

Research and Academic Writing Seminar

Semester: Fall Semester- HS 2021

Lecturer: Rodrigo Polanco and Peter Van den Bossche

Dates: 23 September, 21 October, 18 November, 2 December and 16 December

Room: Silva Casa Auditorium, World Trade Institute and online (Zoom)

Description

This seminar builds upon knowledge and skills acquired in the studies undertaken prior to entering the MILE/TRAIL+ Programmes. It is intended to provide students with skills and knowledge to improve their ability to read and think critically, carry out legal research, write sharp, clear prose, and edit their own and others' writing. Students will learn how to research legal issues, frame legal arguments, and analyse legal problems. It is intended that students will be more proficient and efficient at composing and organising written documents.

Lecturer

Rodrigo Polanco

Rodrigo is a Senior Researcher, Lecturer and Academic Coordinator of Advanced Master Programmes at the World Trade Institute, University of Bern, a Legal Advisor at the Swiss Institute of Comparative Law, and a Visiting Professor at the University of Chile. He is Visiting Professor at the University of Chile Faculty of Law, where he also served as Assistant Professor and Director of International Affairs. Rodrigo holds a Bachelor and a Master of Laws from Universidad de Chile, an LL.M. in International Legal Studies from New York University and a PhD from the University of Bern, specialised in international investment law.

Rodrigo joined the WTI as a researcher/lecturer, and as coordinator of the SECO Project (which supported development of Regional Competence Centres for Trade Law and Policy in Peru, South Africa, Vietnam, Indonesia, and Chile) and of the SNIS Project (Diffusion of International Law: A Textual Analysis of International Investment Agreements). He also is a former Lecturer and Postdoctoral Researcher at the University of Luzern (NRP 75 – The Governance of Big Data in Trade Agreements). He is also a co-

founder of *Fiscalía del Medio Ambiente*, a Chilean non-profit environmental organisation.

Peter Van den Bossche

Peter Van den Bossche is Director of Studies of the World Trade Institute and Professor of International Economic Law at the Faculty of Law of the University of Bern, Switzerland. Since 2018, he serves as President of the Society of International Economic Law (SIEL). He was a member of the Appellate Body of the World Trade Organization from 2009 to 2019 and served as its chairman in 2015. He is an honorary professor at Maastricht University, the Netherlands (since 2018), and a visiting professor at the LUISS Guido Carli University, Rome, Italy (since 2016), at the Universidad San Francisco de Quito, Ecuador (since 2016), and at the College of Europe, Bruges, Belgium (since 2010). He is an editor of the *World Trade Review* (Cambridge University Press) and a member of the Advisory Board of the *Journal of International Economic Law*, the *Journal of World Investment and Trade*, the *Revista Latinoamericana de Derecho Comercial Internacional* and the WTO Chairs Programme of the World Trade Organization.

Peter Van den Bossche holds a doctorate in law from the European University Institute, Florence, an LL.M. from the University of Michigan Law School and a Licence en Droit from the University of Antwerp. Van den Bossche is the author (with Werner Zdouc) of *The Law and Policy of the World Trade Organization*, 4th edition (Cambridge University Press, 2017), 1077 p.; and (with Denise Prévost) of *Essentials of WTO Law*, 2nd edition (Cambridge University Press, 2016), 302 p.

Sessions

Session 1: Thursday, 23 September

Research in International Law and Economics (use of the library, journal, databases)

Lecturer: Dr. Rodrigo Polanco

Time: 12:30 – 13:30

Session 2: Thursday, 21 October

Academic Writing: Legal Research, Research Questions and Literature Review

Lecturer: Prof. Peter van den Bossche

Time: 12:30 – 13:30

Session 3: Thursday, 18 November

Writing Policy Briefs and Essays

Lecturer: Dr. Rodrigo Polanco

Time: 12:30 – 13:30

Session 4: Thursday, 2 December
Writing a Master Thesis
Lecturer: Dr. Rodrigo Polanco
Time: 12:30 – 13:30

Session 5: Thursday, 16 December
Use of Zotero and Other Citation Software
Lecturer: Dr. Rodrigo Polanco
Time: 12:30 – 13:30

Assessment

In-class exercises and discussion

Learning Objectives

The ultimate goal of the course is to help students hone the following skills:

- Thinking critically within an academic legal framework
- Analysing and conceptualising legal issues
- Organising strategies (outlining, decision trees, cluster diagrams)
- Structuring legal arguments and documents
- Employing proper citation, and avoiding plagiarism
- Using core writing techniques, including clarity, cohesion, concision, and Plain English concerns
- Writing strong introductions and conclusions
- Mastering objective versus persuasive techniques
- Using new editing techniques
- Sharpening efficient writing and editing skills using timed assignments

Mandatory Readings:

Session 1: Thursday, 23 September

International Trade Law Research Guide. Retrieved from the Georgetown Law Library
<http://guides.ll.georgetown.edu/c.php?g=363556&p=2456339>.

Session 2: Thursday, 28 October

- Kothari, C. R., "Research Methodology: Methods and Techniques" 2nd Edition,

Delhi: New Age International (2004), pp. 1-23.

- Chynoweth, Paul, "Legal research in the built environment: A methodological framework" (2008),
https://usir.salford.ac.uk/id/eprint/12467/1/legal_research.pdf

Session 3: Thursday, 18 November

- Brick, Jean, "Academic Culture: A Student's Guide to Studying at University", National Centre for English Language Teaching and Research. Sydney: Macquarie University, 2006, pp. 143-154 and 191-202.
- FAO, "Preparing Policy Briefs", in "Food Security Communications Toolkit" (2011), pp. 140-169, <http://www.fao.org/3/i2195e/i2195e03.pdf>
- Miller Janet, "10 Elements of the Perfect Writing Environment" (2018), <https://writehacked.com/10-elements-of-the-perfect-writing-environment/>

Session 4: Thursday, 2 December

- Bailey, Stephen *Academic Writing: A Handbook for International Students 2nd Edition* London: Routledge (2006), pp. 60-64.
- Cottrell, Stella, "Critical Thinking Skills: Developing Effective Analysis and Argument" 2nd Edition, Basingstoke: Palgrave Macmillan (2011), pp. 125-165.
- Greetham, Bryan, "How to Write your Undergraduate Dissertation" Basingstoke: Palgrave Macmillan (2009), pp. 334-348.

Session 5: Thursday, 16 December

- Mandatory reading of Annex of this document and installation of Zotero. Instructions will be distributed before the session

Recommended Readings:

- Bahrych, Lynn and Marjorie Dick Rombauer, "Legal Writing in a Nutshell", 3rd Edition St. Paul: Thomson (2003).
- Bailey, Stephen, "Academic Writing: A Handbook for International Students", 2nd Edition, London: Routledge (2006)
- Garner's, Bryan A. "Redbook: A Manual on Legal Style", West Academic Publishing, 4th Edition (2018).
- Watkins, Dawn and Burton, Mandy, "Research methods in law", London: Routledge, 2nd edition (2018).

Annex

1. Zotero

Zotero is a free and open-source reference management software to manage bibliographic data and related research materials. Notable features include web browser integration, online syncing, generation of in-text citations, footnotes and bibliographies, as well as integration with the Word processors Microsoft Word and LibreOffice Writer. Zotero users can generate citations and bibliographies through word processor plugins, or directly in Zotero, using Citation Style Language styles. The house styles of most academic journals are available in Zotero, and the bibliography can be reformatted with a few clicks. It also allows users to create their own customized citation styles.

Link to download Zotero and to learn more about it: <https://www.zotero.org/>

The use of Zotero or other similar software is not required but is advisable to facilitate correct referencing.

2. Referencing papers on economics and political sciences

For papers on Economics and Political Sciences the preferred referencing system is Harvard referencing. The Harvard system requires two parts: In-text references and a list of references at the end of the paper.

For further information about Harvard Referencing see the website: <https://www.mendeley.com/guides/harvard-citation-guide>

3. Referencing papers on law

The Oxford University Standard for Citation of Legal Authorities (OSCOLA) is designed to facilitate accurate citation of authorities, legislation, and other legal materials. It is widely used in law schools and by journal and book publishers in the UK and beyond. OSCOLA is a footnote style.

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

https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012quickreference_guide.pdf

4. Avoiding plagiarism

The student should pay extra attention to referencing in order to avoid all suspicion of plagiarism.

A fact, an idea or an argument taken from somewhere without acknowledgement and presented as one's own constitutes plagiarism. Plagiarism could occur in the original or be a translation from another language and the words could be literal (a quote) or in paraphrase. It may happen that the student's ideas are similar to other peoples' ideas without their knowledge. However, the student is expected to familiarise themselves with ideas and writing within their area of specialisation.

Failure to acknowledge sources is unacceptable. Inadvertent plagiarism often involves failure to label the voices of sources correctly. If the voice is not labelled, the reader takes it to be the voice of the writer. If there is only the writer's voice then the academic debate between different voices disappears and the text becomes a personal opinion with no evidence for the reader to check.

Any of the following instances constitutes plagiarism unless the source of the material used is clearly acknowledged:

- Copying, paraphrasing or summarising all or part of any document without reference to source. This includes written audio, visual and electronic material.
- Using somebody else's ideas, results or conclusions, in the original or in translation.
- Presenting another student's work as the student's own. This form of plagiarism (fraud) is never inadvertent and will be regarded as a serious breach of academic conduct.
- Using ideas or text from sources in a language other than English without referencing it.

In order to ensure against plagiarism, students should also observe the following 'good practices':

- The student should read many sources in the relevant specialised field to become informed about the prevailing facts and ideas within the discipline. It is advisable that students take notes (bibliographic and substantive) relating to both future citation as well as any student-generated ideas that arise from the reading.
- The student should avoid following and reading sources that are not yet completed (i.e. are in the process of being written). It is advisable to set such sources aside and write using one's own words and ideas.
- When writing an academic piece, the student should consider that s/he is constructing a debate on paper. As such, it is appropriate to present the thoughts and hypotheses of authorities in a given field in order to support the student's argument. Nevertheless, proper attribution must be given to these sources.
- The student should avoid lengthy citations whenever possible (sometimes it makes sense to include a paragraph-long citation, but this should not be overdone).
- The student should avoid submitting identical or similar texts for different course requirements. In the rare instance(s) where an instructor allows the reuse of a previously submitted work, the student would be required to cite himself/herself. Failure to do so constitutes self-plagiarism, which is treated with the same severity as any other incarnation of plagiarism.
- When using someone else's argument, the student should use phrases such as "As Smith argues...", "According to Smith" etc., followed by footnote or another method of citation.
- When rephrasing, paraphrasing, summarizing, and providing descriptive information, the student should use his/her own words and then add a reference.
- When translating from a source other than English, the student should reference according to the usual standards and indicate the translation.
- When citing word by word, the student should always use quotation marks "... " and then add a reference.
- When giving technical or factual information, the student must use their

common sense. When referring to a generally known fact (common knowledge) such as “The Maastricht Treaty entered into force in 1993” it is not necessary to reference. It can become tricky when writing certain facts such as “The change in economic growth was 2.4 per cent” without a reference, as it discredits the paper. The student should think of their audience (the professor, lecturer, their thesis supervisor, colleagues). The best rule is: When in doubt, reference!

- The student should think of his/her audience when describing the function, structure and/or use of something in his/her own words. An external reference at the end of the text to let the reader know which source he/she used may benefit the reader. The student should remain aware of what is considered common knowledge in the field of expertise.

5. Checking for plagiarism

All work submitted by students will be checked for plagiarism. The Faculty will:

- Look for changes in the student's writing style.
- Make sure that the sources are cited appropriately.
- Look for a reference after quotation marks.
- Read and check the list of references.

In addition, the WTI employs a sophisticated plagiarism detection software which checks written work submitted by the student against all other papers submitted (in previous years as well), as well as against all internet sources including journals, book excerpts etc. Through this software, sentences, paragraphs, bibliographies, etc. which exists elsewhere can be detected, as well as their original source. The software will compare the student's citation with the original document to see how substantial their use of the other source was. The student is entitled to request a preliminary plagiarism report of their thesis with the WTI. This report is for self-reference and it is not binding. For that, a draft of the thesis must be sent at least two weeks before the deadline.