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| Skill in the spotlight | Improve Your Critical Reading/ Thinking |
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This 2-page guide is designed to help students read academic texts critically when carrying out legal research for a thesis or paper.

Why is it important to read critically?

Very good student papers not only refer to but also engage with academic literature. To engage with academic arguments, you should try and read an academic text with a critical eye that identifies the parts of its argument that you find strong and the parts you find weak, problematic or thought-provoking. There is no need to be afraid to disagree with an author, as long as you do it respectfully and articulate your reasoning. In the knowledge that students often find critical reading difficult or intimidating, the purpose of this guide is to provide some assistance in this exercise. The guide highlights some of the ways in which you can build on or disagree with the arguments contained within a (still very good) article.

Where do I start?

When reading a text for the first time, it is important that you bear your research question in mind. Remember that you are reading the text with the specific purpose to gather materials relevant to answering your research question. When reading, you may find it helpful to highlight passages that are particularly relevant to your research question, paying particular attention to:

- (i) Descriptive explanations of key ideas or concepts;
- (ii) Arguments that you agree / disagree with;
- (iii) Arguments that you find interesting which you are not sure whether you agree with or disagree with; and
- (iv) Text explicitly pointing out the need for further thinking/ research on a particular issue relevant to your research question

If you find the text of an article uninteresting or irrelevant for your research question, stop reading or skim through it to see if there are any later sections which might be more interesting/ relevant.

How do I read an article critically?

Once you have finished reading an article, go back and have a look at the passages that you have highlighted because they fell into (ii)-(iv) above. Asking yourself the following basic set of critical questions when re-reading these passages will help you critique or build on the arguments in the article.

Basic set of critical questions:

1. **Where does the argument sit in the landscape of the academic debate?** Does the author hold a view held by others or that is in line with case law? Has this author said something that no one else has said? Do other people agree with this scholar? And if so, do they agree with the author's reasoning or do they take a different approach? To understand where the article fits in the literature, read the introduction carefully. To understand where an individual thread of argumentation fits in the literature, take a look at the footnotes for those passages, and see whether they provide an indication of whether other scholars agree/ disagree with the author. Follow up on what the authors in the footnotes have written, if you want to investigate their views further. Compare the different scholarly perspectives and consider which you find most convincing. Consider whether the footnotes are complete and whether there is an author/perspective that is missing.
2. **What is the scope of the sources?** Consider the scope of the sources surveyed by the author (e.g. treaty/ statutory provisions, case law, travaux préparatoires) and secondary sources (e.g. academic books, articles etc). Are there any new or different sources (e.g. recent cases, different authors) that might strengthen/ undermine a particular argument? For example, if the author has looked at the prohibition of torture under the Convention against Torture – could it be interesting to also look at the definition under the International Covenant of Civil and Political Rights? Is there an analytical, geographical or theoretical body of scholarship/perspective that is missing from the analysis e.g. gender perspective or literature from global South? Before adding these sources or perspectives, consider whether their addition is appropriate/ possible in the light of your research question or consider if your research question can be adjusted to include some of the sources you think could add to the debate.
3. **When was the article written?** Consider when the article was written and whether it takes in account the latest case law or analysis on a particular issue. Are there any more recent relevant cases? Are there any more recent academic articles? If so, do these more recent sources affect the argumentation?
4. **To what extent do you agree with the arguments?** Ask yourself whether you agree with the argumentation, either fully or only partly? Consider whether you agree with every step of the reasoning or whether there are some links of the argumentation that you find stronger/ weaker than others. Think about whether you share the reasoning of the author or come to the same conclusion for a slightly different reason. Consider also whether you only agree in some circumstances? Consider whether you agree with the manner in which the author interprets the referenced sources? Remember it is ok to disagree with an author, as long as you carefully explain your reasoning.
5. **Does the article prompt you to do any further research or thinking?** If you come across an issue that you find interesting but you're not immediately sure what you think about it, consider how important it is for your research question. If you conclude that it is an issue that is important for your research question, think about what you need to do to clarify your position on the issue or understand the passage better. Clarification may be gained by reading more authors or by talking the issue through with someone else. If you conclude that you cannot take a position on an issue, consider stating in your paper why you found this issue difficult and articulate this reasoning in your paper.
6. **Does the article contain any 'clues' for future research agendas?** If you come across text pointing out the need for further thinking/ research on a particular issue when you are writing a research paper, make a note of the issue – these issues often make good thesis topics! Consider why the author has not chosen to delve into the issue herself. Is it because of a lack of space? If so, this is a good reason to follow up. Is it because it is not feasible? If so, would it be feasible for you?

Take notes as you read, either in a document/ notebook or in the margins of the pdf. You do not need to ask yourself all these questions for every article that you read, but if you get into the habit of asking at least *some of the questions* – you will find that the quality of your legal argumentation and analysis will improve!

NB: When using or critiquing the arguments of others, always make sure to cite properly and take careful note of the university's [rules](#) on plagiarism and fraud.