

The Basic Bluebook Guide

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Bluebooking is always a big riddle for beginning law students. Whether you're an LLM or IHRL student, bluebooking has had us all literally banging our heads against the wall at one point in our first semester especially with our very first paper. Many of us didn't understand the rules and many of us raced against time to finish the agonizing bluebooking of a single paper before the set deadline. In short, bluebooking has always been a challenging task that all beginning law students had to go through and learn by experience. This document thus intends to break down the rules in the simplest way possible and provide a quick guide for beginning as well as "experienced" law students based on the "experience" of a fellow student "who's been there and done that"...a lot!

Note that this document is not intended to give you a "professional" guide on bluebooking, but rather lays down most of the basic rules as acquired by experience and with the guidance of Ms. Diana Van Bogaert at the LETU in the Law Department at AUC. This document was prepared with her very much-appreciated professional guidance and constant encouragement.

"Footnotes serve to more than just avoiding plagiarism"

*The basic question that we should start with is: **what is citation used for?***

Unlike what most law students think, citation is not just important for avoiding plagiarism. It has many useful purposes and benefits, which can be summarized in the following:

- Making an additional argument.
 - Giving authority and identifying the framework of analysis that a particular argument/claim stems from.
 - Stating particular facts or claims that cannot be stated in the text of the article.
 - Stating definitions, clarifying ambiguities or stating contrary arguments stipulated by other scholars.
 - Citing discourse (put in dicta).
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To get started, there are few rules of thumb that any new law student needs to know first.

These plagiarism rules can be summarized in the following basic rules:

- ✚ Quotations must be used for more than **5 words**.
- ✚ Quotations can also be a must for **less than 5 words**, if you're referring to a particular concept, definition, idea or even title that is particular to the author in question (example: an author making an argument around "privileged lawful combatants" or referring to Australia as "the lucky country").
- ✚ If you use *the idea* of an author without using the exact same words, you should not quote the author, but it is a must that you **insert a footnote at the end** of the idea. Make sure that when you paraphrase the idea you don't have more than 5 consecutive words used by the author left unquoted.
- ✚ Sometimes the author makes an argument that is closely related to an international law treaty or any legal instrument. As a rule of thumb, **never** use the argument by only referring to the legal instrument in question without giving authority to the author even if you added or modified the argument a little.
- ✚ **Never think of too many footnotes as being a bad thing. In fact, in law, the more you footnote, the more it shows that you have done extensive and comprehensive research on the topic at hand.**

Now that you have the basic rules of thumb, let's get started...

Basic Rules Relating to the Body of the Paper:

1. ***Basic rules of quotations:***

✚ The following is an example of basic quotation of an author:

"In the main, the legislation sought to enable an officer of the Prime Minister to direct any ship away from Australian waters."¹

➔ *Make sure that the end quote comes **after** the period. The footnote comes after the end quote with **no spaces** between the period, the end quote and the footnote.*

✚ It is important to keep the quotation you are using as is written by the original author. To apply this on the previous example, the following can be emphasized:

- Regarding Law of the Sea and refugees Sir Joseph Porter notes that, "[i]n the main, the legislation . . . enable[s] an officer of the Prime Minister to direct *any* ship away from Australian waters [and enables him to extradite refugees] (emphasis added)."

➔ *The previous quote has had the following changes done to it:*

1. The word starting the original sentence can come in the middle of a sentence in your paper. In this example you would need to write the "I" of "In" as a small letter and to illustrate this change, you need to put the changed letter between brackets as such: [i]n.
2. After the word "legislation", we removed two words and thus we need to emphasize that by replacing the missing words with three dots (ellipsis). The ellipsis is typed with a space between the words and each dot as in the example: legislation.space.space.space.spaceenable[s]. If we had removed one word instead, we replace it by an empty bracket, as such: [].
3. After removing part of the sentence, you sometimes add to a verb to accommodate the change, as was done to the word "enables". The "s" added accommodates the change and thus should be put between brackets as such: enable[s].
4. Sometimes you want to add emphasis to a certain word, such as the word "any", which we wrote in italic. You can also emphasize more than one word. In either case, you note the change by putting at the end of the sentence the words: (emphasis added). Sometimes you would remove a certain emphasis to a word or more within a sentence that the original author emphasized. If you remove emphasis of original author, you end the sentence with: (emphasis removed).

¹ Footnote.

5. Sometimes you want to add a word (or a few words) to the original sentence of the author. Anything added to the sentence should be put in brackets as done here: [and enables him to extradite refugees].

✚ *Block Quotes:* As mentioned above, anything exceeding 5 words is to be put in quotes. Yet this rule has a limit of 50 words. If the quote you need to put in your paper exceeds 50 words, it is put in what is called *block quotes*. An example of a block quotation is the following:

In the main, the legislation sought to enable an officer of the Prime Minister to direct any ship away from Australian waters, prevent such a direction from being challenged in any proceedings in any court and to ban the protection visa application of any individual aboard a ship when such a direction was given.²

➔ *As can be seen in the quote above, the basic difference between a block quote and normal quote is the removal of the quotation signs at the beginning and the end of the quote. However, it is important that a block quote be indented on the left and right and separated from the text of the paper as can be seen in the example above. Typically the paragraph formatting of the block quote is “justify” whereas the main text paragraph formatting is in “align left”.*

2. **Basic rules of paraphrasing:**

✚ When quoting the idea of an author, it is important that you do not change or modify the idea, but rather keep it as stated by the author to support your own argument. If you choose to paraphrase a sentence or a quote do not have more than 5 consecutive words of the original text without quotations. In the case that paraphrasing is not possible in such a case, you need to quote this part of the sentence, however the footnote is left as it is at the end of the sentence. *Below is an example for this:*

Mainly, the legislation intended to allow an officer under the Prime Minister to send any ship away from Australian coast line and to "prevent such a direction from being challenged" in any Australian court.³

Now that you have the basic rules relating to the body of the paper, in the following we will lay down the rules relating strictly to footnoting and bluebooking.

Basic Rules Relating to Footnoting:

² Footnote.

³ Footnote.

Basically to get started with bluebooking, you need to make the index of the Bluebook⁴ your new best friend! The index helps you find the rules in the book regarding anything that needs bluebooking.

Since it is almost impossible to explain all the rules in the Bluebook in the present guide, the following is a simple examination to the most basic and frequently used bluebooking rules in addition to some tricks we students have learned by experience.

1. **Books (Rule 15.1-15.4):**

Formula:

AUTHOR'S NAME, TITLE OF BOOK*⁵page number/section/paragraph cited*(editors full name ed., full name of translator trans., publisher of edition cited*number of edition*year of edition cited)*(original date of publication).

Example:

KARL MARX & FRIEDRICH ENGELS, THE COMMUNIST MANIFESTO 32 (Joseph Katz ed., Samuel Moore trans., Washington Square Press 1964) (1848).

Important notes:

- Author's name and book title should both be written in LARGE AND SMALL CAPS.
- Author's name is written as first name, last name.
- If there are two authors (as in the case above), you write the names of both authors. In the case of more than two authors, you write "et al." (in small caps) after the name of the first author, i.e. RICHARD H. FALLON, JR. ET AL.
- If there is no author and only editors or translators then your citation will leave out the name of the author and will begin with the book title, i.e. THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass'n et al. eds., 18th ed. 2005).
- Page number, section or paragraph *cited* comes after book title.

2. **Journals (Rule 16.1-16.4):**

⁴ THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION 381-415 (Columbia Law Review Ass'n et al. eds., 18th ed. 2005).

⁵ Refers to a *space* in this position.

a. Consecutively Paginated Journals:

Formula:

Author's full name, *article title*, journal volume no.*JOURNAL TITLE ABBREVIATED*page on which article begins in journal, page/span of pages cited*(date of publication).

Example:

Charles A. Reich, *The New Property*, 73 YALE L.J. 733, 737-38 (1964).

Important notes:

- Author's name & article title should both be written in normal caps unlike the rule with books.
 - Article title is written in *italic*.
 - Article title is followed by volume number.
 - Name of journal is abbreviated and written in "large and small caps". To get the correct abbreviation for each journal go to pp. 349-372 of Bluebook and search for the journal in question. If the list does not have the journal you are looking for you can refer to the following website that includes a comprehensive list of journal title abbreviations organized alphabetically:
http://www.efm.leeds.ac.uk/~mark/ISJabbr/A_abrvjt.html
 - Journal title is followed by page number on which the article cited begins and then followed by the page (or span of pages) you want to cite. This is followed by year of publication written between brackets.
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b. Non-consecutively Paginated Journals:

Formula:

Author's full name, *article title*, JOURNAL TITLE ABBREVIATED, date of publication, "at" page no./span of pages cited.

Example:

Barbara Ward, *Progress for a Small Planet*, HARV. BUS. REV., Sept.-Oct. 1979, at 89, 90.

Important notes:

- The basic difference between consecutively and non-consecutively paginated journals is the fact that non-consecutively paginated journals are journals that are published by date and not periodically by volume number. This is why the volume number is not included in citation formula above. Thus as a rule, non-

consecutively paginated journals are cited according to the date of the issue as it is published.

- Author's name & article title should both be written in normal caps as with consecutively paginated journals and unlike the rule with books.
- Article title is written in *italic*.
- Article title is followed by journal title written in "large and small caps" and abbreviated. Again to use the correct abbreviation for each journal, refer to pp. 349-372 or this website: http://www.efm.leeds.ac.uk/~mark/ISJabbr/A_abrvjt.html as referenced above in the consecutively paginated journals section.
- Journal title is followed by date of the issue as it is published. Usually abbreviate the months (as in the example above). More on abbreviations for months is found on p. 348 of Bluebook (May, June, and July are not abbreviated).
- Date of the issue is followed by the word "at" (without quotes as in example) followed by page number/span of page numbers *cited*.
- In the case that the article has no author, you begin the citation with the article title.

3. Newspaper/Magazine Articles (Rule 16.5):

➔ As a general rule of thumb, citing articles in newspapers and magazines follows the same rules as in non-consecutively paginated journals.

Formula:

Author's full name, *article title*, MAGAZINE/NEWSPAPER TITLE ABBREVIATED, date of publication, "at" page no./span of pages cited.

Example:

Ari L. Goldman, *O'Connor Warns Politicians Risk Excommunication over Abortion*, N.Y. TIMES, June 15, 1990 at A1.

Important notes:

- Basically the rules stated in non-consecutively paginated journals apply here as well.
- Usually if you find the article online and not in printed format, you end the citation with the url link to the article in question, i.e.

Ari L. Goldman, *O'Connor Warns Politicians Risk Excommunication over Abortion*, N.Y. TIMES, (June 15, 1990), available at <http://www.nytimes.com/atjune1590/>.

- In the case that the article has no author, you begin the citation with the article title. This rule applies also to non-consecutively paginated journals.

4. Working Papers (Rule 17.3):

Formula:

Author's full name, *article title**page no./span of pages cited date of publication*(name of publication, paper number, date).

Example:

Richard Briffault, *The Political Parties and Campaign Finance Reform* 16-17 (Columbia Law Sch. Pub. Law & Theory Working Paper Group, Paper No. 12, 2000).

➔ As in newspaper and magazine articles, if the paper is found online, the citation should end with the url link to the article, i.e.

Richard Briffault, *The Political Parties and Campaign Finance Reform* 16-17 (Columbia Law Sch. Pub. Law & Theory Working Paper Group, Paper No. 12, 2000), available at <http://ssrn.com/abstract=223729>.

5. Internet Sources:

Formula:

Author's full name, *article title**(date if any), available at url.

Example:

Marcel Kahan & Edward B. Rock, *Corporate Constitutionalism: Antitakeover Charter Provisions as Pre-Commitment* (Dec. 2003), available at <http://ssrn.com/abstract=416605>.

➔ Sometimes webpages don't include either an author nor an article title, the most common form of citation in this case is simply to write the name of the page cited followed by the date if any and then the url followed by the date on which you last opened the page.

Foreign Affairs and International Trade Canada, Rules of War and Arms Control: A Short History of SALW International and Domestic Constraints, <http://www.dfait-maeci.gc.ca/arms/Trends/section09-en.asp> (last visited April 9, 2008).

6. Online PDF Documents:

Formula:

AUTHOR'S FULL NAME, ARTICLE TITLE*page cited*(date if any), url.

Example:

MARCEL KAHAN & EDWARD B. ROCK, CORPORATE CONSTITUTIONALISM: ANTI-TAKEOVER CHARTER PROVISIONS AS PRE-COMMITMENT 49 (Dec. 2003), <http://ssrn.com/abstract=416605.pdf>.

7. International Instruments and Material (Rule 21):

a. International Agreements:

Formula:

Name of agreement*article cited, date of signing, treaty source.

Example:

North Atlantic Treaty art. 5, Apr. 4, 1949, 63 Stat. 2241, 34 U.N.T.S. 243.

Important notes:

- If the treaty/agreement is between two parties include it in the citation. The order then would be: treaty name followed by a comma and then the abbreviated names of the parties, as such:

Convention for the Avoidance of the Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Estates, Inheritance, and Gifts, U.S.-Fr., Nov. 24, 1978, 32 U.S.T. 1935.

→ The two parties in this above example are the United States and France.

b. Cases (according to Rule 10):

→ Cases differ widely and they are explained in various sections throughout the Bluebook, however the basic formula for cases can be summed up in the following:

Formula:

Name of case (first party v. second party if any), volume name and number*first page of case, specific page/paragraph or span of pages cited*(date of decision).

For case name abbreviations, please refer to T6 rules (pp.335-336).

For US cases, please refer to T1 rules (pp. 193-242). For foreign cases, please refer to T2 rules (pp. 243-331). For IL cases, refer to T3 & T4 rules (pp.332-334).

Example:

Meritor Sav. Bank v. Vinson, 477 U.S. 57, 60 (1986).

Important notes:

- Cases (whether US or International Law cases) are usually difficult to cite, since it involves specifying jurisdiction, court names and volume name and number in which the case appeared. Helpful places to look for the correct citations are:
 - For US cases, most of the time the correct citation is found on LexisNexis or Westlaw.
 - For international law cases, generally refer to Bluebook Rule 21.1-21.9 (pp.168-192).
The best way to deal with International Law cases (especially in human rights) is to search for them on the University of Minnesota website, which includes most human rights cases in bluebook citation format: <http://www1.umn.edu/humanrts>.

c. International Law Instruments (according to Rule 21):

→ For International Law instruments (especially in human rights law), the University of Minnesota includes a comprehensive list of statutes, treaties and conventions that are cited in bluebook format that you can simply copy and paste in your paper. Refer to this website for guidance: <http://www1.umn.edu/humanrts/instree/ainstls1.htm>

Example: if you're citing the Universal Declaration of Human Rights for example, look for it on the website above and the headline is the bluebook citation you're looking for. Here it is:

Universal Declaration of Human Rights, G.A. res. 217A (III), U.N. Doc A/810 at 71 (1948).

If you want to add the specific article you're citing, the following will be added:

Universal Declaration of Human Rights, G.A. res. 217A (III), U.N. Doc A/810 at 71 (1948),
at art. 12.

d. Constitutions (Rules 11 for US constitution and 20.4 for foreign constitutions):

Formula:

ABBREVIATION OF COUNTRY NAME*CONST.*amend. (if US case), paragraph (¶), section (§) or art. *cited*.

Example:

(US Constitution):

U.S. CONST. amend. XIV, § 2.

(Non-US Constitution):

Bundes-Verfassungsgesetz [B-VG] [Constitution] BGBL No. 1/1930, as last amended by Bundesgesetz [BG] BGBL I No. 100/2003, art. 147, ¶2 (Austria).

Important notes:

- For the US Constitution the country name and the word constitution are both abbreviated and written in "large and small caps".
- For non-US Constitutions the abbreviations for the foreign country/region in question are according to rules T2 (pp. 243-318) and T10 (pp. 342-347). The above example is the Austrian Constitution.

- Citation of a specific article, paragraph or section differs from one constitution to the other. The above formula, however, contains the signs you used for each type of citation.
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8. "Supra", "Id.", "Hereinafter" and comment writing:

➔ No research paper in law is ever free from "supra", "id." or comment writing. Hereinafter is also important and sometimes used to save time and space.

a. Supra:

Formula:

Author's last name or short name of material in question, *supra**note*first citation number in paper, at*page number, section or paragraph *cited*.

"Supra" is used to refer to a previous citation in the paper and it should always refer to the very first citation of the material in question in the paper. For example, if your first footnote is the book:

CHARLES DICKENS, BLEAK HOUSE 50 (Norman Page ed., Penguin Books 1971) (1853).

To refer to the book again in a later footnote, you write:

DICKENS, *supra* note 1, at 50.

Important notes:

- The word "supra" is always *italicized* and is always followed by the word "note" and original footnote number.
 - *Example for referring to a journal:* Reich, *supra* note 18, at 61.
 - If the paper includes more than one material *for the same author*, write last name of author, material title according to the bluebook rules applying to it, followed by *supra* note..., at....
 - If referring to a convention or treaty: write convention name or treaty at the beginning, then followed by *supra* note..., at....
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b. Hereinafter:

"Hereinafter" simply serves in saving time and space in your paper. If you're referring back to a long treaty name/convention/statute/case via *supra* you can include [hereinafter**short name for material in question*] at the end of the original citation. Subsequent references use the short name instead. An example would help explain:

Example:

Original Citation:

Proposed Amendments to the Federal Rules of Criminal Procedure: Hearings Before the Subcomm. on Criminal Justice of the H. Comm. On the Judiciary, 95th Cong. 92-93 (1977)
[hereinafter *Hearings*].

Subsequent Citations:

Hearings, *supra* note 11, at 44.

c. ***Id.***

- The "id." is always followed by a dot and they are both always *italicized*.
 - The "id." simply serves to refer to "the citation above" nothing more, nothing less. If you are referring to the above citation with the same page number/section or paragraph, simply write *Id.*. If you're referring to the citation above, however to a different page number /section or paragraph, write: *Id.*, at....
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9. Introductory Signals:

These are signals (such as *See generally*, *See e.g.*, *contra*) that help map authority and support argument. For proper usage, please refer to Rule 1.2 (pp. 46-48).

Examples:

E.g.,

See

See also

Contra

10. Comment Writing or Quoting in Footnote:

- ✚ To write a certain comment of your own to a particular footnote simply write the particular footnote according to citation rules and before the full stop at the end of the footnote write your comment in brackets ().

Example:

CHARLES DICKENS, BLEAK HOUSE 50 (Norman Page ed., Penguin Books 1971) (1853)
(This is a very interesting book).

✚ To quote the material cited simply add quotation marks to the previous formula.

CHARLES DICKENS, BLEAK HOUSE 50 (Norman Page ed., Penguin Books 1971) (1853)
("The English author is one of the greatest of all times").

This is a comprehensive guide to the most commonly used citation rules. For professional guidance and explanation to any of the rules here or in the Bluebook, please refer to Ms. Diana Van Bogaert in the LETU at the Law Department.

Good Luck!

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