

How to Write a First Class Law Essay

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Introduction

Getting started

Writing an essay is a daunting process but don't worry you're not alone in feeling this way. Everyone has sat in front of an empty Word document and thought '*How on Earth am I going to write 2,000 words about **this??***'

The first step is to take a couple of minutes to read the question and ask yourself if you have any strong thoughts about the topic at hand. What is your opinion on this area of the law? If you don't know (or, frankly, don't care) at this stage then that is totally fine because that will come with time.

Nevertheless it is important to spend a minute with just the question so you get to know your enemy!

Types of Essay Questions

There are three main types of essay question:

- **Historical** – These questions will ask you how the law has developed in a particular area over the past and where it stands today by comparison.
- **Reform** – This is kind of the opposite to historical essays. You will need to think about the law as it stands today and how it might change or develop in the future.
- **Legal theory** – A question about legal theory will require academic criticism about a specific law, case or area. Often these will take the form of a question or statement you will be asked to 'discuss'.

Identifying the type of question is an important first step because it will affect your plan and structure.

Initial Research

Let's not jump in and try to write the essay just yet. We need to get to grips with the law in this area.

Going back to the question, what are the key legal terms that are used? This might be as simple as a particular statute or case but it might also be a particular topic such as 'negligence'.

Once you have that the research can begin! Don't worry it's nothing too taxing at this stage (unless it's tax law :D). Look for your legal term(s) in your textbook. Almost every textbook will have a list of statutes and cases at the start that you can refer to while topics can be found in the Table of Contents or in the Index. This will only point you to specific pages though and you need to read around the topic so find the containing chapter or section for context.

Reading this will be a fantastic introduction, will familiarise yourself with the essay and give you a healthy dose of confidence! If you feel comfortable doing so, think about how what you are reading relates to the question and even jot down some notes.

Using Other Resources

Don't be limited by your textbook at this stage either. Getting an overview of a legal topic can also mean doing a quick Google search and seeing what you can find. Don't be afraid of reading Wikipedia either. You can't cite it in your essay but those articles can often provide exactly the broad sort of introduction that we are looking for. The chances are you might also find that one of my YouTube videos covers the area that you are interested in!

This is especially true for questions about reform in the law where even the latest textbook might not contain the most recent developments.

The Plan

OK, time to put pen to paper (sort of!).

Unfortunately the first step requires a little bit of maths. How many words are there roughly meant to be in your essay? From that total we can take away about 500-700 words for the introduction and the conclusion combined. After that each paragraph will be about 300-500 words so how many paragraphs will you be able to fit in?

Let's look at an example:

<i>Total essay word count.....</i>	<i>2,500 words</i>
<i>Introduction and conclusion.....</i>	<i>- (approximately) 500 words</i>
	<i>= 2,000 words</i>
<i>Words remaining.....</i>	<i>2,000 words</i>
<i>Words in each paragraph.....</i>	<i>÷ (approximately) 400 words per paragraph</i>
<i>Total number of paragraphs needed...</i>	<i>5 paragraphs needed for this essay</i>

You will notice that these numbers are only estimates but they give you an idea for how many different points you will need and how much you have to write. It is also a lot less scary when you think of your essay as five 400-word paragraphs with an introduction and a conclusion instead of one massive 2,500 word piece.

Tip: It is better to underestimate how many paragraphs you need to write. Even in the above example it might be better to plan for six paragraphs as it is easier to take words out than end up short of your word count!

Now we know how many paragraphs we need and each paragraph represents one argument that you will make in your essay.

This means you need to jot down each of the key points that you will be making and what these look like will often vary based on the type of question you are being asked:

- **Historical** – Each point will generally represent a key development in the area of the law you are looking at. That might be a case, a statute or even a political or academic opinion.
- **Reform** – When considering reforms to the law each point will generally look at a separate proposal. On the other hand if you are looking at a specific proposal then each point might instead be an advantage or disadvantage of that proposal.
- **Legal theory** – If you are discussing a quote or statement then each point will be an argument for or against that proposal.

Your points don't need to be very long at this stage. We aren't after detail, just the main thrust of your argument so one or two sentences is more than enough.

Also remember that each point should be directly addressed at the question. This isn't the time for background or context, get to the heart of the issue!

Further Research

If you have got to this point and you still don't have any points to write down or you're struggling to come up with arguments that you like then don't panic, that is totally normal for more difficult questions.

All this means is that you need to do some more research that goes beyond what it says in your textbook or what you found from a cursory glance on Google.

A more detailed search on research services like Westlaw or Google Scholar will often turn up journal articles by academics who have already done much of the hard work and picked out the key arguments. For other more controversial topics and recent developments in the law you might look to coverage in the press by searching Google News.

Structure

Now that everything is lined up it's nearly time to start writing for real.

Before we do that you need to think about how your points will line up. While the content is the most important thing it is also a good sign for the examiner if your writing flows well and has a logical coherence. Plus it makes it easier to read and edit!

It might seem early but this is also a good time to think about what your overall conclusion will be for the piece. You don't need to write the full conclusion at this stage but your overarching perspective is the glue that holds the structure together. Maybe you could note down in a couple of sentences what your initial research has led you to think or you could go back and review your initial reaction when you first read the question. Here are some prompting questions that you might find useful:

- Has the development in this area of the law been wholly positive?
- Is there room for more reform and change in this area? What would that change look like?
- How well does the law meet and protect the needs of ordinary people in this area?

The reason that we answer these types of questions here and try to arrive at the overall conclusion before even starting to write the actual essay is because your piece should be constantly building-up to this conclusion. When your reader gets to the final few paragraphs they should think '*Now I see how it all fits together!*'

For your purposes this exercise will also help you to arrange your points to maximise that build-up effect. Don't worry too much if you get stuck thinking about this (that's what cut and paste was made for!), there is no correct structure that fits all essays so trust your instincts.

My Essay Plan

Introduction

Point 1

Point 2

Point 3

Point 4

Point 5

Point 6

Point 7

Conclusion

The Essay

Alright no more beating around the bush; let's do this!

Introduction

The first mistake that students make when writing the introduction is repeating the question (either word-for-word or in a slightly different form). Don't do that: this is what the title is for!

Instead your opening paragraph should be a short introduction to the context that surrounds the topic and a brief word about what you are arguing or seeking to prove.

Let's say you are writing an EU law essay about how effective the preliminary reference procedure under Article 267 TFEU is. It might be tempting to look at that blank page and fill it with several hundred words about what the procedure is and how it works but that isn't the play here: it's not what the question is asking. Instead give a brief explanation of what the procedure seeks to achieve and why it exists before a line like:

This essay will argue that while the preliminary reference procedure is generally effective there is still a lot of room for improvement, most notably in the area of acte clair.

If you have a strong conclusion don't be afraid to share it at this point either. You haven't proven your thesis yet so don't get too cocky but if, for example, you think an area of the law does not meet the needs of those most affected then say so and whet the marker's appetite!

Tip: Don't spend too many words on the opening paragraph. This is not where your grade comes from and a lot of markers will skim over it so they can get to the 'meat' of your essay.

The Main Paragraphs

Remember the points that you drew up when coming up with your essay plan? This is where they come into their own.

Writing the main chunk of your essay is daunting but having a range of different arguments in your back pocket means that it is more like writing five or six mini-essays. In other words, still scary but not quite as intimidating!

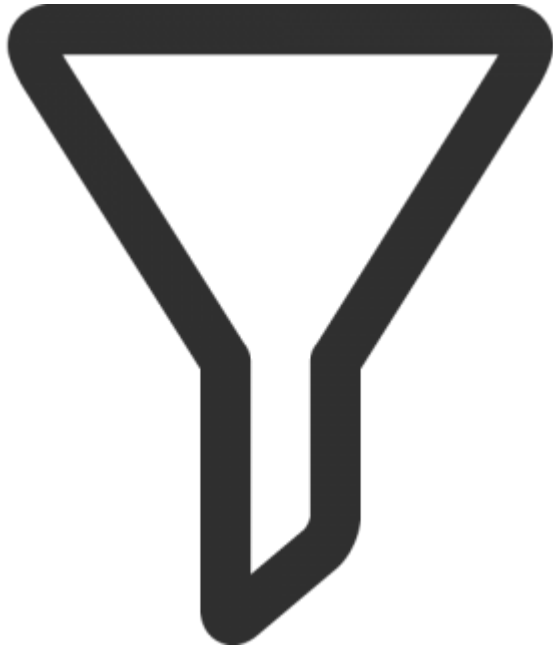
Tip: Each point in your plan will generally represent one paragraph but if you have an especially important point that you spend more time and words on then you may want to split it up into two or more paragraphs. As a guide your paragraphs should only be about half a page long and if it is longer than a page then it definitely needs splitting up!

All of your arguments will be different but the general structure will remain roughly the same in each paragraph.

The first sentence is a reiteration of the point in your plan but in a more formal way that is suitable for an academic essay.

That point on its own won't stand up to much scrutiny so now we have to develop it further. What evidence is there that supports your point? Your initial research might offer a starting point but to get those higher marks you should also use quotes and arguments from academic journals.

Finding these can be difficult but is certainly not impossible. Pick your research tool (Westlaw, Google Scholar etc.) and search for key words or cases that relate to your point. Look through the search results and find any article titles that appear helpful. Once you open the article you will find that most of them begin with a short abstract that summarises the author's piece in one paragraph. Reading this will give you an even better idea about whether this is the sort of piece that you want to incorporate and cite in your own essay. Think of this research process like a filter:



Key word searches: hundreds of results



Examining article titles: approximately ten potentially good pieces



Reading abstracts: Several good articles that will support your point

Once you have your articles the next step is to begin reading them and try to highlight some key quotes that you will be able to use or summarise to help make your point. This might seem time-consuming but it is also a useful exercise because you can get a sense for how an academic is structuring their arguments in this context and when you are dealing with a specific topic there is a good chance you might stumble across other quotes that will help with some of your other points too.

Building this research into your essay is all about thinking about what is the most effective way to make your point. Your argument in each paragraph is like a mini-conclusion that you are building towards so here are some ideas for these sentences:

- If the point you are making is a controversial one then look at the arguments both 'for' and 'against'. This shows that you have considered all sides before coming to your conclusion.
- When you are trying to prove a more complicated point think about what the building blocks are that you need to get there. A step-by-step approach shows your working and demonstrates a logical mindset.
- Any sort of development in the law lends itself to a chronological approach where you follow the changes as they happened over time.

Tip: Don't be shy about citing all of the resources that you have used as you write your paragraph. The number of sources that you provide is normally a good indicator to an assessor about how much work you have put in. I have seen far too many essays where a student could have got as much as an extra 10% if they had included more journal articles etc.

The final sentence in your paragraph is about telling the reader what the evidence you have presented demonstrates while reiterating your point. Before you write this sentence take a moment to re-read the essay question and make sure that your final sentence addresses it directly. For example:

This wealth of case law shows how in recent years the right under Article 8 of the ECHR has developed to also encompass a free-standing right to privacy.

Conclusion

We're nearly there, now just for the final stretch!

Hopefully your word count at this stage still allows you to write a full conclusion but don't try and artificially limit yourself if you only have a few words left. A good, strong conclusion is important and will be the last thing that the marker remembers so write as much as you need.

Your final paragraphs are drawing together everything that you have discussed in your essay and making one final push to convince the reader of your overall argument. This isn't about repeating the points that you have already made but is instead telling the reader what it is that your points demonstrate.

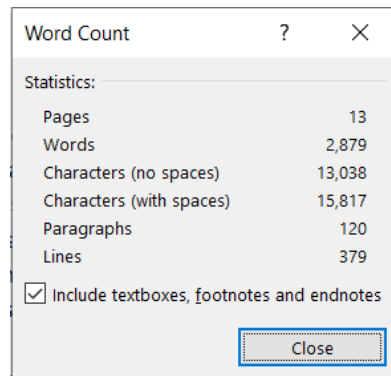
Once again, before you start writing this final section there is value in re-reading the essay question and making sure that you are presenting your response. It is amazing how many students fail to actually answer the question!

The Aftermath

We're finally there and have an actual essay in front of us but the fun isn't over yet!

Here are a few steps that you can go through to make sure that your essay is as perfect as it possibly can be.

1. Take a break! Writing an essay is intense work and before you do anything else it is important that you gain some mental distance from this project that you have put so much effort into. Try and take a day to do something completely different (and enjoyable!) but if time doesn't permit this then even a long walk or yet another episode of *Friends* can help to clear the cobwebs!
2. Re-read your essay. This is very cringeworthy but I edit my own podcast each week so if I can listen to my own voice, you can read your own words! As you go through try to make sure that it all makes sense and that there aren't any spelling or grammatical errors.
3. Make those edits. Hopefully you have kept within the word count but if that isn't the case then go back and take out any sentences or paragraphs that you don't think add to your overall argument in a powerful way. Check whether your word count includes footnotes or not. If it doesn't then make sure that you click the word count in the bottom left of your Word document and de-select the option to include textboxes, footnotes and endnotes.
4. Complete your bibliography. Different universities will have different requirements so make sure you know what rules apply to you. This is also a good opportunity to check your footnotes are consistent with the referencing system your law school uses.
5. Have a final read through your essay and if you feel comfortable then press submit. Good luck!



Exam Conditions

Writing an essay in exam conditions has a very different feel to it but many of the same principles apply: you still want a short, sharp introduction that leads into several points that address the question all brought together in a convincing conclusion.

The main difference is that instead of being up against a word count you are up against the clock. It may be tempting to dive right in but that isn't an excuse not to still spend a bit of time writing a short plan.

Think about how long you have and how many paragraphs you think you can write (excluding the introduction and conclusion) in that time. Draw up some key points and your conclusion and away you go.

Another big difference is that you sadly won't have access to the Internet. While this means you don't have to worry about things like footnotes and a bibliography it means that you will be relying entirely on your own revision. When you are revising try to not only learn the law but also some of the key debates and a couple of academics who have written articles in the given area. This will put you in great stead for writing an essay in exam conditions and looks especially impressive to a marker.

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