could introduce new claims without leave of the tribunal.</i>
<i>Functus officio</i>	<i>Having discharged the office</i>	The doctrine that once a court or arbitrator has made a final decision it is divested of jurisdiction over the matter and cannot reconsider or amend its ruling.	<i>The arbitral tribunal was functus officio following delivery of the final award and could not reopen the merits.</i>



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