

ELSA NL LAW REVIEW LANGUAGE GUIDE

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FOREWORD

Dear Reader,

Within this document you will find a Language Guide that will be used to ensure the consistency and high quality of ELSA NL Law Review. It is intended to be used as a reference point by both writers and the editorial team. All submissions to the ELSA NL Law Review shall be written in British English for the sake of consistency; thus, the Guide primarily focuses on the areas to be particularly mindful of when writing in this style.

It is important to us that this Guide is both functional and educational. One of ELSA NL Law Review's goals is to provide students and young lawyers with the opportunity to develop their legal writing and editing skills. As such, we aim to provide a clear and concise summary of appropriate language and grammar use in British English; in particular, the Guide focuses on clarifying frequently made mistakes and points of contention in academic writing.

The contents of this Guide are predominantly based upon the Language Manual for the ELSA Law Review, drafted by Madeleine Geerarts,¹ and the University of Oxford Style Guide.² Inspiration has also been drawn from other internationally recognised sources, which are credited where appropriate.

It should be noted that we do not expect every submission to be flawless (we would not have any work to do). However, compliance with this Guide may be accounted for during the preliminary article selection. Furthermore, there is one section, in particular, that we request be respected: non-discriminatory language. The perpetuation of harmful stereotypes will not be tolerated.

We wish you good luck with all of your writing endeavours.

Best wishes,

David Kermode

Director for Legal Writing

ELSA The Netherlands 2021/2022

¹ Madeleine Geerarts and Sarah Ikast Kristoffersen, *Elsa Law Review Language Manual* (ELR 2019/20) https://files.elsa.org/AA/ELR/Language_Manual.pdf accessed 10 September 2020.

² University of Oxford, *University of Oxford StyleGuide* (2016) <https://www.ox.ac.uk/public-affairs/style-guide> accessed 10 September 2020.

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1. Non-discriminatory language³

Authors should avoid using discriminatory language that could perpetuate harmful stereotypes, offend, or exclude certain groups. Alternatives to gendered language should always be used if they are available. Gender specific forms should only be used when it is appropriate and necessary for context.

The following should be followed unless an alternative is necessary in a specific context.

- Use **gender neutral pronouns**.
 - e.g. **'Their'** NOT **'his/her'**
 - e.g. **'Themselves'** NOT **'himself/herself'**

- Use **gender-neutral job titles**.
 - e.g. **'Bar staff'** or **'bartender'** NOT **'barman/maid'**
 - e.g. **'Firefighter'** NOT **'fireman'**
 - e.g. **'Chair'** or **'Chairperson'** NOT **'Chairman'**

- Avoid general terms containing **the prefix or suffix 'man'** when possible.
 - e.g. **'Workforce'** NOT **'manpower'**
 - e.g. **'Humankind'** NOT **'mankind'**

- **Specify an individual's sex or gender only if appropriate and relevant** in the context.⁴
 - e.g. **'Doctor'** NOT **'female/male doctor'**

- A person's **gender or sex should never be assumed** and cannot be determined by their profession or position.

³ For a more extensive explanation see: CERN Translation, Minutes and Council Support group, *Cern English Language Style Guide* (TMC Translations, Minutes and Council Support, English Translation section 2020) <https://translation-council-support-group.web.cern.ch/sites/translation-council-support-group.web.cern.ch/files/styles/CERN%20TM%20English%20language%20style%20guide.pdf> accessed 10 September 2020.

⁴ In certain cases, it is appropriate to draw attention to the gender of a group or certain individuals. This is in particular true when considering the importance of disaggregated data for informing gender analysis and promoting equality.

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e.g. If a text only makes reference to ‘the President’ or ‘presidents’, it is inappropriate to use he/him pronouns.

2. Spelling (in British English)⁵

The author should take care to use British English spelling consistently throughout the piece. While there is, in general, no right or wrong style, use of British English in ELSA NL Law Review is important for the sake of consistency.

Keep in mind the basic differences below when writing in British English.

British English	American English	Example
-ise/- isation	-ize/- ization	Organise/isation NOT organize/ization
-yse	-yze	Analyse NOT analyze
-our	-or	Colour NOT color
-ogue	-og	Catalogue NOT Catalog
-re	-r	Centre NOT center
-lling/-lled/-lled	-ling/-led/-ler	Travelling/lled/lled NOT Traveling/led/ler

2.1. Verbs and nouns

There are some variations in verb and noun usage between British and American styles. Below is an overview of some frequently confused words.

⁵ See also, University of Oxford, *University of Oxford Style Guide*(2016) <https://www.ox.ac.uk/public-affairs/style-guide> accessed 10 September 2020; Madeleine Geerarts and Sarah Ikastr Kristoffersen, *Elsa Law Review Language Manual* (ELR 2019/20) https://files.elsa.org/AA/ELR/Language_Manual.pdf accessed 10 September 2020.

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British Noun	British Verb	American Noun	American Verb
Offence	Offend	Offense	Offend
Practice	Practise	Practise	Practise
Licence	License	License	License
Defence	Defend	Defense	Defend

2.2. Exceptions to use of British English spelling

- The use of non-British English spelling should be maintained if **quoting a non-British English text**.
- **Names of institutions** should remain in their original form.
e.g. the World Trade Organization

3. Punctuation

3.1. Quotations

Is the quotation shorter than three lines?

- Quotations of up to three lines should be **incorporated directly into the text using single quotation marks** (‘-’).
- **Quotations within short quotations take double quotation marks** (“-”).
- It will sometimes be appropriate to introduce the quote using a comma; however, this is not always necessary.

e.g. **They said, ‘It is uncommon for male ducks to quack; however experts have noted that they may “squeak, grunt, groan, bray, or growl”’.**⁶

Not

They said, “It is uncommon for male ducks to quack; however experts have noted that they may ‘squeak, grunt, groan, bray, or growl’”.

Is the quotation longer than three lines?

⁶ This is not an actual quote.

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- Quotations longer than three lines should form an **indented paragraph**.
- **Do not use quotation marks.**
- **Single quotation marks should be placed around quotations within the quotation.**
- In general, a colon is used to introduced the quotation.

e.g. . The author wrote as follows:

It is uncommon for male ducks to quack; however experts have noted that they may ‘squeak, grunt, groan, bray, or growl’. Females are considerably more vocal than males. This disparity may be a useful tool when attempting to ‘sex a duck’.⁷

Quotations and punctuation

In principle, punctuation (e.g. full stops, commas etc.) follows the final quotation mark. There are two exceptions:

- If the punctuation is important for fully understanding the tone of the quotation (e.g. the quotation ends with an exclamation mark because someone is angry) then the final quotation mark comes after the punctuation;
- If the whole sentence is a quotation then the final quotation mark comes after the punctuation.

Quotations and capitalisation

- The quotation begins in the middle of a sentence in the text: the first letter of the quotation should not be capitalized unless the quotation itself is a complete sentence.
- The quotation begins at the start of a sentence in the text: the first letter should be capitalized, and square brackets ‘[X]’ placed around it if it was not capitalized in the original text.

3.2. Dashes

An n-dash may be used to replace a colon, brackets, or commas. A space should be left on either side of the n-dash. M-dashes (—) are not used.

⁷ This is also not an actual quote.

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e.g. **'The house – as far as I could tell – was haunted'** not **'The house — as far as I could tell — was haunted'**

It may also be used to link joint authors/creators (i.e. those who collaborate) or indicate a range of numbers. There are no spaces before or after the n-dash.

e.g. **'15-20 years'** not **'15—20 years'**

3.3. Commas

Commas are frequently misused in all forms of writing. It is important to use the comma appropriately or it may harm the comprehensibility of the text.

For an in-depth explanation of the use of commas, please see the following source:

- Pages 12-13 of *The University of Oxford Style Guide* at https://www.ox.ac.uk/sites/files/oxford/media_wysiwyg/University%20of%20Oxford%20Style%20Guide.pdf;

It should be noted that **the 'Oxford comma'** (a comma between the penultimate item in a list and the final 'and'/'or') is **not used in ELSA NL Law Review** unless necessary to prevent ambiguity. It may be appropriate to use semicolons ';' instead of commas in a particularly complex list.

3.4. Apostrophes

Apostrophes can be used in two ways. Attention should be paid to the rules below when writing a formal academic piece.

Firstly, apostrophes are used to show a possessive relationship between one thing and another.

- An -'s is added to singular nouns.
e.g. **'Blánaid's coffee'** NOT **'Blánaids coffee'**
- An -'s is added to plural nouns that do not end in an 's'
e.g. **'Women's rights'** NOT **'womens' rights'**
- Only an -' is added to plurals that end with an 's'
e.g. **'Lions' manes'** NOT **'lions's manes'**
- In compound nouns (linking multiple nouns to form a certain concept), place the apostrophe at the end of the final part of the compound.
e.g. **'my father-in-law's book'** NOT **'my father's-in-law's book'**

Secondly, apostrophes are also used to indicate contractions (letters have been removed between two words). Contractions should be avoided in academic pieces as they suggest an informal approach.

e.g. **'Would not'** NOT **'wouldn't'**

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e.g. **'Did not'** NOT **'didn't'**

4. Capitalisation

Capital letters should not be used with unnecessary enthusiasm. While rules may differ amongst languages, the following English capitalisation rules should be heeded.

- Capitalise the **first word of a sentence**
- Capitalise **proper nouns** (e.g. people's names, cities, countries, languages, days, months etc.).
- Capitalise the first word of a quote if **the quote is a complete sentence** in its own right.
e.g. **She said, 'How many ducks are in that field?'** NOT **She said, "how many ducks are in that field?"**
- Capitalise the **titles of institutions, organisations and committees** in accordance with their official form.
- Capitalise most word in the **titles of books, movies etc.** except for articles (a/an/the), prepositions (e.g. for, with) and conjunctions (e.g. but, and).

5. Abbreviations, contractions and acronyms

When using a somewhat unfamiliar acronym for the first time in your piece, write out the full term first, followed by the acronym in brackets. Henceforth, the acronym alone can be used.

e.g. Raidió Teilifís Éireann (RTÉ)

Acronyms with **up to five letters comprise all uppercase letters.**

e.g. NATO

Acronyms with **more than five letters begin with a capital** but all other letters are lowercase.

Exceptions may be seen if certain organisations prefer the use of all capitals.

e.g. Benelux (an example of an acronym that follows the general rule)

e.g. UNCTRAL (an example of an acronym that follows the exception)

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6. Use of first person

When writing an academic piece, avoid use of first and second person whenever possible. The third person is more appropriate for the tone of the work.

e.g. **'This article aims to explore....'** NOT **'I aim to explore.'**

7. Italics

The following terms and phrases should be printed in italics:

- Titles of books, journals, newspapers, pamphlets etc.;
- Case names;
- Foreign words or phrases;⁸
- Words or phrases the author wishes to emphasise (to be used sparingly);
- Neologisms, but only the first time they are used in a text.

8. Numbers

Below are a number of rules that should be followed. In certain cases, there is some flexibility; however, the author should, of course, strive for consistent application throughout the text.

- **Spell out the numbers one to ten. Use figures for higher numbers.**
e.g. **'Ten'** NOT **'10'**
e.g. **'11'** NOT **'eleven'**
- **Hundreds and thousands may be spelled out in full or written in figures**, but a mixture should not be used.
e.g. **'800' or 'eight hundred'** NOT **'8 hundred'**
- **Billions and trillions can be combined with figures.**
e.g. **'17 billion'**

9. Dates

Dates can become a source of confusion if written using the incorrect format.

- When using figures, dates must be written in the form day/month/year.
e.g. **20/10/1999** (20/October/1999)
- The day must come before the month.
e.g. **'20 October'** NOT **'October 20'**
- Dates should not be preceded by "the" or followed by "-th"

⁸ This does not apply to common Latin abbreviations such as e.g., cf., i.e.

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e.g. '20 October' NOT 'the 20th October'

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