

From Student Paper to Scholarly Article

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Over the past few years I have been responsible for the annual "student writing" issue of the VUWLR, which gives around eight students the opportunity to publish a research essay that they have worked on during the year. I have also assisted several of my own students in having their work published, both in the VUWLR context and elsewhere, including in peer-reviewed journals. As a result I have needed to explain the process of taking a student research essay and turning it into a scholarly article a number of times. This is my attempt at summarising that information.

The Starting Point

You have most likely got all the raw material you need, in the form of your existing essay. So to some extent you've done the "hard work" during the period of research and writing that led to the submission of your paper. With luck (ie not too many case/legislative developments between submission and publication), the revisions you need to make will be comparatively minor.

The first person to talk to about publication is your supervisor. Having given it a high mark, and perhaps having recommended it for publication in a journal, they have already indicated that they think it is a good student paper. Being familiar with the work, they should be happy to help you out with some suggestions about how to shape it into a scholarly article.

Fresh Eyes

If you can, take some time over this process, bearing in mind any editorial deadlines. By the time you have already gone through the drama of finalising and submitting a longer piece of writing for the purposes of your degree, it becomes quite hard to come back to the essay without the words all blurring into one big jumble. Coming back to it fresh after a holiday, or at least a week working on other tasks, can do wonders for the quality of your revisions.

Cut!

The ideal length for most scholarly articles is 8,000-10,000 words. Some are justifiably longer, but the vast majority of student essays will fit comfortably within this range (and many journals will not accept anything that exceeds their word limit). This means that while there is always the temptation to add more (especially as you'll have left lots of material on the cutting room floor when getting your essay through its final stages), I would counsel against it unless your supervisor picked up on an area where your analysis needed fleshing out, or there was otherwise something missing (a new case perhaps).

You are more likely to be justified in cutting material because ...

What Do You Want to Say?

... the scholarly article serves a very different purpose from a piece of student writing. A good student paper will show your supervisor that you have done your research, understand the background of your subject-matter and can describe it accurately, are aware of side-issues that are

not central to the paper, and that you have covered off all the bases necessary for that piece of assessment.

The scholarly article is not like this. Your audience of educated lawyers already know the basics – they want to hear what YOU have to SAY about your subject. If they want the basics of the law of negligence they will go to a leading textbook and look it up. But if you have something new and interesting to say about, for example, liability in negligence for flooding events, then in a jurisdiction like New Zealand you could well be the first person to comment on a new development, or even to address a topic at all. Compare a leading textbook you relied on when composing the essay with the best of the articles you cited, and note how different they are as pieces of writing.

So take a long hard look at your paper – and I know it is really, really painful to do this when you have just spent months getting it together for submission – and think to yourself “what am I adding to the discussion?” You know where the law is currently “up to”, having done your research – so address what is new and interesting and controversial, and hone the basics down to the bare minimum necessary for an educated readership familiar with the basics of New Zealand law. Don’t go too far though – it should still be a stand-alone, comprehensible piece, even to a reader who is not an expert in that area of law. So the basic facts of key cases, for example, are helpful to retain.

Also consider which sections of your essay you can do away with altogether; perhaps there are loose strands that never really went anywhere, but which you knew your supervisor expected you to cover for the purposes of your assignment. Now that the paper is free from the restrictions placed on it by the law school context in which it was born, it can shed any extraneous themes and topics. Ideally you want an article with a strong thread – a thesis – that the reader can follow throughout its length. The central argument(s) you are putting forward are your article’s contribution.

Peer Review

The process outlined above can be enough of a struggle, but things can become even more daunting if the journal you are submitting it to requires your paper to be “peer reviewed”, ie evaluated by one or more anonymous referees as to its academic quality. If you are going down that route seek further guidance from your supervisor or another academic. Referees can be harsh, so you need to ensure you are submitting the best article you can. In my opinion, having peer reviewed publications is not something to focus on when it comes to the publication of student writing. Any legal publication will look great on your CV, and there will be plenty of time to submit future research to such journals if that is what you choose to do. On the other hand, some student work is up there with the best, and student authors have had success in this context. My advice is to wait until you finish law school, and submit as a graduate (eg “Emma Smith, Law Clerk, Big Law Firm”) to deflect any stigma associated with being a student author.

Final Note

Having your work published is a great opportunity: you get a concrete result from all that effort bashing away at your laptop with one eye on the word count, and you get to share it with the wider legal and academic community. It will take time. That time will probably come at the expense of your evenings and weekends. But it is worth it. Good luck!