

Handout on Capstone Project for students of the CCL and HR programs (Capstone Thesis & Oral Presentation)

AY 2022-23

LLM and MA students of the Comparative Constitutional Law program and Human Rights programs in the Department of Legal Studies will fulfill their major writing requirement via the completion of a capstone project. Capstone projects are problem-driven, practice-oriented, comparative projects that draw on students' interests. Capstone projects have both a *practical* (oral) and a *written* component. Each project will be supervised by a faculty member.

The ***practical component*** may take various forms, depending upon the subject and aims of the project. For example, it may draw on a group work, an advocacy exercise, or an internship experience, or they may organize a thematic workshop or an outreach activity.

The ***written component*** (=Capstone Thesis) complements the practical component and must be between **6000 – 8000 words in length** (including footnotes). Tables, bibliography, acknowledgments, and the annex(es), however, do not count towards the word limit. Producing a final work that is 10 % below or above the expected word limit is acceptable. The form of the capstone thesis depends on the nature of the project chosen by the student. It could include, for example, a research memorandum; a legal memorandum; an amicus brief in a pending case; etc.

At the end of the academic year each student will be required to present their capstone project in an ***oral presentation***. The written component counts with 70 % and the practical component (including the oral presentation) counts with 30 % towards the final grade of the Capstone Project.

For the assessment criteria of the Capstone Project (the capstone thesis as well as the oral presentation) please consult the Departmental Information Booklet.

CCL and HR students studying on the Capstone Track will be required to take the following mandatory course in addition to developing their capstone project:

Capstone Seminar (2 US credits / 4 ECTS credits)

Capstone seminars are interactive seminars based on peer-to-peer discussion and presentations. Seminars bring together students with similar capstone projects in order to develop specific research and oral skills and to allow students to benefit from meaningful peer-to-peer interaction. Capstone seminars provide general guidance on how to set the scope of the project, select the right methodological and disciplinary approaches, gather and use sources and evidence, and frame and effectively communicate arguments. Presentation of individual work (work-in-progress and final outcome) is a core component of capstone seminars. Students are expected to develop their research projects in light of seminar discussions.

IDEAS FOR CAPSTONE PROJECTS

The *practical component* of Capstone Project may take different forms and is not limited to the examples provided below. The *written component* of the Capstone Project (Capstone Thesis) must complement the practical part.

IDEAS FOR COMPARATIVE CONSTITUTIONAL LAW STUDENTS

(1) Design concept / recommendations for a constitutional solution to be included in a constitution currently under review / revision / amendment:

The project is expected to reflect on practical challenges constitution drafters face, prior experiences with an earlier solution (where relevant), the needs and concerns of relevant local stakeholders as well as the views of regional or international actors (where relevant). The project should draw on relevant national examples with a similar constitutional design, taking into account both positive and negative experiences. Supranational standards should be taken into account, where and to the extent relevant. The project can be completed on the basis of desk research; information obtained through interviews with stakeholders will be appreciated.

The final deliverable is a memorandum (including a draft of key provisions), accompanied by a comparative essay outlining the proposals made as well as reasons behind not choosing certain plausible alternatives.

(2) Strategy for implementing a provision (set of provisions) in a newly adopted constitution:

The strategy should take into account the conditions of constitution-drafting as well as the overall process (and infrastructure, if any) of constitutional implementation. It project is expected to draw on relevant national experiences with a similar constitutional design, taking into account both positive and negative experiences. Regional or international standards should be taken into account, where and to the extent relevant. The strategy is expected to take into account the broader political and social context of implementation (including prior experiences with a similar or an alternative constitutional solutions) as well as the concerns of key stakeholders. The project can be completed on the basis of desk research; information obtained through interviews with stakeholders will be appreciated.

The final deliverable is a memorandum on implementation strategy, accompanied by a comparative essay outlining the proposals made as well as reasons behind not choosing certain viable alternatives in the strategy.

(3) Litigation strategy to address a constitutional problem before a national (constitutional) court or a relevant supranational body:

The project should address the resolution of a constitutional problem through strategic litigation. The memorandum should outline the practical significance of the underlying constitutional problem on the ground. The strategy should take into account procedural / access barriers (jurisdiction, justiciability, standing) as well as considerations on the merits, and should include a problem-oriented assessment of the strength and weaknesses of potential arguments on the merits. The strategy should be built in light of relevant comparative examples. The memorandum itself or the accompanying essay should flag the consequences of success as well as failure before the court targeted. The project can be

completed on the basis of desk research (including a close engagement with court files in relevant cases); information obtained through interviews with stakeholders will be appreciated.

The final deliverable is a memorandum of litigation strategy, including comparative analysis. Alternatively comparative analysis and projections about consequences may be included in an accompanying essay.

(4) Amicus curiae briefs

Amicus curiae ('friend of the court') briefs are submitted by persons, groups or organizations who are not party to a pending case but have strong interest in the subject-matter of the procedures and wish to influence the decision-making of the court by presenting their arguments. The starting point of an amicus brief is a concrete case pending before a domestic constitutional or supreme court, a regional or international human rights body (court or treaty body). The *amicus curiae* brief should focus on points of law (not facts) and seek to draw the court's attention to the broader implications of the case, or advocate for a particular outcome by offering comparative and often inter-disciplinary insights. The project can be completed on the basis of desk research; information obtained through interviews with stakeholders will be appreciated.

The deliverable is an *amicus brief*, building on comparative constitutional analysis. The *amicus brief* should be accompanied by a brief memorandum explaining the reasons behind key strategic choices and reasons for avenues not taken.

(5) Blog post on a recent national / regional constitutional development:

The blog post should present a constitutional development in the broader context of local political, social and / or economic developments for a international audience. It should reflect on the conceptual / theoretical implications of these developments allowing readers to appreciate the significance of local events in their broader context. The project can be completed on the basis of desk research; information obtained through interviews with stakeholders will be appreciated.

The final deliverable is a blog post, accompanied by an essay providing comparative constitutional analysis on the development captured in the blog post.

(6) Individually designed capstone project

Students may elect to design their own capstone project in consultation with their supervisor. Individually designed capstone projects should involve a practical component. Individually designed capstone projects may relate to students' past work or volunteer experience.

The individually designed project could take a number of forms. For example, students can organize a public discussion panel (potentially combined with a film-screening, exhibition, etc.), or a thematic workshop with scholars or practitioners on an emerging human rights issue, and then draft a research paper based on their further research on the issue. Students may investigate a human rights issue by conducting interviews with various stakeholders and draft a research memorandum on the basis of their work or experience. Similarly, students may build their Capstone Projects on a research project commissioned by or prepared for an organization (such as national human rights institutions, NGOs, intergovernmental or supranational organizations, governmental bodies, private entities) on a particular human rights question.

IDEAS FOR HUMAN RIGHTS STUDENTS

(1) Advocacy projects

Advocacy means taking action or speaking up in order to draw the community's attention to a particular problem and directing decision- and policy-makers towards a solution. It aims to achieve a specific goal, *e.g.* legal or policy change, that benefits the represented community. Advocacy is by definition problem-focused, students may select a legal issue for their advocacy projects that relates to their coursework, internship or prior work experience.

The first step of such Capstone Projects is thus to identify and analyze the issue the project focuses on. An advocacy project involves mapping the relevant stakeholders and the target audience who have the necessary power to implement the desired change of law or policy.

At the heart of an advocacy project is the action plan setting out the steps that need to be implemented to achieve the goal. Advocacy allows for the use of various methods and skills, such as lobbying, raising awareness, media campaigns, *etc.* The practical component of such Capstone Projects may include collaboration with external partners (*e.g.* civil society organizations, interest groups or communities) in seeking feedback on viable strategies, organizing an awareness raising event, a panel discussion, *etc.*

(2) Amicus curiae briefs

Amicus curiae ('friend of the court') briefs are submitted by persons, groups or organizations who are not party to a pending case but have strong interest in the subject-matter of the procedures and wish to influence the decision-making of the court by presenting their arguments. *Amicus curiae* briefs focus on points of law (not facts) and seek to draw the court's attention to the broader implications of the case or advocate for a particular outcome by offering comparative and often inter-disciplinary insights. Students choosing the submission of an amicus brief ideally identify a concrete case pending before a domestic constitutional or supreme court, a regional court (*e.g.* the European Court of Human Rights) or international human rights body (*e.g.* a UN treaty body).

Students participating in the moot court offered by the Program may further explore the legal issues addressed by the moot court courses offered during the academic year and write *amicus curiae* briefs in those hypothetical cases to the respective adjudicative body. Capstone Projects inspired by the moot court exercise need to substantially go beyond the scope of the case discussed during the course; students may include further aspects of the hypothetical problem building on their prior coursework in their Program.

(3) Individually Designed Capstone Project

Students may elect to design their own capstone project in consultation with their supervisor. Individually designed capstone projects should involve a practical component. Individually designed capstone projects may relate to students' past work or volunteer experience.

The individually designed project could take a number of forms. For example, students can organize a public discussion panel (potentially combined with a film-screening, exhibition, *etc.*), or a thematic workshop with scholars or practitioners on an emerging legal issue or prepare a podcast on a human rights topic and then draft a research paper based on their further research on the issue. Students may investigate a legal issue by conducting interviews with various stakeholders and draft a research memorandum based on their work or experience. Similarly, students may build their Capstone Projects on a research project commissioned by or prepared for an organization (such as national human rights

institutions, NGOs, intergovernmental or supranational organizations, governmental bodies, private entities) on a particular legal question.

CAPSTONE PROJECT DELIVERABLES

All submissions, with the exception of the final Capstone Thesis, are to be made electronically to both the capstone supervisor and the e-learning site. The final Capstone Thesis shall be submitted to the eTD (electronic thesis database) page. The deadline for all electronic submissions is midnight (23:59) on the relevant day.

After submission all Capstone deliverables will be automatically screened by the plagiarism software (TurnItIn) before grading. Capstone deliverables must correspond to the standards outlined in the guidelines.

Once submitted, the Capstone deliverables cannot be withdrawn and subsequently resubmitted, with or without corrections.

Step1: Short Outline

Deadline: November 30, 2022 (Wednesday)

The **Short Proposal (maximum 250 words)** sets out the general topic and intended outcome (*e.g.* research memorandum, *amicus curiae* brief, *etc.*) of the Capstone Project. Students will present their short proposals in dedicated sessions during the respective Capstone Seminar in November 2022 and receive feedback from faculty and their peers.

Step 2: Capstone Project Proposal

Deadline: January 31, 2023 (Tuesday)

On the basis of the feedback on the short proposals, students will prepare a **Capstone Project Proposal**, including an abstract of **maximum 1000 words**, a proposed table of contents and a plan of action.

The proposal will consist of the following parts:

(a) Tentative Title

(b) Abstract

The **abstract** should set out the central problem of the Capstone Project. This should be the central issue, tension, or puzzle that the capstone project will address. The abstract should:

- Identify the central problem explored in the capstone project, and include information on the background and basic context of the respective legal issue;
- Include a brief description of the significance of exploring this legal problem, where applicable also in a comparative fashion;
- When comparative, describe the key comparators and explain why these are appropriate for your project;

- Describe the form you expect the practical component to take, including a brief description of research methods you wish to use for the project as well as the written component (capstone thesis).

(c) Bibliography

The short **bibliography** should indicate at least 3 (three) titles (including library books, articles from law journals, and cases) that will be useful in addressing the subject matter of the capstone project.

(d) Plan of Action

The proposal should contain a realistic and detailed plan of action for how the student plans to complete the practical component of the Capstone Project over the remainder of the academic year.

Step 3: Capstone Thesis Draft

Deadline: April 11, 2023 (Tuesday)

This is a rough draft of the entire Capstone Thesis, which means that while some work may still need to be completed (*e.g.* finalization of footnotes, improvement of argumentation, correcting remaining language and style errors), the substance, organization, and argument of your work should be clear. The Capstone Thesis Draft should include:

- A full **table of contents** indicating a logical and well-structured argument;
- A draft **introduction**;
- A first draft of **every chapter / body text** (depending on the format of the Capstone Thesis), including the conclusion;
- A draft **bibliography**;
- An indication of any remaining ‘**missing pieces**’.

Students will receive comments from their supervisor. Preliminary findings will also be discussed in the Capstone Seminars.

Students will be required to revise their Capstone Thesis Draft based on the comments they receive.

Step 4: Capstone Thesis

Deadline: June 16, 20 (Friday)

The **Capstone Thesis** is a revised, edited, and finalized version of the Capstone Thesis Draft. The Final Capstone Thesis should take into account all comments received on the Draft, as well as any additional information received or gathered in the interim. The Capstone Thesis must follow a recognized legal citation style, such as *BlueBook* or *OSCOLA*. All references shall be in footnotes, not endnotes or in text notes.

The Capstone Project will be presented in a final Oral Presentation in the framework of the capstone seminar.

Students who wish to receive feedback prior to submission, must send the draft for review to their supervisors two (2) weeks before the final deadline.

Detailed assessment criteria for the capstone thesis and the oral presentation are available in the Departmental Information Booklet.

Information page on capstone thesis submission:

<https://ceuedu.sharepoint.com/sites/CEUThesisSubmission>

Thesis templates are available for download:

<https://ceuedu.sharepoint.com/sites/CEUThesisSubmission/SitePages/Thesis-templates.aspx>

OVERVIEW OF DEADLINES

November 30, 2022	Submission of Short Outline
January 31, 2023	Submission of Capstone Project Proposal
April 11, 2023	Submission of Capstone Thesis Draft
June 12-16, 2023	Oral presentations of Capstone Project
June 16, 2023	Submission of Final Capstone Thesis

FURTHER INFORMATION ON THE CAPSTONE AND THESIS TRACKS

Deadline for choosing capstone track

Students must indicate their preferred track and the list of track related courses they wish to register for by registering for all capstone related courses in SITS (e:Vision portal) and sending an email to Lilla Sugó, Department Coordinator (sugol@ceu.edu) ideally by October 2, 2022 (the end of course registration period in the Fall Term)

Format of final capstone project submission

Students must submit their final Capstone Project or Thesis as a PDF file to eTD. Simultaneously, students must send the final word (editable) document to their supervisor via email. Please note that submitting the final work to the supervisor via email alone is not sufficient.

Change of Supervisor

Students may request to change their Capstone Project supervisor after having been assigned one by the Program Chair. In this case, students must send an e-mail to the Program Chair and the Head of Department explaining their reasons for requesting a supervisor change. Such requests will only be granted if all faculty members involved approve them and should be sent as early as possible. Changing one's supervisor must be done by February 24, 2023 at the latest.

Change of track

In exceptional cases, students may change their track with the approval of their supervisor, the Program Chair and the Head of Department. Such requests must be sent via email by no later than December 23, 2022. Requests are only approved if the completion of the new track is still possible (e.g., the relevant courses related to the new track can still be completed).

Grade / level reduction policy

Grades for the thesis of those students who fail to submit their thesis by this deadline and missed requesting deadline extension as described below, will be treated as follows:

- Submission by **June 19, 2023**: the grade given by the Professor will be decreased by one level on the grade point scale (e.g. B+ becomes B)
- Submission by **June 25, 2023**: the grade given by the Professor will be decreased by one whole grade (e.g. B+ becomes C+)
- If the thesis is not submitted by **June 30, 2023**, it will not be considered and will result in a "fail" (f) for thesis.