

Provisions for a doctoral thesis consisting of articles at the Amsterdam Law School

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These provisions apply to a doctoral thesis consisting of articles at the University of Amsterdam Law School. They apply in addition to the provisions of the 2020 Doctorate Regulations of the University of Amsterdam, in particular article 15(1), article 15(4)(d), article 16(5) and article 20(9).

- A. A doctoral thesis can, next to the form of a monograph, consist in whole or in part of separate scientific articles, provided that these demonstrate sufficient coherence in relation to a particular subject. A doctoral thesis that consists in whole or in part of articles is referred to as a doctoral thesis in the form of articles.
- B. The choice for writing a doctoral thesis in the form of articles is explained and motivated in the Training and Supervision Plan (OBP) that will be drafted in accordance with article 21 of the PhD framework of the Amsterdam Law School
- C. If a choice for a doctoral thesis in the form of articles is made after the OBP has been finalized, the OBP will be amended and be subjected to approval in accordance with article 21(5) of the PhD framework.
- D. The number of articles required for a doctoral thesis in the form of articles will depend on their length, scope and quality. In principle, a doctoral thesis to be defended at the Amsterdam Law School that consist in whole of articles should consist of four or more academic articles. But this number can vary if a doctorate thesis consists only in part of articles; and in many cases individual exceptions may apply if warranted by length, scope and quality of the articles.¹
- E. In general, the Amsterdam Law school has no strict requirements that articles should be accepted or published as this will depend on the length of submission, review and publication process that is outside the control of the PhD candidate. However, articles that have been published must have been published within a period of 6 years before the formal submission of the thesis to the supervisors; deviation of this requirement is possible if this is motivated.
- F. A doctoral thesis in the form of articles should contain an introduction and a concluding chapter, explaining the relationship between the articles and/or other parts of the thesis.
- G. If one or more articles have been written by multiple authors, only those articles shall be accepted as part of the dissertation which are predominantly attributable to the doctoral candidate. In accordance with article 15(4) of the UvA Doctorate Regulations, the thesis shall include a page with a complete reference list for each article with a list of authors for each article and an explanation of the relative contribution of the co-authors;
- H. The procedure and requirements for assessment of a thesis manuscript, as specified in article 22 of the UvA Doctorate Regulations, apply to the assessment of a manuscript in the form of articles. In their assessment, the Committee does not give weight to the fact that parts of the thesis have or have not been published. The Committee focuses on the quality of the overall manuscript in the light of the requirements and factors mentioned in article 22(3) of the UvA Doctorate Regulations. The Committee does take into account that a doctoral thesis in the form of articles may have more overlap and can have a lower overall coherency than a monograph.

¹ For more information, please consult the Quality indicators for legal research (17 April 2019)

Explanatory notes

Introduction

1. Under the Doctorate Regulation of the University of Amsterdam, a thesis manuscript consists of a scientific treatise on a particular subject or a number of separate scientific papers. In 2013 the Amsterdam Law School has adopted rules that stipulated the conditions under which PhD candidates could defend a doctoral thesis based on articles at the Law School.
2. The adoption of new UvA Doctorate Regulations in 2020, that contain a number of provisions on article-based theses (see Annex 1) provided reason to make certain changes in the document that guided the practice at the Amsterdam Law School since 2013. The UvA doctorate regulations leave room for further elaboration but in case of conflict take precedence.,
3. A second reason to adjust the Provisions applicable to a doctoral thesis in the form of articles at the Amsterdam Law School was the adoption by the Board of Deans of the Law Schools of the Netherlands (Raad der Decanen Rechtsgeleerdheid, RDR) of the 'National guiding principles concerning PhD theses in the form of articles' (27 Aug 2020). With the Guiding Principles, the RDR aims to stimulate a doctoral thesis in the form of articles as a fully-fledged and high-quality way of obtaining a doctorate in law, and to achieve as much unity as possible at the national level, partly in order to make this type of PhD project foreseeable and to reduce uncertainty. Hereby, broader acceptance of a doctoral thesis in the form of articles could provide a contribution to the aim of the *Sectorplan Rechtsgeleerdheid* to reduce the length of PhD projects. The Guiding Principles recognize that the Doctoral Regulations of the Universities will always be leading; otherwise, the principle 'comply or explain' applies.

Reasons for providing for the possibility to write a doctoral thesis consisting of articles

4. Traditionally the law discipline has favoured PhD monographs. A number of factors have sparked an interest in article-based dissertations and indeed provide reasons for choosing, in individual cases, such a dissertation.
 - An article-based thesis may strengthen the CV of the doctoral candidate, as she/he enters the (academic) labour market with a number of publications to her name.
 - Writing an article-based thesis may facilitate the researcher's connection with a (sub-)disciplinary field of interest (e.g., social sciences, economics, critical approaches), in which article-based these are the norm. It may stimulate inter-/multidisciplinary research within the law school.
 - Writing an article-based PhD, trains PhDs in a core component of their future academic career: writing articles, where writing monographs will increasingly be less prominent in academic careers.
 - PhDs get input on their work from experts outside of their direct supervision from an earlier stage.
 - Output from PhD research may reach relevant audiences sooner and thus gain increased academic (and/or societal) impact.
5. Next to these considerations, the fact that an article-based thesis may be less susceptible to writing delays caused by overwhelm, as the project consists of smaller, self-contained components is an important consideration that may, in individual cases, provide a reason to opt for this form of a doctoral thesis. This is the main reason underlying the adoption of 'the National Guiding Principles concerning PhD theses in the form of articles'.

Other considerations

6. A procedure for recognizing a doctoral thesis in the form of articles, should consider certain potential drawbacks of this form of doctoral thesis. These include the following:
 - In several branches of legal scholarship, a (subsequently published) thesis in the form of a monograph strengthens the CV, as it is considered to be the more severe academic test compared to an articles-based thesis.
 - The more fragmented composition and process of an article-based thesis may have a negative impact on the ability to safeguard coherence in relation to the main research question of the project.
 - In the case of published articles, the assessment of the quality of the PhD may appear to be determined by journal editors and reviewers and not by the PhD committee.
 - Publishing articles in good journals is very hard and may take much longer than finishing PhD chapters. For this reason, it is not desirable to make acceptance a hard requirement for dissertation based on articles.
 - Publishing articles in some less prominent journals is not very hard, while their publication may suggest the articles meet the prevailing standard of quality.
 - Committee members may not understand the PhD based on articles and may see it as a lower quality work than the monograph that they themselves defended.
 - Supervisors may not have sufficient expertise in how to supervise a PhD based on articles.

Aim of the Provisions

7. In the light of the reasons that may justify and lead to a choice of a doctoral thesis in the form of articles, and the considerations set forth above, the provisions seek to provide sufficient leeway for writing a doctorate thesis in the form of articles, while taking into account the possible drawbacks and risks.
8. The Provisions are based on the following general starting points:
 - At the Amsterdam Law School both a thesis in the form of a monograph and a thesis in the form of articles are possible; there is no general preference for one over the other. The choice is to be made by the candidate and the supervisors.
 - The assessment criteria are the same for all forms of a doctoral thesis; there is no assumption that the criteria for a doctoral thesis are in any way lower or easier to satisfy than a thesis in the form of a monograph.
 - The final assessment will in all cases be made by the Committee, not by external reviewers of individual articles.

'Comply or Explain'

9. The Provisions are in line with the National Guiding Principles. In view of the principle 'comply or explain', the Provisions of the Amsterdam Law School deviate on the following points from the National Guiding Principles:
 - The National Guiding Principles stipulate a minimum of four articles. The current Provisions take over this number as a guiding principle in par D, but only for a doctoral thesis that in whole would consist of articles but recognizes that in practice there can be variations in the number of articles included in an article based thesis. It is for instance also possible that a thesis is built around one or two larger articles, supplemented by 'regular' chapters.
 - The National Guiding Principles stipulate that at least one or two of the articles included in the thesis are accepted for publication, depending on the lead time of publications in the (sub)discipline concerned. This requirement is not incorporated in the Provisions. This is in view of the fact that the period between submission, acceptance and publication of an article may, with particular journals, be very long and will be outside the control of the PhD candidate.

- The National Guiding Principles stipulate that the starting point is that all types of scientific publications that have been externally reviewed in any way and that have been or will be published (made public) in any way, can be part of a PhD in the form of articles. By "externally reviewed" the National Guiding Principles mean that someone from outside, without any involvement with the project or the PhD student/us, has assessed the paper on its scientific merits. The requirement that the publications that are used in the doctorate thesis should be externally reviewed is not incorporated in the Provisions, in view of the fact that under the UvA Doctorate Regulations the final assessment will always have to be made by the Committee.
- The National Guiding Principles stipulate that supervisors can be co-author of the article(s), but that members of the committee are excluded as co-authors. This requirement is not incorporated in the Provisions, as the UvA Doctorate Regulations explicitly allow co-authors to be a member of the committee, be it that they only may make a minority of the (voting) members of the Committee.

Annex - Doctorate regulations UvA 2020

(https://www.uva.nl/binaries/content/assets/uva/en/research/phd/procedures/doctorate-regulations-_uva_en_2020-28-08-2020.pdf)

A. Provisions referring to article-based PhD Theses

Article 15

Content and length of thesis manuscript and doctoral thesis

1. The thesis manuscript consists of a scientific treatise on a particular subject or a number of separate scientific papers that have been published, in whole or in part, provided that these demonstrate sufficient coherence in relation to a particular subject. In the latter case, an additional section needs to be added to the individual papers which explain how they relate to one another and states the significance of each.

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4(d). if the doctoral thesis consists of articles or contains articles by multiple authors: a page with a complete reference list for each article with a list of authors for each article and an explanation of the relative contribution of the co-authors;

Article 16

Approval of the thesis manuscript

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5. If the thesis manuscript includes articles that have been written by several authors, it is the duty of the supervisor to evaluate whether the doctoral candidate has made an independent contribution to the articles that is sufficient to warrant the conferral of the doctorate. If necessary, the supervisor will inform the Doctorate Committee of the manner in which the articles were written and what the contribution of the doctoral candidate was. As defined in Article 15, paragraph 5 [means '4d'], the candidate is required to include a list of references in the thesis manuscript.

Article 20

Requirements for the composition of the Doctorate Committee

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9. If the doctoral thesis consists (partly) of articles that have been written in the name of several authors, the co-authors of these articles may only make up a minority of the (voting) members of the Doctorate Committee.

B. Provisions relevant to (the discussion on) article-based PhD Theses (emphasis added)

Article 15

Content and length of thesis manuscript and doctoral thesis

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2. The length of the doctoral thesis should be limited to 70,000 words (excluding bibliography, references, and appendices). Exceptions may be made at the discretion of the Dean, on the basis of a reasoned proposal by the supervisor.

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4. The doctoral manuscript that is submitted to the supervisor for final approval must be identical in form and content to the doctoral thesis submitted to the Doctorate Committee for assessment and public defence during the doctoral thesis defence ceremony. It should include the following elements:

- a. a title page as supplied by the Office of the Beadle;
- b. a table of contents;
- c. an overview of the literature consulted;

d. if the doctoral thesis consists of articles or contains articles by multiple authors: a page with a complete reference list for each article with a list of authors for each article and an explanation of the relative contribution of the co-authors;

e. an explanation of how the research was funded, if applicable, as laid down in Article 29, paragraph 6;

f. a separate summary bearing the title of the thesis in the language in which it is written;

g. a separate summary bearing the title of the thesis, both in Dutch;

h. a separate summary bearing the title of the thesis, both in English.

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Article 16

Approval of the thesis manuscript

1. If the supervisor is of the opinion that the thesis manuscript meets the requirements of the Regulations and can be accepted **as evidence of the ability to undertake scientific work independently**, s/he will give his/her approval, after having taken note of the assessment of the co-supervisor where applicable.

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3. The thesis manuscript can only be approved if it meets the guidelines set out in Article 15, and subject to the provisions of Article 17.

Article 21

Admission to the thesis defence (doctorate)

1. Admission to the doctorate is granted to all those who:

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b. have demonstrated their ability to carry out scientific work independently by writing a doctoral thesis or developing a technological design, and ...

Article 22

Assessment of the thesis manuscript

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2. No later than six weeks after the members of the Doctorate Committee have received the thesis manuscript, the Committee shall decide whether the candidate has, by means of the text presented, demonstrated his/her **ability to undertake independent scientific work** and whether he/she may therefore be admitted to the thesis defence.

3. When assessing the thesis manuscript, the Doctorate Committee members must apply the requirements that are generally applied in the relevant discipline, as specified in Appendix A. The following factors shall be taken into account:

- a. The clarity and relevance of the problem definition and the research question;
- b. The robustness of the methods used and the soundness of the methodology used in the analysis;
- c. The balance in the structure of the thesis and clarity of style and wording;
- d. The extent to which the research contributes towards progress and renewal of academic research;
- e. The degree of critical reflection and the contribution of the research to the field.

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