

# Guidance Notes for Authors

## 1. Introduction

### 1.1 The Maastricht Journal of European and Comparative Law

The focus of the Maastricht Journal of European and Comparative Law is the *Ius Commune Europaeum*. The common law of Europe can be seen all around us in the codification of legislation, in our language, in our legal practice and procedure, in our ideas about what law is and what a proper methodology for legal reasoning is, and also in our law schools. Consequently, there exists a need to search for and examine the common roots and principles upon which European legal systems are based.

The Maastricht Journal welcomes all forms of articles examining this topic, including articles which survey developments or review academic literature in a particular field of law. The Journal also welcomes short case notes, legal debates, short pieces on recent legal developments, and comments on previously published pieces. The Maastricht Journal also accepts proposals for special issues.

Manuscripts should be submitted in via: <https://mc.manuscriptcentral.com/maas>

For queries, please contact to: [maastricht.journal@maastrichtuniversity.nl](mailto:maastricht.journal@maastrichtuniversity.nl)

### 1.2. Articles

The Maastricht Journal publishes articles that fall within the scope described above. The fact of submission will be taken to mean that the manuscript has not been published, accepted or submitted elsewhere. Once peer review is completed, the author will be notified of acceptance, rejection or the need for revision. The review process will take six to eight weeks.

Articles should:

- include an abstract of 100-200 words and 5 keywords;
- be between 8,000 and 10,000 words (including footnotes);
- include numbered section titles and subtitles (but not numbered paragraphs).

### 1.3. Case Notes

The following presents the basic structure of a case note. While this structure may need adjustment in some cases, a good case note should include all of the elements mentioned below. Authors should follow the general formatting guidelines of the Journal. The length of the case note should be **between 3,000 and 4,000 words**.

#### Introduction

In this part, you should concisely state the nature of the case and the central legal issue concerned. An indication should be given of your line of argument or principle comments – what was the case's significance? Was it correctly decided in legal or public policy terms? What is its immediate relation to other significant case law?

#### Relevant Facts

Briefly re-count the facts of the case (state the parties before the court, and their principal arguments). The form of the ruling (was it a preliminary reference? an infringement action? and so on) and relevant legislation should also be indicated here. Where applicable, the reasoning of the General Court of the European Union (GC) prior to an appeal to the Court of Justice of the European Union (CJEU), and the Opinion of the Advocate General (especially where decisive for the eventual decision) should be placed in this part.

#### The Reasoning of the Court

State the principal legal arguments developed by the court. A clear structure is important. For CJEU judgments, this structure will often be provided by the preliminary questions addressed to the Court, or the points of contention surrounding an appeal from the GC. Authors should avoid lengthy descriptions of legal questions peripheral to the judgment's main findings. In general terms, they

should avoid lengthy quotations from the judgment itself. It is important when developing the judicial reasoning to avoid a mere repetition of the court's terminology, but to point to underlying justifications animating the decision.

### **Comments**

Critical commentary and analysis of the case is necessary. In this part, authors should concisely develop their opinions on elements such as:

- Important points of contention or controversy arising from the judgment;
- The case's significance in altering the trajectory of other case law, or in interpreting primary and secondary legislation;
- Apparent contradictions or tensions in the judicial reasoning;
- The effects of the case on public policy.

(This list is not exhaustive.)

When doing so, they should reference relevant commentary and analysis already available, as well as consider current developments (pending case law, or legislative and political responses). Commentary should always be substantiated: avoid assertions and base arguments on evidence, particularly as already described in the preceding sections.

### **1.4. Recent Legal Developments**

The following presents the basic structure of a recent legal development piece. While this structure may be adjusted to the individual case, it should include all of the elements mentioned below.

Authors should follow the general formatting guidelines of the Maastricht Journal. The length should be **between 2,500 and 4,000 words**.

The structure should consist of 1) an introduction, 2) a description of the legal development and 3) a part commenting on it.

#### **Introduction**

In this part, you should state the topic concerned concisely. An indication should be given of your line of argument or principal comments – what is the significance of the legal development? Is it a welcome development in the legal field? What is its immediate relation to other significant developments or case law?

#### **Relevant Facts**

Briefly describe the legal development in an informative way. The focus of the piece should be on this part.

#### **Comments**

In this part, authors should succinctly develop their opinions on elements such as:

- Important points of contention or controversy arising from the legal development;
- The effects of the legal development on, for example, public policy;
- Apparent contradictions or tensions.

(This list is not exhaustive.)

When doing so, please reference relevant commentary and analysis already available, and consider other current developments (for example, pending case law, or legislative and political responses). Commentary should always be substantiated, that is, avoid assertions and base arguments on evidence, particularly as already described in the preceding sections.

### **1.5. Legal Debates**

The legal debate section offers a number of authors the possibility to critically reflect and provide a cutting-edge analysis on a given topic.

Authors should follow the general formatting guidelines of the Maastricht Journal. The length of each author's contribution should be a maximum of **3,000 words**.

### **1.6. Comment Section**

The Comment Section offers the possibility to critically review a contribution previously published in the Maastricht Journal. A critical analysis, a different point of view, or new developments should be central to a Comment.

Authors should follow the general formatting guidelines of the Maastricht Journal. The length should be a maximum of **3,000 words**.

### **1.7. Special Issues**

The Maastricht Journal welcomes proposals for special issues. Proposals can be submitted for two deadlines per year, which will be communicated by the Maastricht Journal. It should be noted that proposals are only taken into consideration if all authors have been confirmed. Moreover, proposal should contain the following parts:

- an introduction to the special issue providing a description of the topic and a motivation why the issue should be published in the Maastricht Journal,
- a list of content, and
- a short abstract (150-200 words) for each paper.

A special issue in the Maastricht Journal can contain up to eight articles plus an introduction and/or conclusion.

The guest editor(s) should provide for a peer review of the papers. In addition, the members of the Editorial Committee will review all papers and reserve the right to provide comments or to reject papers.