



UNIVERSITY of the
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COMMUNITY LAW CENTRE

GUIDELINES FOR PROPOSAL AND DISSERTATION WRITING

Introduction

These guidelines provide a structure on how to write a proposal for a research paper, mini-dissertation or full dissertation (referred to collectively as “dissertation”). The proposal is key to a successful dissertation as it provides the structure or architecture for the dissertation. Without a clearly thought through proposal, the eventual dissertation is likely to flounder because the writing would be directionless.

The key elements of a good dissertation are:

- Formulating a clear problem statement
- Constructing a clear argument that runs throughout the dissertation
- Doing thorough research
- Presenting a persuasive argument through the logical ordering and marshalling of supportive materials in chapters, sections, paragraphs and sentences
- Complying with the conventions of scholarship.

A. STRUCTURE OF THE PROPOSAL

A proposal should proceed along the following steps:

- (1) a clear problem statement is formulated;
- (2) the significance of the problem is explained;
- (3) an answer or solution to the problem is suggested;
- (4) the originality of the answer or solution is indicated through a literature survey;
- (5) the way in which the argument will be substantiated in the bulk of the dissertation is outlined;
- (6) the method used (and its suitability) to answer or solve the problem is explained;
- (7) any definitional issues are clarified; and
- (8) a bibliography of materials used is supplied.

Step 1: Problem statement

A proposal commences with a clear problem statement. What is the problem that intrigues you? What is the issue that you want to deal with? What is the question that you want to answer? It is often useful to state in your first paragraph as clearly and succinctly as possible what is the problem that you are addressing. Once that is done, the problem is unpacked. What is the background to the problem? What are the logical building blocks in law and practice that lead to the problem? These building blocks are very important because they are again reflected in the chapters, where argument is substantiated.

Vital to a successful dissertation is a narrowly defined problem. As a research paper is confined to 18 000 words, the issue must be much more limited than that for a mini-dissertation (30 000), full thesis (50 000) or a doctoral dissertation (100 000).

Step 2: Significance of problem or issue

As you will be spending a considerable amount of time on the dissertation, you have to justify this endeavour to yourself, your supervisor and your examiners. Moreover, if the problem is significant, the solution or answer to the problem will be equally important. The significance of the problem may lie in a number of areas. In the case of divergent judgments on an issue, the conflict creates confusion and conflict in practice. The importance could lie in poor service delivery because of badly designed governance structures. Overall, the aim is to state the importance of the research that you will be doing.

Step 3: Argument or answer

Having done the reading of the relevant materials you have by now developed a tentative argument or an answer to the problem. You need to state upfront how you will be addressing the problem, what will be the answer or solution. This argument is what binds the dissertation together – providing the central measuring rod in deciding whether any material is relevant or not.

When you start off the proposal writing, you will have some idea of what the answer / argument will be. However, as you develop and substantiate the argument in the various chapters through your thorough engagement with the materials, you may find that the argument is refined, adapted, or changed. This is totally acceptable and even expected. Therefore, while the proposal signals the commencement of the dissertation (and is chapter 1 of the dissertation), it may also be last piece that you write in order to reflect the refinement and reshaping of the argument that occurred along the way.

Step 4: Originality of argument (literature survey)

The criterion by which you will be measured is whether your dissertation has added or contributed to knowledge on the topic. What is the point of the dissertation if the problem has already been solved or the issue addressed?

You must demonstrate the originality of the argument by showing how it compares with the existing literature on the issue. This is done by reading extensively around the issue to determine what other authors have written. In some cases, when you have described the literature on the topic (who wrote and what did they say – not a listing of article or book titles!), you may conclude that no one has yet addressed the particular issue, and therefore, you will provide a unique contribution. Even if you find that the issue has been addressed, you may conclude that it was wrongly or inadequately done. You may argue, for example, that the academic interpretation of a line of court judgments was wrong. The academic enterprise is about challenging accepted views and doctrines.

The focus in the literature survey is on “literature”, namely what other scholars have written. This is not the place to describe the Constitution, legislation or court cases.

Step 5: Substantiating the argument (chapter outline)

The bulk of the dissertation is devoted to substantiating the argument. This is done through breaking down your argument into its basic components and devoting a chapter to each component. In the proposal the chapters are outlined, showing how each form part of the argument and contributes to the answer or solution. This is not done by just providing chapter headings . You have to indicate what the purpose is of each chapter and what will be argued in that chapter. The emphasis falls on the logical flow of the argument and how each chapter contributes to that flow.

Step 6: Methodology

Having outlined how the argument will be substantiated in the various chapters, you have to show how you will go about this task. What are the materials that you will rely on? What is the methodology that you will follow? If you are analysing court judgments, your primary source of information are case reports. A further primary source of information is legislation, official documents, policies, notices, etc. A secondary source is what other authors have written about the same cases or legislation in the relevant field. As all these materials are found in a library or the internet you may refer to it as a desktop study.

You may want to use empirical data in substantiating your argument. There are a variety ways of collecting such data. Official sources may be used. Newspapers may also be referred to. You may even venture out and collect your own data by, for example, conducting interviews, or inspecting court records. In the case of interviews you need ethical clearance from the University’s Senate Research Committee.

Step 7: Defining concepts (optional)

In the context of your proposal (and later in chapter 1 of the dissertation), it may be necessary to define some key concepts that will be used in the chapters. This is done to provide the necessary clarity when confusion and ambiguity may be present.

Step 8: Bibliography

All the materials referred to in the proposal must be listed alphabetically in the bibliography. Use the following main headings:

- Laws, regulation and other legal instruments
- Other government publications: policies, reports, etc
- Case law
- Books, chapters in books, articles, reports, internet sources

B. CONVENTIONS OF SCHOLARSHIP

A quality of the proposal and the dissertation is based on thorough research, entailing the engagement with an array of materials - laws, judgments, books, articles, papers on the internet, government reports, etc. The central principle is that you must clearly distinguish your own thoughts and opinions from those of others. Plagiarism - the use of other authors' materials without recognizing such use - is the ultimate academic sin. It leads to the outright failure of the dissertation and possible disciplinary proceedings. The University provides a computer service (Turnitin) to students in terms of which paragraphs and sentences in an essay are assessed against all that are available on the internet. The programme then indicates the percentage correlation of the student's work with internet sources.

The academic convention is to recognise other authors' work by indicating the source of an idea, sentence, or paragraph in a footnote. One of the functions of footnotes is, then, when you use an idea, argument or sentence from an author, to acknowledge this fact by referring to the source. When the very words of an author are used, they must appear in quotation marks, with full reference to the source in a footnote.

Footnotes are also used to provide authority for a statement of fact or law that you may make. If the statement is about the content of a law, then the citation of the appropriate law and section in that law is required.

The style of the footnotes must follow the prescribed format which is attached to the Guidelines. If the format is not followed, the proposal will not be acceptable.

C. DISSERTATION WRITING

1. Logical and coherent writing

Central to any successful dissertation is the manner in which the argument is presented, namely in the logical and coherent construction of the argument, substantiated by relevant material. The one chapter must lead logically to the next chapter. In a chapter, the one section follows logically on the previous one. In a section one paragraph must lead logically to the next paragraph. Each paragraph deals with one idea or concept only. In a paragraph, one sentence flows logically from the previous sentence. It is important that you clearly indicate and emphasise with appropriate markers in the text how paragraphs relate to each other. Phrases such as “In addition to the argument above...”, “Another reason is...”, “There is one exception to the above”, “In sum, it can be argued that...” etc. all indicate different types of linkages between paragraphs. Make a deliberate effort to accentuate the structure of your text.

To assist you, make use of numbered heading and sub-heading. By numbering the main headings (para 1) and sub-heading (para 1.2) the structure of the argument is made more visible.

In your endeavour to substantiate the argument, you refer to sources (which you have uncovered during your thorough research of the relevant materials) that either support or detract from your argument. In the case of opposing arguments or information you have to argue why such arguments or information is not persuasive, being either irrelevant or wrong.

Don't use the 'shotgun approach': the dumping of information that may or may not be relevant, without integrating it into your arguments, adds nothing to the dissertation. To the contrary, it detracts from the dissertation, suggesting that the author does not understand the relevance of the material to the argument being advanced. If you're not certain about whether to include information or not, ask yourself the question: is this information indispensable in understanding or dealing with my problem statement? If the answer is no, leave it out.

2. Own voice

Remember, it is your argument, your answer to the problem. You may refer to materials that support your argument, and you may indicate agreement with authors, but your voice must be heard through the maze of materials. Clearly indicate when your voice comes through, by using such expressions as “it is submitted that ...”. Avoid unnecessary qualifications such as “I will *attempt* to argue that/make a case for...”. The fact that you presented your case as ‘only an attempt’ will do little to soften your critics so rather assert your argument and makes sure it sticks.

Resist the temptation to insert a verbatim quote whenever you find that someone articulates nicely what you're arguing. Use your own language and reserve the use of verbatim quotes for exceptional circumstances (“Ask not what your country can do for you...”).

3. Chapter writing

Each chapter should commence with a road map – tell the reader what will happen in the chapter. You may state: “In this chapter it will be shown or argued” A dissertation or essay is not a detective novel, keeping the readers in suspense until the last chapter when all is revealed and the

murder solved. The reader should be taken by the hand and explained what will be done in the chapter. Having done that at the beginning, the chapter then concludes with: “It *has been shown* that”.

4. Conclusion

Any dissertation ends with a conclusion that must wrap up the argument. Whereas in chapter 1 (the proposal) the argument is briefly put forward, the conclusion provides a more elaborate argument, now substantiated by the material and arguments presented in each chapter. Your conclusion must summarise your findings (“it has been argued that is unconstitutional because....”). It should not just summarise the structure (“this paper addressed the constitutionality of...”). As the dissertation addressed a significant problem, the argument advanced may also contain recommendations on how the knowledge so gained, could be best put to use. Make such recommendations explicit, but be careful: you cannot suggest recommendations that you have not explored or are too bland to be of any use.

You may not deliver new information or a new argument in your summary. That is not what conclusions are for. Ensure that all the information has been presented and all the detailed arguments have been made in the body of the dissertation / essay so that you can use the conclusion to wrap up the argument.