

German Law **Journal** **Style Guide**

Updated: May 5, 2015

Editor’s Note:

This style guide has been keyed to the Texas Law Review Manual on Usage & Style and the Bluebook. Where the Style Guide is silent, use your best judgment—with reference to the TMS, Bluebook, and Purple Book—in editing submissions. And please communicate any issues you find in using this guide.

Table of Contents

I. Formatting	4
A. Document Wide Settings	4
B. Title Lines	4
C. Book Reviews	4
D. Conference Reports	4
E. Byline	5
F. Headings	5
G. Body	6
H. Footnotes	6
I. Capitalization	7
J. Italics	7
K. Abbreviations	7
L. Dates	8
M. Block Quotations	8
II. Punctuation	9
A. Quotations and Quotation Marks	9
B. Commas	9
C. Semicolon	10
D. Colon	10
E. Parentheses	11
F. Apostrophe	11
G. Dashes and Hyphens	11
H. Ellipses	11
I. Periods	12
J. Washington & Lee University	12
III. Grammar	13
A. American English	13
B. “A” or “An” (TMS 6.10)	13
C. Adjective Placement	13
D. American v. English Verbs	13
E. Beginning a Sentence with a Conjunction	13
F. Contractions (TMS 1.02)	14
G. Ending a Sentence with a Preposition (TMS 6.11)	14
H. Gender Neutrality (TMS 7.01–7.03)	14
I. “However” (See TMS, Appendix: Commonly Misused Words)	14
J. “Impact” (See TMS, Appendix: Commonly Misused Words)	14
K. “Like” (See TMS, Appendix: Commonly Misused Words)	15
L. Misleading Connectives	15
M. “On the Other Hand”	15
N. “Only” (See TMS, Appendix: Commonly Misused Words)	15
O. Possessives of Nouns Ending in ‘s’ (TMS 1.01)	15
P. “Second”	16
Q. “Since”	16

R. “Who” v. “Whom” (See TMS, Appendix: Commonly Misused Words)	16
S. “Whose” v. “Of Which” (See TMS, Appendix: Commonly Misused Words)	16
IV. Citations	17
A. Priority of Authorities.....	17
B. German Law Journal.....	17
C. Court of Justice of the European Union	17
D. European Court of Human Rights	18
E. German Cases.....	18
F. European Union Treaties	19
G. Internet Citations	19
H. Supra and Infra.....	20
I. Use of Short Citation Forms Generally	20
J. Parenthetical Information	20
V. Appendix	21

I. Formatting

A. Document Wide Settings

1. Language

The language of the entire document should be set to English (U.S.).

2. Paragraph Spacing

Except in the formatting of the footnotes, the document's paragraph spacing settings should be as follows:

- No spacing before or after
- Single line spacing
- The "Don't add space between paragraphs of the same style" box is checked

3. Typeface

The entire document should appear in Calibri.

B. Title Lines

1. Font

- The title should be in 14 pt. Calibri.
- The title should appear in bold.
- Title should not be italicized, except as required by other rules in the GLJ Style Guide.

2. Justification

The title should be left-aligned.

3. Spacing

The title should be followed by two hard returns so that one blank 14 pt. line separates the title and the byline.

C. Book Reviews

1. Title Line

The title should begin with "Book Review" in italics, followed by a colon. The title should then follow the format of <book author's name>'s <book's title>. The title line should otherwise conform to GLJ Style Guide § I.B.

Book Review: Murray Raff's Private Property and Environmental Responsibility: A Comparative Study of German Real Property Law

2. Title of the Review Differs from the Book's Name

- If the title of the review differs from the name of the book itself, the title of the review should follow the title of the book as described in GLJ Style Guide § I.C.1, separated by two hard returns so that one blank 14 pt. line separates the title of the conference report from the title of the conference.
- The title of the review should then appear in bold, 12 pt. Calibri. The title of the review should be followed by two hard returns so that one blank 12 pt. line separates the title of the review and the byline.

D. Conference Reports

1. Title Line

The title should begin with "Conference Report" in italics, followed by a colon. The name of the conference generally follows the colon. The title line should otherwise conform to GLJ Style Guide § I.B.

Conference Report: 30 Years Additional Protocols to the 1949 Geneva Conventions: Past, Present, and Future

2. Title of the Report Differs from the Conference Name

- If the title of the report differs from the name of the conference itself, the title of the report should follow the name of the conference as described in GLJ Style Guide § I.D.1, separated by two hard returns so that one blank 14 pt. line separates the title of the report from the title of the conference.
- The title of the report should then appear in bold, 12 pt. Calibri. The title of the report should be followed by two hard returns so that one blank 12 pt. line separates the title of the report and the byline.

E. Byline

1. Font

- The byline should be in 12 pt. Calibri.
- The byline should appear in italics.
- The author's name should be preceded by the word "By".

2. Biographical Footnotes

The byline should contain a biographical footnote, marked with a non-italicized asterisk.

To footnote the byline with an asterisk: Select "Reference" tab → Click on the bottom right corner of "Footnotes" box → Type * in the "Custom mark" field → Click "Insert".

3. Justification

The byline should be left-aligned.

4. Spacing

The byline should be followed by four hard returns so that three blank 12 pt. lines separate the byline and the body text. Note that the body of the article does *not* need to start with a heading.

5. Multiple Authors

Two authors should be joined by an ampersand. Three or more author should be joined by commas, with an ampersand setting off the final author. For the biographical footnote, each author receives a number of asterisks equal to his or her order of appearance.

By Martin Heidegger & Jürgen Habermas***
By Martin Heidegger, Jürgen Habermas,** & Karl May****

F. Headings

1. Order of Headings

Heading titles should begin with the following characters, separated by one space between the characters and the start of the heading titles:

- First level: **A., B., C.**, etc.
- Second level: *I., II., III.*, etc.
- Third level: *1., 2., 3.*, etc.
- Fourth level: *1.1, 1.2, 1.3*, etc.
- Fifth level: *a), b), c)*, etc.

Note that the body of an article does *not* need to start with a heading. Abstracts or summaries at the start of the paper do *not* require headings.

2. Justification

Headings should be left-aligned.

3. Spacing

- Headings should be preceded by two hard returns and followed by two hard returns so that one blank 10 pt. line appears above and below the heading.
- Note that if a heading begins the article, it should be preceded by four hard returns such that three blank 12 pt. lines separate the byline and the heading.

4. Capitalization (Bluebook Rule 8)

- Capitalize all words except articles, conjunctions, and prepositions of four or fewer letters, except when they are the first or last word of the heading.
- Capitalize hyphenated words as you would if the hyphens were spaces

5. First Level Headings Font

- First level headings should be in 10 pt. Calibri.
- First level headings should appear in bold.
- First level headings should not be italicized, except as required by other rules.

6. Subordinate Level Headings Font

- Subordinate headings should be in italicized 10 pt. Calibri.
- If a word in the heading would normally appear in italics, it should not be italicized.

G. Body

1. Font

The text of the body should be in 10 pt. Calibri.

2. Justification

The text of the body should be full-justified.

3. Spacing

Paragraphs should be followed by two hard returns so that one blank 10 pt. line separates each paragraph.

4. Indentation

Paragraphs should not be indented.

H. Footnotes

1. Font

Footnotes should be in 8 pt. Calibri.

2. Justification

Footnotes should be full-justified.

3. Spacing

- One space should separate the footnote number and the text of the footnote.
- Paragraph spacing in the footnotes should be set to 8 pt. after a paragraph, 0 pt. before a paragraph, and single line spacing. Ensure that "Don't add space between paragraphs of the same style" is checked in the paragraph formatting box.

I. Capitalization

1. Generally (Bluebook Rule 8)

Capitalize the following when they appear in sentences:

- Proper nouns
- Names of organizations
- Names of national and ethnic groups
- Names of religious groups
- Names of languages
- Titles of artistic or academic works

2. Titles and Subdivisions

Capitalize all words in a title except articles, conjunctions, and prepositions of four or fewer letters. The first and last words of a title should always be capitalized.

3. Foreign Materials

Do not change the capitalization of material in a foreign language.

J. Italics

1. Case names

Italicize case names appearing in textual sentences. Italicize short form case names whether appearing in textual sentences or citation sentences.

2. Published Works and Works of Art

Italicize the names of works of art, including the titles of movies and video games

3. Titles Within Titles

If a title requires the use of italics and terms inside the title contain italics, the internal italic terms should not be italicized.

4. Foreign Words and Phrases

Italicize foreign words and phrases that have not been accepted into common legal usage. Use Bluebook Rule 7(b) to determine whether foreign words or phrase have been accepted into common legal usage. See also TMS 4.09.

5. Terms (TMS 4.06)

Key terms in a particular context are italicized on their first occurrence. Thereafter they are best set in roman. *But see* GLJ Style Guide § II.A.5 (Highlighting an Expression).

The two chief tactics of this group, *obstructionism* and *misinformation*, require careful analysis.

K. Abbreviations

1. In text

Abbreviations in formal writing should generally be avoided. As such, “Art.” “para.” “sec.” “i.e.” should be spelled out as “Article” “Paragraph” “Section” “for example,” respectively. Commonly used acronyms, however—such as EU and UN—can be abbreviated.

2. In text parenthetical

All words should be spelled out except “e.g.” may be used as an abbreviation for “for example” in a parenthetical.

British battleship names (e.g., *The Nautilus*) make horrible children’s names.

3. Acronyms

Commonly used acronyms can be abbreviated, such as EU and UN.

L. Dates

1. Generally

In textual sentences, dates should appear as DD Month YYYY.

In citations, dates should appear as Month DD, YYYY, where the months are abbreviated according to Bluebook Table 12.

2. Decades

Decades should appear as the four-digit year, followed by a lowercase “s” without an apostrophe.

M. Block Quotations

1. Use

Quotations of fifty words or more should be formatted into a block quote, whether in the body of the text or footnotes. Initial and terminal quotation marks should be omitted.

2. Indentation

Paragraph indentation of block quotes should be set to one inch from both the left and right margins.

3. Formatting

A block quote should be set off from preceding and subsequent text with two hard returns so that one blank line precedes and follows the block quote

II. Punctuation

A. Quotations and Quotation Marks

1. Style

Use “smart” quotation marks, not straight quotation marks (i.e. ").

2. Punctuation in Relation to Closing Quotation Marks (TMS 1.08)

Periods and commas precede closing quotation marks, whether double or single. All other punctuations, like semicolons and questions marks, if not part of the original text, are placed outside of the closing quotation marks.

“Admit it,” Prof. Howard said. “You haven’t read today’s assignment.”
Find the spot marked with an “X”; the treasure should be buried there.
Is the old saying true that “birds of a feather flock together”?

3. Footnotes in Relation to Closing Quotation Marks

Place footnotes immediately after a closing quotation mark. Where a quotation is followed by any form of punctuation, place the footnote after the accompanying punctuation.

4. Alterations (Bluebook Rule 5.2(d), TMS 8.03)

Square brackets (in the United States usually just called brackets) are used in scholarly prose mainly to enclose material—usually added by someone other than the original writer—that does not form a part of the surrounding text. Specifically, square brackets enclose editorial interpolations, explanations, translations of foreign terms, or corrections.

“They [the free-silver Democrats] asserted that the ratio could be maintained.”
“Many CF [cystic fibrosis] patients have been helped by the new therapy.”
Satire, Jebb tells us, “is the only [form] that has a continuous development.”

If quoted matter already includes brackets of its own, the editor should so state in the source citation (e.g., “brackets in the original”).

5. Highlighting an Expression (*scare quotes*)

Quotation marks are often used to alert readers that a term is used in a nonstandard (or slang), ironic, or other special sense. Nicknamed *scare quotes*, they imply, “This is not my term” or “This is not how the term is usually applied.” Like any such device, scare quotes lose their force and irritate readers if overused.

B. Commas

1. Use—Generally

The comma, aside from its technical uses in mathematical, bibliographical, and other contexts, indicates the smallest break in sentence structure. Especially in spoken contexts, it usually denotes a slight pause. In formal prose, however, logical considerations come first. Effective use of the comma involves good judgment, with ease of reading the end in view.

2. Serial Commas (Oxford Commas) (TMS 1.16)

Items in a series are normally separated by commas. When a conjunction joins the last two elements in a series of three or more, a comma should appear before the conjunction.

She took a photograph of her parents, the president, and the vice president.
Their wartime rations included cabbage, turnips, and bread and butter.

3. Parenthetical Elements (TMS 1.20)

If only a slight break is intended, commas should be used to set off a parenthetical element inserted into a sentence as an explanation or comment. If a stronger break is needed or if there are commas within the parenthetical element, em dashes—but *not* parentheses—should be used.

4. Certain Adverbs (TMS 1.22)

Commas are traditionally used to set off adverbs such as *however*, *therefore*, and *indeed*. When the adverb is essential to the meaning of the clause, or if no pause is intended or desired, commas are not needed (as in the last two examples).

Indeed, not one test subject accurately predicted the amount of soup in the bowl.

BUT

If you cheat and are therefore disqualified, you may also risk losing your scholarship.

That was indeed the outcome of the study.

5. Independent Clauses Joined by Conjunctions (TMS 1.18)

When independent clauses are joined by *and*, *but*, *or*, *so*, *yet*, or any other conjunction, a comma usually precedes the conjunction. If the clauses are very short and closely connected, the comma may be omitted unless the clauses are part of a series.

C. Semicolon

1. Use—Generally (TMS 1.13)

In regular prose, a semicolon is most commonly used between two independent clauses not joined by a conjunction to signal a closer connection between them than a period would.

She spent much of her free time immersed in the ocean; no mere water-resistant watch would do.

2. Complex Series (TMS 1.15)

When items in a series themselves contain internal punctuation, separating the items with semicolons can aid clarity. If ambiguity seems unlikely, commas may be used instead.

The membership of the international commission was as follows: France, 4; Germany, 5; Great Britain, 1; Italy, 3; United States, 7.

3. Transitional Adverbs (TMS 1.14)

Avoid the use of a semicolon where two independent clauses are joined by a transitional adverb. Instead, use a period or, if the intended interaction of the two clauses will remain clear, rephrase the second clause to omit the transitional adverb.

4. Spacing

One space should follow a semi-colon.

D. Colon

1. Use—Generally (TMS 1.11)

A colon introduces an element or a series of elements illustrating or amplifying what has preceded the colon. Between independent clauses it functions much like a semicolon, and in some cases either mark may work as well as the other; use a colon sparingly, however, and *only* to emphasize that the second clause illustrates or amplifies the first. (The colon should generally convey the sense of “as follows.”)

2. Spacing

One space should follow a colon.

3. Capital Letter After a Colon

The first word following the colon is capitalized.

E. Parentheses

1. For Gloss or Translation

Parentheses are only used to enclose glosses of unfamiliar terms or translations of foreign terms—or, if the term is given in English, to enclose the original word. In quoted matter, brackets should be used.

A drop folio (a page number printed at the foot of a page) is useful on the opening page of a chapter.
German has two terms for eating—one for the way humans eat (*essen*) and one for the way animals eat (*fressen*).

2. Short Forms

Use parentheses to designate abbreviations of clauses.

The Federal Court of Justice (BGH) determined that § 20a WpHG cannot be read in conjunction with § 823 BGB.

F. Apostrophe

1. The “Smart” Apostrophe

The apostrophe is the same character as the right single quotation mark (').

2. Common Errors

There are two common pitfalls: using the “default” unidirectional mark ('), on the one hand, and using the left single quotation mark, on the other. The latter usage in particular should always be construed as an error. Some software programs automatically turn a typed apostrophe at the beginning of a word into a left single quotation mark; authors and editors need to be vigilant in overriding such automation and producing the correct mark.

We spent the '90s (*not* '90s) in thrall to our gadgets.

G. Dashes and Hyphens

1. Hyphens (TMS 1.28–32)

Hyphens have two uses. First, where a phrase, referred to as a phrasal adjective or compound modifier, functions as a unit to modify a noun. (See **CMS 5.91** for a full discussion of the general rules.) Do not hyphenate a modifier if the meaning is clear without the hyphen. Second, hyphens are used to separate numbers that are not inclusive (e.g., telephone numbers, ISBNs) or to separate letters when a word is spelled out letter by letter (e.g., g-e-r-m-a-n).

2. En dash (TMS 1.27)

The principal use of the en dash is to connect numbers and, less often, words. With continuing numbers—such as dates, times, and page numbers—it signifies *up to and including* (or *through*). For the sake of parallel construction, the word *to*, never the en dash, should be used if the word *from* precedes the first element in such a pair; similarly, *and*, never the en dash, should be used if *between* precedes the first element.

3. Em dash (TMS 1.26)

The em dash, often simply called the dash, is the most commonly used and most versatile of the dashes. Em dashes are used to set off an amplifying or explanatory element and in that sense can function as an alternative to parentheses, commas, or a colon—especially when an abrupt break in thought is called for. A space should neither appear before or after the em dash.

H. Ellipses

1. Use—Generally

Use an ellipsis to signify the *omission* of material inside a quotation.

2. Formatting (Bluebook Rule 5.3)

Each period in an ellipsis should be preceded and followed by a non-breaking space, except for the fourth period, if the ellipsis appears at the end of the sentence. Thus, an ellipsis should be seven characters long where the quoted material is in the middle of the sentence and eight characters long where the ellipsis ends the sentence.

I. Periods

1. Spacing in Relation to the End of a Sentence

Insert one space between a period ending a sentence and the beginning of the next sentence.

2. In Relation to Parentheses (TMS 1.35)

When an entire independent sentence is enclosed in parentheses or square brackets, the period belongs inside the closing parenthesis or bracket. When matter in parentheses or brackets, even a grammatically complete sentence, is included within another sentence, the period belongs outside.

Fiorelli insisted on rewriting the paragraph. (His newfound ability to type was both a blessing and a curse.)
Farnsworth had left an angry message for Isadora on the mantel (she noticed it while glancing in the mirror).

J. Washington & Lee University

Always use “&” —instead of “and”—when referencing Washington & Lee University or the School of Law.

III. Grammar

The following rules have been identified to address common mistakes in works submitted to the *German Law Journal*. These rules are meant to serve as a reference point to aid you in the editing process, not as an exhaustive list of mandatory rules. For a more exhaustive treatment of grammatical rules, please review Chapter 5 of the Chicago Manual of Style, *especially* § 5.220 (containing an extensive list of “good” versus “common” usages of pretty much any word imaginable).

A. American English

Use the American English spelling of all words. Change any British English spellings to American English spellings.

B. “A” or “An” (TMS 6.10)

With the indefinite article, the choice of *a* or *an* depends on the sound of the word it precedes. *A* comes before words with a consonant sound, including /y/, /h/, and /w/, no matter how the word is spelled {a eulogy} {a historic occasion} {a Ouachita tribe member}. *An* comes before words with a vowel sound {an LSAT exam room} {an *X-Files* episode} {an hour ago}.

C. Adjective Placement

An adjective that modifies a noun, noun phrase, or pronoun usually precedes it {perfect storm} {spectacular view} {a good bowl of soup}. An adjective may follow the noun if:

- (1) special emphasis is needed {reasons innumerable} {captains courageous};
- (2) it occurs in this position in standard usage {court-martial} {notary public};
- (3) it is a predicate adjective following a linking verb {I am ready}; or
- (4) the pronoun is of a type usually followed by the adjective {anything good}{everything yellow} {nothing important} {something wicked}.

Some adjectives are always in the predicate and never appear before what they modify {the city is asleep} {the door was ajar}. Others appear uniformly before the nouns they modify {utter nonsense} {a mere child}. Phrasal adjectives may precede or follow what they modify.

D. American v. English Verbs

A few verbs that are considered regular have an alternative past tense and past participle that is formed by adding *-t* to the simple verb form {dream—dreamed} {dream—dreamt}. When these alternatives are available, American English tends to prefer the forms in *-ed* (e.g., *dreamed, learned, spelled*), while British English tends to prefer the forms in *-t* (*dreamt, learnt, spelt*). Use the American English spelling.

E. Beginning a Sentence with a Conjunction

Sentences may start with a conjunction. Be sure that the use of the conjunction is proper. Where *but* is used at the start of a sentence, evaluate the contrasting force of the *but* in question, and see whether the needed word is really *and*; if *and* can be substituted, then *but* is almost certainly the wrong word. *But* is a perfectly proper word to open a sentence, but only if the idea it introduces truly contrasts with what precedes.

F. Contractions (TMS 1.02)

Most types of writing benefit from the use of contractions. If used thoughtfully, contractions in prose sound natural and relaxed and make reading more enjoyable. *Be*-verbs and most of the auxiliary verbs are contracted when followed by *not*: *are–aren’t*; *was–wasn’t*; *cannot–can’t*; *could not–couldn’t*; *do not–don’t*; and so on. A few, such as *ought not–oughtn’t*, look or sound awkward and are best avoided. Pronouns can be contracted with auxiliaries, forms of *have*, and some *be*-verbs. Think before using one of the less common contractions, which often don’t work well in prose, except perhaps in dialogue or quotations. Some examples are *I’d’ve* (I would have), *she’d’ve* (she would have) *it’d* (it would), *should’ve* (should have), *there’re* (there are), *who’re* (who are), and *would’ve* (would have). Also, some contracted forms can have more than one meaning. For instance, *there’s* may be *there is* or *there has*, and *I’d* may be *I had* or *I would*. The particular meaning may not always be clear from the context and should be expanded.

G. Ending a Sentence with a Preposition (TMS 6.11)

The traditional caveat of yesteryear against ending sentences with prepositions is, for most writers, an unnecessary and pedantic restriction. A sentence that ends in a preposition may sound more natural than a sentence carefully constructed to avoid a final preposition. Compare, for example, *this is the case I told you about* with *this is the case about which I told you*. The “rule” prohibiting terminal prepositions was an ill-founded superstition.

H. Gender Neutrality (TMS 7.01–7.03)

Problematic pronouns: Some readers take offense at the exclusive use of the masculine pronoun as a generic term to represent both men and women. Do not use the constructions *he/she*, *s/he*, *[s]he*, *him/her*, *his/her*. Use the phrases *he or she*, *him or her*, and *his or her* only as a last resort, after other devices for gender neutrality have proved unworkable.

Some ways to avoid problematic pronouns:

1. Pluralize
2. Substitute an article for the masculine possessive pronoun
3. Repeat the noun
4. Alternate

Gender-neutral titles: The modern trend is to avoid the use of titles ending in *–man*. Also, avoid the use of titles with feminine suffixes.

I. “However” (See TMS, Appendix: Commonly Misused Words)

“However” may not be used at the beginning of a sentence unless meaning “in whatever manner or way.” If used improperly, delete *however* and substitute a different introductory clause, or rephrase the sentence.

However you frame the facts, there is still no material disagreement.

NOT

However, she may have a point.

J. “Impact” (See TMS, Appendix: Commonly Misused Words)

Resist using this word as a verb. Try *affect* or *influence* instead. Besides being hyperbolic, *impact* used as a verb is widely considered a solecism.

K. “Like” (See TMS, Appendix: Commonly Misused Words)

Like is probably the least understood preposition. Its traditional function is adjectival, not adverbial, so that *like* is governed by a noun or a noun phrase {teens often see themselves as star-crossed lovers like Romeo and Juliet}. As a preposition, *like* is followed by a noun or pronoun in the objective case {the person in that old portrait looks like me}. Increasingly (but loosely) today in ordinary speech, *like* displaces *as* or *as if* as a conjunction to connect clauses. For example, in *it happened just like I said it would happen*, *like* should read *as*; and in *you’re looking around like you’ve misplaced something*, *like* should read *as if*. Because *as* and *as if* are conjunctions, they are followed by nouns in the nominative case {Do you work too hard, as I do?}. Although *like* as a conjunction has been considered nonstandard since the seventeenth century, today it is common in dialectal and colloquial usage {he ran like he was really scared}. Consider context and tone when deciding whether to impose standard English, as in the examples above.

L. Misleading Connectives

Adding to a singular subject by using phrasal connectives such as *along with*, *as well as*, *in addition to*, *together with*, and the like does not make the subject plural. This type of distraction can be doubly misleading because the intervening material seems to create a compound subject, and the modifying prepositional phrase may itself contain one or more plural objects. If the singular verb sounds awkward in such a sentence, it may be better to use the conjunction *and* instead:

WRONG: The bride as well as her bridesmaids were dressed in mauve.

RIGHT: The bride as well as her bridesmaids was dressed in mauve.

BETTER: The bride and her bridesmaids were dressed in mauve.

M. “On the Other Hand”

The use of “on the other hand”—to compare the latter of two ideas—must be preceded by the use of “on the one hand” for the original proposition. This journal does not believe in one handed arguments. Add “on the one hand” to the original idea or rephrase the latter idea’s introductory clause.

N. “Only” (See TMS, Appendix: Commonly Misused Words)

Only functions as an adjective, an adverb, and a conjunction, and it can modify any part of speech. It is probably poorly placed in sentences more often than any other word. *Only* emphasizes the word or phrase that immediately follows it. When *only* appears too early in the sentence, it has a deemphasizing effect; it can also alter the meaning of the sentence or produce ambiguity. Compare *I bought only tomatoes at the market* (I bought nothing else) with *I bought tomatoes only at the market* (I bought nothing other than tomatoes or I didn’t buy tomatoes from any other place?). In idiomatic spoken English, *only* is placed before the verb, regardless of what it modifies: *I only bought tomatoes at the market*. This may be acceptable in speech because the speaker can use intonation to make the meaning clear. But since in writing there is no guidance from intonation, rigorous placement of *only* is preferable to aid the reader’s comprehension.

O. Possessives of Nouns Ending in ‘s’ (TMS 1.01)

Use an apostrophe to denote possessiveness of a noun ending in ‘s.’

Xerxes’s armies

But when the singular form of a noun ending in ‘s’ is the same as the plural, use *of* to avoid the possessive.

The role of the United States in international law

NOT

The United States’ role in international law

P. “Second”

When sequentially labeling a series of arguments or sentences, “First” must introduce the first sentence before “Second” may introduce a subsequent argument. Where “Second” appears without “First,” add “First” to introduce the first sentence or rephrase a lone “Second” to a different introductory clause.

The plaintiff has three theories. First, she argues X. Second, she argues Y. Third, she argues Z.

NOT

It seems to be the most popular. Second, X seems to be the most understood.

Q. “Since”

Since is to be used where the meaning is “after a time in the past.” Because is to be used where the meaning is “for the reason that.”

She has been acting that way since she was 12.

I ran because I was afraid.

R. “Who” v. “Whom” (See TMS, Appendix: Commonly Misused Words)

Who and *whoever* are the nominative forms, used as subjects {Whoever said that?} or predicate nominatives {It was who?}. *Whom* and *whomever* are the objective forms, used as the object of a verb {You called whom?} or a preposition {To whom are you referring?}. Three problems arise with determining the correct case. First, because the words are so often found in the inverted syntax of an interrogative sentence, their true function in the sentence can be hard to see unless one sorts the words into standard subject–verb–object syntax. In this example, sorting the syntax into “I should say who is calling” makes the case easier to determine:

WRONG: Whom should I say is calling?

RIGHT: Who should I say is calling?

Second, determining the proper case can be confusing when the pronoun serves a function (say, nominative) in a clause that itself serves a different function (say, objective) in the main sentence. It is the pronoun’s function in its clause that determines its case. In the first example below, the entire clause *whoever will listen* is the object of the preposition *to*. But in the clause itself, *whoever* serves as the subject, and that function determines its case. Similarly, in the second sentence *whomever* is the object of *choose* in the clause, so it must be in the objective case even though the clause itself serves as the subject of the sentence.

WRONG: I’ll talk to whomever will listen.

RIGHT: I’ll talk to whoever will listen.

WRONG: Whoever you choose will suit me.

RIGHT: Whomever you choose will suit me.

As the second example above shows, a further distraction can arise when the *who* clause contains a nested clause, typically of attribution or identification (here, *you choose*).

S. “Whose” v. “Of Which” (See TMS, Appendix: Commonly Misused Words)

The relatives *who* and *which* can both take *whose* as a possessive form (*whose* substitutes for *of which*) {a movie the conclusion of which is unforgettable} {a movie whose conclusion is unforgettable}. Some writers object to using *whose* as a replacement for *of which*, especially when the subject is not human, but the usage is centuries old and widely accepted as preventing unnecessary awkwardness. Compare *the company whose stock rose faster* with *the company the stock of which rose faster*. Either form is acceptable, but the possessive *whose* lends greater smoothness.

IV. Citations

A. Priority of Authorities

Where the GLJ Style Guide is silent, turn first to the Bluebook Rules and Tables. When the Bluebook Rules are ambiguous, use the Purple Book. When both the Bluebook and the Purple Book are ambiguous, use your best judgment in creating a citation.

B. German Law Journal

Abbreviate the *German Law Journal* in citations as GERMAN L.J.

Neil Walker, *Juridical Transformation as a Process: A Comment on Stone Sweet*, 8 GERMAN L.J. 929, 936 (2007).

C. Court of Justice of the European Union

1. General citation format for decisions. See Bluebook Rule 21.5.2:

Case <case designation>, <names of parties>, <volume> E.C.R. <first page number>, <pincite>.

Case C-91/05, *Comm'n v. Council*, 2008 E.C.R. I-651, para. 12.

2. If an official report of a CJEU case is not available, cite to the CJEU's database. Do not follow the link with instructions on how to search for the case on the site. See Bluebook Rule 18.2.2(d):

Case <case number>, <name of parties>, <pincite> (<date of decision>), <URL>.

Case C-371/08, *Ziebell v. Baden-Württemberg*, para. 14 (Dec. 8, 2011), <http://curia.europa.eu/>.

3. If necessary, provide a parallel citation to one of the private services providing selected reports of the court's opinions. *Common Market Law Reports* (C.M.L.R.) is preferred. See Bluebook Rule 21.5.2(b).

Case 148/78, *Pubblico Ministero v. Ratti*, 1979 E.C.R. 1629, 1 C.M.L.R. 96 (1980).

4. Short form citations, general format:

<*first party's name*>, Case <case designation> at <pincite>.

Ziebell, Case C-371/08 at para. 12.

5. Where the author has provided the information, abbreviate case names for short form citations in footnotes with "[hereinafter]" in the original citation. See Bluebook Rule 4.2(b).

6. Citations to the Advocate General's opinion:

Opinion of Advocate General <last name> at <pincite>, Case <case number>, <names of parties> (<date of Advocate General's opinion>), <URL>.

Opinion of Advocate General Bot at para. 55, Case C-371/08, *Ziebell v. Baden-Württemberg* (Apr. 14, 2011), <http://curia.europa.eu/juris/recherche.jsf?language=en>.

7. Short form citation to Advocate General's opinion:

Opinion of Advocate General <last name>, *supra* note <#>, at <pincite>.

Opinion of Advocate General Bot, *supra* note 22, at para. 12.

D. European Court of Human Rights

1. General citation format for decisions. See Bluebook Rule 21.5.3:

<case name>, <volume number> <reporter> <first page number>, <pincite> (year, if not in volume number).

Kampanis v. Greece, 318 Eur. Ct. H.R. 29, 35 (1995).

Papon v. France (No. 2), 2001 XII Eur. Ct. H.R. 235.

2. If an official report of an ECHR is not provided by the author, cite to the ECHR's database. Do not follow the link with instructions on how to search for the case on the site. See Bluebook Rule 18.2.2(d):

<case name>, App. No. <application number>, <pincite> (date of decision), <URL>.

Haas v. The Netherlands, App. No. 36983/97, para. 43 (Jan. 13, 2004), <http://hudoc.echr.coe.int/>.

3. Short form citations, general format:

<first party's name>, <volume number> <reporter> at <pincite>.

Kampanis, 318 Eur. Ct. H.R. at para. 43.

4. Short form citations, where the officer report is unavailable:

<case name>, App. No. <application number> at <pincite>.

Haas, App. No. 36983/97 at para 15.

5. Where the author has provided the information, abbreviate case names for short form citations in footnotes with "[hereinafter]" in the original citation.

E. German Cases

1. If the author has provided information to an official or unofficial reporter, or is listed on dejure.org, see Bluebook T2.14:

<name of court> [<court's abbreviation>] [<translation>] <date of decision>, <volume number> <REPORTER> [reporter abbreviation] <first page>, <pincite>.

Bundesgerichtshof [BGH] [Federal Court of Justice] Apr. 16, 2008, NEUE JURISTISCHE WOCHENSCHRIFT [NJW] 592, para. 24.

2. General unpublished citation format:

<name of court> [<court's abbreviation> - <translation>], Case No. <case designation>, <pincite> <(date)>, <URL>.

Bundesgerichtshof [BGH] [Federal Court of Justice], Feb. 8, 2006, Case No. II ZR 187/04, para. 12, <http://juris.bundesgerichtshof.de/cgi-bin/rechtsprechung/list.py?Gericht=bgh&Art=en>.

3. Use the link to the main page of the database where the decision may be obtained. Do not follow the link with instructions on how to search for the case on the site. See Bluebook Rule 18.2.2(d).

4. Short form citations, general format. See Bluebook T2.14:

<volume number> <reporter abbreviation> <first page> (<page(s) of specific material).

154 BGHZ 370 (371).

5. Short form citations for unpublished cases:

<court's abbreviation>, <case designation> at <pin cite>.

BGH, Case No. II ZR 187/04 at para. 12.

6. Where the author has provided the information or when the case designation is extremely long, abbreviate case names for short form citations in footnotes with “[hereinafter]” in the original citation. When the author does not provide the information, use the abbreviation “*Judgment of [DATE]*.” Do not use “*supra*” in the subsequent citations. See Bluebook Rule 4.2.

Bundesverfassungsgericht [BVerfG] [Federal Constitutional Court], Mar. 19, 2013, NEUE JURISTISCHE WOCHENSCHRIFT [NJW] 1058, paras. 67, 95–96, 104–05 [hereinafter *Judgment of Mar. 19, 2013*].

All subsequent citations:

Judgment of Mar. 19, 2013 at paras. 53–54.

F. European Union Treaties

1. Cite publications of the European Council and of the European Commission to the Official Journal of the European Union (O.J.) and the Official Journal of the European Communities (also abbreviated O.J.), respectively. The O.J. is available at the European Union’s official website, <http://eur-lex.europa.eu/en/index.htm>. Abbreviate treaty names for short form citations in footnotes with “[hereinafter]” in the original citation. See Bluebook Rules 21.9 and 21.4.5.

Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, Dec. 13, 2007, 2007 O.J. (C 306) 1 [hereinafter Treaty of Lisbon].

2. Short form citation, general format. Do not include “at” before articles.

Treaty of Lisbon arts. 4–5.

G. Internet Citations

1. Information should be cited in a way that clearly indicates which source the author actually used or accessed.

2. PDF files found online are treated as an exact copy; therefore, *available at* should not be used and standard citation rules apply. Include the hyperlink to the pdf source itself. See Bluebook Rule 18.2.1(a)(iii).

EUR. CENT. BANK, THE MONETARY POLICY OF THE ECB 55 (2011),
<http://www.ecb.europa.eu/pub/pdf/other/monetarypolicy2011en.pdf>.

3. If citing directly to an Internet webpage, indicate the author (whether personal or institutional), title, date parenthetical, the URL, and substantive parenthetical (if required). Do not put the author's name (whether personal or institutional) in large and small caps. Always italicize the webpage title. When there are multiple titles on the webpage, use the title that best identifies the section of the page you are citing. The URL should not be preceded by "available at." See Bluebook Rule 18.2.2. Institutional authors should be abbreviated according to Bluebook Rule 15.1(d).

Lukanyo Mnyanda, *Italian Bonds Rise as Five-Year Borrowing Costs Fall at Auction*, BLOOMBERG (Dec. 30, 2013), <http://www.bloomberg.com/news/2013-12-30/italian-bonds-advance-after-borrowing-costs-fall-at-debt-auction.html>.

4. When material is otherwise undated, the date that the website was last visited should be placed in a parenthetical after the URL.

5. In the rare event where the Internet source is given as a parallel citation, use the phrase "available at" to improve access to the source. See Bluebook Rule 18.2.3.

H. *Supra* and *Infra*

1. *Supra* refers to citations or discussions appearing previously. *Infra* refers to citations or discussions that will appear later. See Bluebook Rule 3.5: Internal Cross-References.

See infra Part D.2.IV.

See cases cited supra note 12 (citing cases in which the FCC used this standard of review).

See supra notes 58–61 and accompanying text.

2. *Supra* may be used to short cite to any source except cases, statutes, constitutions, legislative materials (other than hearings), restatements, model codes, or regulations—except in extraordinary circumstances. See Bluebook Rule 4.2.

I. Use of Short Citation Forms Generally

1. After a source has been fully cited once, use Bluebook Rule 4 for short citation forms.

2. There is no need to cite a source again fully after it has been one time within an article.

J. Parenthetical Information. See Bluebook Rule 1.5.

1. Add or modify substantive parentheticals only where the author has provided an explanatory clause.

2. Explanatory information takes the form of a present participial phrase, a quoted sentence, or a short statement that is appropriate in context.

V. Appendix

The list below contains the words that most often give writers trouble. Note that some of the words included here—such as verbs that can be used transitively {the tire abutted the curb} or words that can be used without further qualification {she refused to acquiesce} {his words were considered blasphemy}—do not always take prepositions.

abide (vb.): with (“stay”); by (“obey”); *none* (transitive)
abound (vb.): in, with [resources]
absolve (vb.): from [guilt]; of [obligation]
abut (vb.): on, against [land]; *none* (transitive)
accompanied (adj.): by (not *with*) [something or someone else]
accord (vb.): in *or* with [an opinion]; to [a person]
acquiesce (vb.): in [a decision]; to [pressure]
acquit (vb.): of (not *from*) [a charge]; *none* (transitive)
adept (vb.): at [an activity]; in [an art]
admit (vb.) (“acknowledge”): *none* (not *to*) (transitive)
admit (vb.) (“let in”): to, into
admit (vb.) (“allow”): of
anxious (adj.): about, over (preferably not *to*) [a concern]
badger (vb.): into [doing something]; about [a situation]
ban (vb.): from [a place]
ban (n.): on [a thing; an activity]; from [a place]
based (adj.): on (preferably not *upon*) [a premise]; in [a place; a field of study]; at [a place]
becoming (adj.): on, to [a person]; of [an office or position]
bestow (vb.): on (preferably not *upon*) [an honoree]
binding (adj.): on (preferably not *upon*) [a person]
blasphemy (n.): against [a religious tenet]
center (vb.): on, upon (not *around*) [a primary issue]
chafe (vb.): at [doing something]; under [an irritating authority]
coerce (vb.): into [doing something]
cohesion (n.): between [things; groups]
collude (vb.): with [a person to defraud another]
commiserate (vb.): with [a person]
compare (vb.): with (literal comparison); to (poetic or metaphorical comparison)
comply (vb.): with (not *to*) [a rule; an order]
confide (vb.): to, in [a person]
congruence (n.): with [a standard]
connive (vb.): at [a bad act]; with [another person]
consider (vb.): *none* (transitive); as [one of several possible aspects (not as a substitute for “to be”)]; for [a position]
consist (vb.): of [components (said of concrete things)]; in [qualities (said of abstract things)]
contemporary (adj.): with [another event]
contemporary (n.): of [another person]
contiguous (adj.): with, to [another place]
contingent (adj.): on (preferably not *upon*)
contrast (vb.): to, with [a person or thing]
conversant (adj.): with, in [a field of study]
convict (vb.): of, for (not *in*)
depend (vb.): on (preferably not *upon*)
differ (vb.): from [a thing or quality]; with [a person]; about, over, on [an issue]

different (adj.): from (but when a dependent clause follows *different*, the conjunction *than* is a defensible substitute for *from what*: “movies today are different than they were in the fifties”)
dissent (n. & vb.): from, against (preferably not *to* or *with*)
dissimilar (adj.): to (not *from*)
dissociate (vb.): from
enamored (adj.): of (not *with*)
equivalent (adj.): to, in (preferably not *with*)
excerpt (n.): from (not *of*)
forbid (vb.): to (formal); from (informal)
foreclose (vb.): on [mortgaged property]
hale (vb.): to, into [a place]; before [a magistrate]
hegemony (n.): over [rivals]; in [a region]
identical (adj.): with (preferred by purists), to [something else]
impatience (n.): with [a person]; with, at, about [a situation]
impose (vb.): on (preferably not *upon*) [a person]
inaugurate (vb.): as [an officer]; into [an office]
inculcate (vb.): into, in [a person]
independent (adj.): of (not *from*) [something else]
infringe (vb.): *none* (transitive); on (preferably not *upon*) [a right]
inhere (vb.): in (not *within*) [a person; a thing]
inquire (vb.): into [situations]; of [people]; after [people]
instill (vb.): in, into (not *with*) [a person]
juxtapose (vb.): to (not *with*)
mastery (n.): of [a skill or knowledge]; over [people]
militate (vb.): against [a harsher outcome]
mitigate (vb.): *none* (transitive)
oblivious (adj.): of (preferred), to [a danger; an opportunity]
off (prep. & adv.): *none* (not *of*)
predilection (n.): for [a preferred thing]
predominate (vb.) (not transitive): in, on, over [a field; rivals]
preferable (adj.): to (not *than*); over [an alternative]
pretext (n.): for [a true intention]
reconcile (vb.): with [a person]; to [a situation]
reticent (adj.): about [speaking; a topic]
sanction (n.): for [misbehavior]; of [a sponsoring body]; to [a person; an event]
shiver (vb.): from [cold]; at [something frightening]
stigmatize (vb.): *none* (transitive); as [dishonorable]
subscribe (vb.): to [a periodical or an opinion]; for [stock]
trade (vb.): for (“swap”); in (“sell”); with (“do business with”); at (“patronize”); in [certain goods]; on (“buy and sell at”)
trust (n.): in [faith]; for (“beneficial trust”)
undaunted (adj.): in [a task]; by [obstacles]
unequal (adj.): to [a challenge]; in [attributes]
used (adj.): to (“accustomed”); for (“applied to”)
vexed (adj.): with [someone]; about, at [something]