

European Constitutional Law Review

1 References

As a rule, specific references should be avoided in the main text and, preferably, should be placed in the footnotes. Footnote numbers are placed after the final punctuation mark when referring to the sentence and directly after a word when referring to that word only. We humbly invite our authors to carefully examine our sample references which are preceded by [•]. These sample references put the theory of our authors' guidelines into practice and we believe that they may serve to further clarify the preferred style of reference.

1.1 Reference to judicial decisions

When citing national judicial authorities, the national style of reference should be respected. References to decisions of European courts should present the following form:

[Court] [Date], [Case number], [*Party 1*] [v] [*Party 2*] (NB: the "v" is not italicised)

- ECJ 9 April 1989, Case C-34/89, *Smith v EC Commission*.
- ECtHR 4 May 2000, Case No. 51 891/9, *Naletilic v Croatia*.

1.2 Reference to legislation and treaties

When first referring to legislation or treaties, please include the article to which reference is made as well as the (unabbreviated) official name of the document containing that article. The name of a piece of legislation in a language other than English, French or German should be followed by an italicised English translation between brackets. In combination with an article number, the abbreviations TEU, TFEU, ECHR and UN Charter may always be used instead of the full title of the document to which the abbreviation refers. If the title of a piece of legislation constitutes a noun phrase, it may, after proper introduction, be abbreviated by omission of its complement. Thus:

- Art. 2 Protocol on Environmental Protection to the Antarctic Treaty (henceforth: the Protocol)
- Art. 267 TFEU
- Art. 5 Uitleveringswet [*Extradition Act*]

1.3 Reference to books

1.3.1 First reference

Any first reference to a book should present the following form:

[Initial(s) and surname(s) of the author(s)], [*Title*] [(Publisher Year)] [Page(s) referred to]

- J.E.S. Fawcett, *The Law of Nations* (Penguin Press 1968) p. 11.

If a book is written by two co-authors, the surname and initials of both authors are given. If a book has been written by three or more co-authors, 'et al.' will follow the name of the first author and the other authors will be omitted. Book titles in a language other than English, French or German are to be followed by an italicised English translation between brackets. Thus:

- L. Erades and W.L. Gould, *The Relation Between International Law and Municipal Law in the Netherlands and the United States* (Sijthoff 1961) p. 10 – 13.
- D. Chalmers et al., *European Union Law: cases and materials* (Cambridge University Press 2010) p. 171.
- F.B. Verwayen, *Recht en rechtvaardigheid in Japan* [*Law and Justice in Japan*] (Amsterdam University Press 2004) p. 11.

1.3.2 Subsequent references

Any subsequent reference to a book should present the following form (NB: if more than one work by the same author is cited in the same footnote, the name of the author should be followed by the year in which each book was published):

[Surname of the author], [*supra*] [n.] [Footnote in which first reference is made], [Page(s) referred to]

- Fawcett, *supra* n. 16, p. 88.
- Fawcett 1968, *supra* n. 16, p. 127; Fawcett 1981, *supra* n. 24, p. 17 – 19.

1.4 Reference to contributions in edited collections

For references to contributions in edited collections please abide by the following form (NB: analogous to the style of reference for books, if a collection is edited by three or more co-editors only the name and initials of the first editor are given, followed by ‘et al.’):

[Author’s initial(s) and surname(s)], [‘Title of contribution’], [in] [Editor’s initial(s) and surname(s)] [(ed.) or (eds.)], [*Title of the collection*] [(Publisher Year)] [Starting page of the article] [at] [Page(s) referred to]

- M. Pollack, ‘The Growth and Retreat of Federal Competence in the EU’, in R. Howse and K. Nicolaidis (eds.), *The Federal Vision* (Oxford University Press 2001) p. 40 at p. 46.

Subsequent references follow the rules of 1.3.2 *supra*.

1.5 Reference to an article in a periodical

References to an article in a periodical should present the following form (NB: titles of well-known journals must be abbreviated according to each journal’s preferred style of citation):

[Author’s initial(s) and surname(s)], [‘Title of article’], [Volume] [*Title of periodical*] [(Year)] [Starting page of the article] [at] [Page(s) referred to]

- R. Joseph, ‘Re-Creating Legal Space for the First Law of Aotearoa-New Zealand’, 17 *Waikato Law Review* (2009) p. 74 at p. 80 – 82.
- S. Hagemann and B. Høyland, ‘Bicameral Politics in the European Union’, 48 *JCMS* (2010) p. 811 at p. 822.

Subsequent references follow the rules of 1.3.2 *supra*.

1.6 Reference to an article in a newspaper

When referring to an article in a newspaper, please abide by the following form (NB: if the title of an article is not written in English, French or German, an italicised English translation should be provided between brackets):

[Author’s initial(s) and surname(s)], [‘Title of article’], [*Title of newspaper*], [Date], [Page(s)]:

- T. Padoa-Schioppa, ‘Il carattere dell’ Europa’ [*The Character of Europe*], *Corriere della Serra*, 22 June 2004, p. 1.

1.7 Reference to the internet

Reference to documents published on the internet should present the following form:

[Author’s initial(s) and surname(s)], [‘Title of document’], [<www.example.com/[...]>], [Date of visit]

- M. Benlolo Carabot, ‘Les Roms sont aussi des citoyens européens’, <www.lemonde.fr/idees/article/2010/09/09/les-roms-sont-aussi-des-citoyens-europeens_1409065_3232.html>, visited 24 October 2010.

(NB: ‘http://’ is always omitted when citing websites)

1.8 Cross-references

In referring to other chapters and sections of the text, as well as to other footnotes, *supra* is used to refer to previous sections of the contribution, whereas *infra* is used to refer to subsequent sections. Cross-references should never refer to specific page numbers. Thus:

- See text to n. 10 *supra*.
- See text between n. 10 and n. 12 *infra*.
- Compare n. 10 *supra*.

2 Spelling, style and quotation

In this section of the authors' guidelines sheet, we would like to set out some general principles of spelling, style and quotation. We would like to emphasise that all principles in this section are governed by another principle – the principle of consistency. Authors might, for instance, disagree as to whether a particular Latin abbreviation is to be considered as 'common' and, as a consequence, as to whether or not that abbreviation should be italicised. However, we do humbly ask our authors to apply the principle of consistency, so that the same expression is either always italicised or never italicised throughout the article.

2.1 General principles of spelling


- **Aim for consistency in spelling and use of English throughout the article.**
- Only the use of British English is allowed.
- If words such as **member states, directives, regulations**, etc., are used to refer to a concept in general, such words are to be spelled in lower case. If, however, the word is intended to designate a specific entity which is the manifestation of a general concept, the first letter of the word should be capitalised (NB: this rule does not apply to quotations). Thus:
 - o [...] the Court's case-law concerning direct effect of directives [...]
 - o The Court ruled on the applicability of Directive 2004/38. The Directive was to be implemented in the national law of the member states by 29 April 2006.
 - o There is no requirement that the spouse, in the words of the Court, 'has previously been lawfully resident in another Member State before arriving in the host Member State'.
- Avoid the use of contractions.
- Non-English words should be italicised, except for common Latin abbreviations.

2.2 General principles of style

- Subdivisions with headings are required, but these should not be numbered.
- Use abbreviations in footnotes, but avoid abbreviations in the main text as much as possible.
- If abbreviations in the main text improve its legibility, they may, nevertheless, be used. **Acronyms are to be avoided as much as possible.** Instead, noun phrases are to be reduced to the noun only (e.g., '**the Court**' for '**the European Court of Human Rights**'). If this should prove to be problematic, for instance because several courts are mentioned in the text (e.g., the Court of Justice and the European Court of Human Rights), we ask our authors to use adjectives to complement the noun in order to render clear the distinction between the designated objects (e.g., the Luxembourg Court/the European Court and the Strasbourg Court/the Human Rights Court). As much will depend on context, we offer considerable liberty to our authors in their use of abbreviations, insofar as these are not confusing and ameliorate the legibility of the article.
- In English titles, use Title Case; in non-English titles, use the national style.

2.3 General principles of quotation

- Quotations are to be placed between single quotation marks, both in the main text and in the footnotes (thus: 'aaaa').
- When a quotation forms part of another quotation, it is to be placed between double quotation marks (thus: 'aaaa "bbbb" aaaa').
- Should a contributor wish to insert his own words into a quotation, such words are to be placed between square brackets.
- When a quotation includes italics supplied by the contributor, state: [emphasis added].

Note: Full journal text is made available on: 

Version 1

Last updated 21/02/2011