

# POLS 4370 – POLITICS OF IDENTITY IN AMERICAN LAW AND COURTS

*Fall 2021: Tuesdays 10:30 am - 11:30 am*

INSTRUCTOR: Dr. Rebecca A. Reid  
PHONE: 915-747-7970  
EMAIL: [rareid@utep.edu](mailto:rareid@utep.edu)  
OFFICE: 307 Benedict Hall  
OFFICE HOURS: Thursdays 3:30- 5:30, or by appointment  
Virtual Zoom meetings by appointment

## LAND ACKNOWLEDGMENT

We, the UTEP Department of Political Science, acknowledge that we are in the unceded territories of the Indigenous Peoples who, along with countless generations of ancestors, are the guardians and keepers of this land, both throughout history and in contemporary times: the Tigua, Mansos, Sumas, Ndé, the Piros, Mescalero Apache, Chiricahua Apache, Tarahumara, Yaqui, Jumano, Comanche, Kiowa, Rarámuri, Tohono O'odham, Yaqui, Kickapoo, Diné, Hopi, Zapotec, Mixtec, Aztec-Nahua-Mexica, Huichol, Tepehuan, Coahuilteco, Chichimeca, and the other Native communities who comprise our multinational region. As scholars and people who reside and work in these lands, we respect and honor the millennia-long history of Native peoples on this land and their ongoing presence today.

## COURSE DESCRIPTION

This seminar course offers an examination on the roles of identities in American judicial systems. The course will cover the major institutions, actors, and processes that comprise the American legal system from a social science perspective, including: judicial process; judicial decision-making and judge behavior; state and federal court structures; selection and tenure of judges; separation of powers; and impact of judicial decisions. Law is reflective of society and yet simultaneously institutionalizes and perpetuates systemic structures of identity(s), as well as ideologies pertaining to inclusion/exclusion, citizenship, (in)equality, legal personhood, and human rights. This course thus offers a survey on the role of identities in law and courts in two main areas: 1) legal and political histories illustrating the dynamic interactions between law, courts, and politics, and 2) empirical realities of how identities impact judicial processes and decision-making.

## UTEP EDGE

This course encompasses activities associated with UTEP EDGE, including 1) **communication** through class discussion, learning modules, and written assignments, 2) **problem-solving** and **critical thinking** by analyzing historical and contemporary legal and political issues and evaluating alternative laws and policies, 3) **social responsibility** by increasing awareness of how law and courts interact with political arenas and by facilitating civic

engagement, 4) **community-engagement** and service through developing a community-centered learning module(s) for K-12 educators and students, and 5) **confidence** in reading, understanding, and evaluating empirical political science and legal research.

### LEARNING OUTCOMES

Over the course of the semester students will have:

- An understanding of the key elements of American law and politics.
- An understanding of fundamental theories on judicial behavior.
- The skills necessary to understand and evaluate contemporary political events and problems.
- The ability to think analytically about political and legal issues and articulate arguments with (empirical) justification.
- Explored how political processes, institutions, and policies create and maintain inequalities.
- Developed research skills and writing skills to communicate their arguments, evaluations, and policies.
- Developed skills for collaborative work by learning to hold space for others, demonstrating respect and value for a diversity of opinions, viewpoints, and perspectives.
- Developed a community-centered learning module for K-12 educators and students to enable accessibility of course themes.
- Developed confidence in their abilities to read, understand, and evaluate empirical research.

### REQUIRED TEXTBOOKS:

- Haire, Susan B., and Laura P. Moyer. 2015. *Diversity Matters: Judicial Policy Making in the U.S. Courts of Appeals*. University of Virginia Press.

### COURSE REQUIREMENTS AND GRADING

Evaluation in this course will be based on the following components:

Participation	15%
Critical Reflections	15%
Comprehension Questions	20%
K-12 Learning Module	25%
Teaching Module	25%

The grading scale is as follows:

90-100	A
80-89	B
70-79	C
60-69	D
59 and below	F

### **Critical Reflections**

Critical Reflections are short written assignments that ask students to develop, communicate, and reflect upon their opinions. These ask normative, ‘big’ questions and then ask the student to engage in self-awareness and critically evaluate their responses by identifying the assumptions used to generate that response, the appropriateness of these assumptions, and the implications of these assumptions. These assignments thus engage students in a process of identifying, questioning, and assessing their deeply-held values and beliefs and how they perceive events, issues, policies, and actions. As such, critical reflections are an extension of critical thinking. These assignments are evaluated based upon quality of student engagement, not by the content of the answers, and uncertainty is welcome.

### **Comprehension Questions**

Comprehension Questions are a short series of questions that evaluate student comprehension of class material. These assignments thus allow the instructor to evaluate and remedy any confusion in a timely manner. Students are evaluated by the completion and quality of effort of the assignment. Incorrect answers are not penalized as these assignments are designed to assess understanding of the material. Answers should be in student’s own words. If outside references or resources are used, then please cite these sources in the assignment.

### **Teaching Module**

Students will develop a teaching module for their classmates focusing on the textbook they selected and related research. In addition to summarizing and communicating this research/readings, the module should also a) define each key concept, b) trace the evolution of law, policy, and judicial outcomes pertaining to the issue, c) identify how contemporary law and/or policy promote contemporary issues/debates, d) offer well-researched, detailed, and viable solutions to remedy inequities perpetuated in American law and policy, and e) discuss how rights advocates can use this information to effectively litigate so as to better achieve legal victories in court.

Students are encouraged to be creative and innovative in how they wish to teach. These teaching modules are not required to follow a set format. Modules can be in the form of pdf or document files, video presentations, Powerpoint, Prezi, storytelling, and other options (as well as in combination).

References must be included at the end of the module so that viewers can access the same materials used in the module for further inquiry. Students are evaluated by the completion of the module and its appropriate treatment of the topic, including the level of in-depth information and understanding as well as quality of (often sensitive) topic discussion.

### **K-12 Learning Module**

Students are required to develop a one learning module for K-12 educators, students, and afterschool programs. The learning module should translate one or more course themes into content and activities appropriate for a general K-12 audience.

Students are encouraged to be creative and innovative in how they wish to teach course topic(s) to the community. These teaching modules are not required to follow a set format. Modules can be

in the form of pdf or document files, video presentations, Powerpoint, Prezi, storytelling, and other options (as well as in combination).

References must be included at the end of the module so that viewers can access the same materials used in the module for further inquiry. Students are evaluated by the completion of the module and its appropriate treatment of the topic, including the level of in-depth information and understanding as well as quality of (often sensitive) topic discussion.

## **SPECIAL ACCOMODATIONS**

If you have a disability and need classroom accommodations, please contact The Center for Accommodations and Support Services (CASS) at 747-5148, or by email to [cass@utep.edu](mailto:cass@utep.edu), or visit their office located in UTEP Union East, Room 106. For additional information, please visit the CASS website at [www.sa.utep.edu/cass](http://www.sa.utep.edu/cass). CASS' Staff are the only individuals who can validate and if need be, authorize accommodations for students with disabilities.

## **ACADEMIC DISHONESTY**

**Absolutely no form of academic dishonesty will be tolerated.** The University of Texas at El Paso prides itself on its standards of academic excellence. In all matters of intellectual pursuit, UTEP faculty and students must strive to achieve excellence based on the quality of work produced by the individual. In the classroom and in all other academic activities, students are expected to uphold the highest standards of academic integrity. Any form of scholastic dishonesty is an affront to the pursuit of knowledge and jeopardizes the quality of the degree awarded to all graduates of UTEP. It is imperative, therefore, that the members of this academic community understand the regulations pertaining to academic integrity and that all faculty insist on adherence to these standards.

Any student who commits an act of scholastic dishonesty is subject to discipline. *Scholastic dishonesty includes, but is not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, and any act designed to give unfair advantage to a student or the attempt to commit such acts.* Proven violations of the detailed regulations, as printed in the Handbook of Operating Procedures (HOP) and available in the Office of the Dean of Students and the homepage of The Dean of Students at [www.utep.edu/dos](http://www.utep.edu/dos), may result in sanctions ranging from disciplinary probation, to failing a grade on the work in question, to a failing grade in the course, to suspension or dismissal, among others.

## **UNIVERSITY WRITING CENTER**

The University Writing Center is a useful tool each of student should take advantage of in for all written/paper assignments. While not required, your paper will be improved following a consultation with the staff. The staff sees students through appointments or walk-ins, though appointments are preferred. For more information, go to: <http://uwc.utep.edu/index.php/hours-location>. For appropriate assignments, **I offer up to 10 points extra credit** if you consult the writing center. **In order to be eligible for this credit, you must show evidence of your consultation and evidence of the revisions suggested and those you made. You must also**

**provide a reflection as to what you learned from the experience** (for instance, what types of errors do you systematically make and how can you correct them). Hence, credit will only be possible with adequate evidence and thoughtful reflection of the writing and revision process.

### **COUNSELING AND PSYCHOLOGICAL SERVICES**

The center, located at 202 Union West, offers confidential counseling services in English or in Spanish. They also provide group and individual counseling for currently enrolled UTEP students. For more information, go to: <https://www.utep.edu/student-affairs/counsel/>.

### **ADELANTE CHILD DEVELOPMENT CENTER**

Child care is available for children of all students of the University. The Adelante Child Development Center is located at 314 W. Schuster and is managed and operated by Adelante Childcare, Inc. Children aged three months to 12 years are accepted, depending on space availability (Hourly, daily and weekly care are available and the Center offers a Summer Camp for school-age children). Age-appropriate early childhood developmental programs are offered in the curriculum. The Adelante Child Development Center is licensed by the Texas Department of Protective and Regulatory Services. Financial assistance is available for qualifying parents through Child Care Services. For more information, please call: **915-532-1114** or **contact: [studentaffairs.utep.edu/childcare](http://studentaffairs.utep.edu/childcare)**. If, for any reason, you cannot find a care-taker for your child(ren), you are welcome to bring them to class.

### **COVID STUDENT RESPONSIBILITIES**

Please stay home if you have been diagnosed with COVID-19 or are experiencing COVID-19 symptoms. If you are feeling unwell, please let me know as soon as possible, so that we can work on appropriate accommodations. If you have tested positive for COVID-19, you are encouraged to report your results to [covidaction@utep.edu](mailto:covidaction@utep.edu), so that the Dean of Students Office can provide you with support and help with communication with your professors. The Student Health Center is equipped to provide COVID-19 testing.

The Center for Disease Control and Prevention recommends that people in areas of substantial or high COVID-19 transmission wear face masks when indoors in groups of people. The best way that Miners can take care of Miners is to get the vaccine. If you still need the vaccine, it is widely available in the El Paso area, and will be available at no charge on campus during the first week of classes. For more information about the current rates, testing, and vaccinations, please visit [epstrong.org](http://epstrong.org).

**Masks are encouraged but not required for class attendance.** If you feel ill or have come into contact with COVID-positive individuals, please stay home and get tested. Accommodations will be made. Your health and well-being are my top priority.

- **Get vaccinated!** Your health is not a partisan issue. Vaccinations are safe and effective at protecting against serious health complications and reduce the likelihood of hospitalization and death.
  - Vaccines do not cause COVID.

- Vaccines are safe and were developed and tested appropriately.
- Vaccines do not alter your DNA or affect fertility/pregnancy.
- Vaccines do not include microchips or tracking devices.
- Vaccines do not include hard metals or toxic ingredients.
- You can still get COVID if vaccinated, and you can still spread COVID variants if vaccinated.

If you have any questions or concerns, I am happy to address them and/or point you to resources.

### **GENERAL EXPECTATIONS**

I expect all students to behave professionally in this class. You will be held responsible for all material covered in the textbooks, articles, videos, and the class discussions. If you miss a class, you are still responsible for the content of that day's information. I will not tolerate disruptive behavior, including (but not limited to) inappropriate computer use, reading newspapers, talking during lectures, using cell phones or pagers, and disrespecting classmates or the instructor. Additionally, I expect all students to attend class prepared and to show up on time. It is disrespectful to the instructor and the other students when individuals show up late or are not prepared to participate in the class discussion. I allow the use of laptops for class purposes only.

This class is designed to provide information and challenge students with new, and sometimes controversial, ideas and arguments. This class is designed to be a safe, open environment to express ideas, arguments, and opinions for learning purposes. However, safe does not always mean comfortable. This class does not give you knowledge—i.e., knowledge and understanding are not transfused to students by simply sitting in class. Learning is an interactive process, requiring engagement with the material. Assignments are designed to assist you in learning processes, which consist of understanding material, remembering material, and being able to clearly (and correctly) communicate that material. Learning also entails developing your own insights, and applying them to better your own livelihood and authentic self.

As a general policy, I do not offer incompletes, and I will not change final grades for the course unless an error occurred on my part.

### **CIVILITY AND RESPECT**

Civility in the classroom and respect for the opinions of others is very important in an academic environment. It is likely you may not agree with everything which is said or discussed in the classroom, but courteous behavior and responses are expected. Our campus community reflects and is a part of a society comprising all races, genders, ethnicities, creeds, sexualities, and social circumstances. It is fundamental to our mission to create an unbiased community and to oppose vigorously any form of racism, religious intolerance, sexism, ageism, homophobia, heterosexism, and discrimination against those with disabling conditions. ALL identity groups (genders, sexualities, races, ethnicities, nationalities, creeds, religions, socioeconomic classes, etc.) must be discussed respectfully.

## COURSE SCHEDULE

The following is a list of topics to be covered at each class meeting, and the readings, which should be completed in order to fully participate in class that day. You are required to read the material prior to the class. Literature not included in the textbook but listed on syllabus are the responsibility of students to locate and read. Academic articles can often be found via the UTEP library's website under the "Articles and Database" tab, where you can search repositories like JSTOR and Sage as well as individual journal titles. **Under no circumstance should you pay to access an article.** If you need help locating a specific article, email me and I will help you.

While I give specific days on which certain topics will be discussed, the calendar is subject to change. Any alterations to the course schedule will be clearly announced. As a general rule, the course will follow this order of topics, regardless of date changes, unless otherwise announced. *Readings due* and *Watch* are homework assignments due prior to class that day.

**Week 1**  
(August 24)

### Introduction

#### **Pick ONE of the following textbooks:**

- Berry, Daina Ramey, and Kali N. Gross. 2020. *A Black Women's History of the United States*. Beacon Press.
- Bronski, Michael. 2011. *A Queer History of the United States*. Beacon Press.
- Dunbar-Ortiz, Roxanne. 2015. *An Indigenous Peoples' History of the United States*. Beacon Press.
- Ortiz, Paul. 2018. *An African American and Latinx History of the United States*. Beacon Press.
- Nielsen, Kim E. 2012. *A Disability History of the United States*. Beacon Press.
- Nayeri, Dina. 2019. *The Ungrateful Refugee: What Immigrants Never Tell You*. Catapult.
- Goodman, Adam. 2020. *The Deportation Machine: America's Long History of Expelling Immigrants*. Princeton University Press.

#### **Discussion:**

- What is justice? How do you know justice has been achieved?
- What is law? Is law a tool to oppress or to protect freedoms?
- Why do people 'follow' the law? What are the sources of law, and what grants it legitimacy?
- When, if ever, is it acceptable to not follow the law? Why?
- What is the relationship between law, politics, and society?

**Week 2**  
(August 31)

### **Judicial Process**

#### **Assignments due:**

- **Critical Reflection #1**, responding to:
  1. Who are you? What defines you, as a person?
  2. Has your identity(s) changed over time? Why or why not?
  3. Who do other people expect you to be? How does these expected identity(s) align or conflict with your own identity(s)?
  4. Does your identity(s) affect your behavior or perceptions?

**Week 3**  
(September 7)

### **Judicial Process**

#### **Assignments due:**

- **Critical Reflection #2**, responding to:
  1. How do law and court decisions impact your life?
  2. What privileges and vulnerabilities do you and/or your communities experience? How have these been affected by law, courts, and policy?

**Week 4**  
(September 14)

### **Legal Interpretation**

**Week 5**  
(September 21)

### **Judicial Decision-making and Behavior**

#### **Assignments due:**

- **Teaching Modules Due (for Upload)**

**Week 6**  
(September 28)

### **Teaching Module Discussions**

*Readings due:* Teaching Modules (via Blackboard)

#### **Assignments due:**

- **Comprehension Questions #1:**
  1. What are the implications of the legal, attitudinal, and strategic models on the rule of law? Which is the most accurate or useful? Why? What are each model's strengths and limitations?



**Week 7**  
(October 5)

### **Colonization and Identity Formation**

*Readings due:*

- Learning modules on Colonization, the Racial Contract, Intersectionality
- United States Constitution

**Assignments Due:**

- **Critical Reflection #3**, responding to:
  1. Is the Constitution a “living document”? Why or why not?
  2. What does the Constitution mean for those excluded by it?

**Week 8**  
(October 12)

### **Identity and State Courts**

*Readings due:*

- Reid, Rebecca A., and Todd A. Curry. 2021. “Explaining Indigenous Peoples’ Success in State Supreme Courts: Party Capability, Judicial Selection, and Representation.” *Journal of Law and Courts* 9 (1): 69- 87.
- Fix, Michael P., and Gbemende Johnson. 2017. “Perceptions of Gender Bias in Public Attitudes towards the Decisions of Female Judges.” *Vanderbilt Law Review* 70 (6):1845-1886.
- Szmer, John, Robert K. Christensen, and Erin B. Kaheny. 2014. “Gender, Race, and Dissensus on State Supreme Courts” *Social Science Quarterly* 96 (2): 553- 575.
- Arrington, Nancy B. 2018. “Gender and Judicial Replacement: The Case of US State Supreme Courts.” *Journal of Law and Courts* 6 (1): 127- 154.
- Solberg, Rorie Spill, and Christopher T. Stout. 202. “Is Nine Too Much? How the Gender Composition of State Supreme Courts Influences Support for Female Candidates.” *Justice System Journal* DOI: 10.1080/0098261X.2021.1923589

**Assignments due:**

- **Comprehension Questions #2:**
  1. How do institutional and individual features impact judicial decision-making? What are the implications of these influences?

**Week 9**  
(October 19)

**Identity and Trial (District) Courts**

*Readings due:*

- Burge, Camille, and Gbemende Johnson. 2018. "Race, Crime, and Emotions." *Research & Politics* 5 (3): 1-9.
- Dumas, Tao L, and Stacia L. Haynie. 2012. "Building an Integrated Model of Trial Court Decision-Making: Predicting Plaintiff Success and Awards across Circuits." *State Politics and Policy Quarterly*. 12:103-126.
- Manning, Kenneth L., Bruce A. Carroll, and Robert A. Carp, 2004. "Does Age Matter? Judicial Decision Making in Age Discrimination Cases." *Social Science Quarterly*, 85 (1): 1-18.
- Sen, Maya. 2015. "Is Justice Really Blind? Race and Reversal in US Courts". *The Journal of Legal Studies* 44 (S1): 187- 229.
- Boyd, Christina L. 2016. "Representation on the Courts? The Effects of Trial Judges' Sex and Race." *Political Research Quarterly* 69 (4): 788- 799.

**Week 10**  
(October 26)

**Diversity Matters**

*Readings due:*

- Haire, Susan B., and Laura P. Moyer. 2015. *Diversity Matters: Judicial Policy Making in the U.S. Courts of Appeals*. University of Virginia Press.

**Week 11**  
(November 2)

**Identity and Federal Appellate Courts**

*Readings due:*

- Means, Taneisha N., Andrew Eslich, and Kaitlin Prado. 2019. "Judicial Diversity and Lawmaking in the Federal Judiciary," In Susan Sterett and Lee Walker (eds.), *Research Handbook on Law and Courts*. Edward Elgar: 231- 245.
- Moyer, Laura, John Szmer, Susan Haire, and Robert Christensen. 2020. "Diversity, Consensus, and Decision Making: Evidence from the U.S. Courts of Appeals." *Politics, Groups & Identities* 8(4): 822-833.
- Reid, Rebecca A., Susanne Schorpp, and Susan W. Johnson. 2019. "Trading Liberties for Security: Groupthink, Gender, and 9/11 Effects on U.S. Appellate Decision Making." *American Politics Research* 48 (3): 402- 413.
- Hsu, Josh. 2006. "Asian American Judges: Identity, Their Narratives, & Diversity on the Bench." *Asian Pacific American Law Journal* 11 (1): 92- 119.
- Morin, Jason L. 2014. "The Voting Behavior of Minority Judges in the US Courts of Appeals: Does the Race of the Claimant Matter?" *American Politics Research* 42 (1): 34- 64.

**Week 12**  
(November 9)

**Identity and the Supreme Court**

Readings due:

- Means, Taneisha N., Andrew Eslich, and Kaitlin Prado. 2019. "Judicial Diversity and Lawmaking in the Federal Judiciary," In Susan Sterett and Lee Walker (eds.), *Research Handbook on Law and Courts*. Edward Elgar: 231- 245.
- Feldman, Adam and Rebecca D. Gill. 2019. "Power Dynamics in Supreme Court Oral Arguments: The Relationship Between Gender and Justice-to-Justice Interruptions." *Justice System Journal*. 40(3):173-195.
- Gleason, Shane A., Jennifer J. Jones, and Jessica Rae McBean. 2018. "The Role of Gender Norms in Judicial Decision-Making at the US Supreme Court: The Case of Male and Female Justices." *American Politics Research* 47 (3): 494- 529.
- Epstein, Lee, Christopher M. Parker, and Jeffrey A. Segal. 2018. "Do Justices Defend the Speech They Hate? An Analysis of In-Group Bias on the US Supreme Court." *Journal of Law and Courts* 6 (2): 237- 262.

**Week 13**  
(November 16)

**Identity, Lawyers, and Clerks**

Readings due:

- Collins, Todd, Tao Dumas, and Laura Moyer. 2017. "Intersecting Disadvantages: Race, Gender, and Age Discrimination among Attorneys." *Social Science Quarterly* 98 (5): 1642-1658.
- Szmer, John, Erin B. Kaheny, Tammy Sarver, and Mason DeCamillis. 2013. "The Impact of Attorney Gender on Decision Making in the United States Courts of Appeals." *Journal of Women, Politics & Policy* 34 (1): 72-100.
- Kromphardt, Christopher D. 2017. "Evaluating the Effect of Law Clerk Gender on Voting at the United States Supreme Court." *Justice System Journal* 38 (2): 183-201.
- Curry, Brett, and Banks Miller. 2021. "The Influence of Diversity and Qualifications in Presidential Nominations: The Case of United States Attorneys," *Justice System Journal*, DOI: 10.1080/0098261X.2020.1817816
- Gleason, Shane A., and Diana K. Ivy. 2021. "As She Was Saying: The Role of Gender and Narratives in Oral Argument Amicus Success." *Justice System Journal*  
DOI: [10.1080/0098261X.2020.1869631](https://doi.org/10.1080/0098261X.2020.1869631)

**Week 14**  
(November 23)

**Identity, Courts, and Immigration**

*Readings due:*

- Hamlin, Rebecca. 2015. "Ideology, International Law, and the INS: The Development of American Asylum Politics 1948-Present." *Polity* 47(3): 320-336.
- Ramji-Nogales, J., P. Schrag, and A. Schoenholtz. 2007. "Refugee Roulette: Disparities in Asylum Adjudication." *Stanford Law Review* 60 (2): 295- 412.
- Williams, Margaret S., and Anna O. Law. 2012. "Understanding Judicial Decision Making in Immigration Cases at the U.S. Courts of Appeals." *Justice System Journal* 33 (1): 97-120.
- Stobb, Maureen. 2019. "Power of the Pen or the Gavel? Determining Asylum Standards on the Courts of Appeals." *Justice System Journal* 40 (3): 196-220.
- Gill, Rebecca D., Michael Kagan, and Fatma Marouf. 2017. "Chivalry, Masculinity, and the Importance of Maleness to Judicial Decision Making: The Impact of Maleness on Judicial Decision Making: Masculinity, Chivalry, and Immigration Appeals." *Politics, Groups, and Identities*. 7(3): 509-528.

**Week 15**  
(November 30)

**Conclusions**

*Readings due:*

- Harris, Allison P., and Maya Sen. 2019. "Bias and Judging." *Annual Review of Political Science* 22: 241- 259.

**Assignments due:**

- **K-12 Learning Modules**

## How to Read and Evaluate Research

1. What is the research question?
2. What is the theoretical argument and/or thesis?
3. What is the dependent variable?
4. What are the main independent variables?
5. Do the variables match the theory? Are they appropriate? Do they measure what the authors claim?
6. What data is utilized and is it appropriate?
7. Did the authors include all relevant variables and exclude irrelevant variables? Are there confounding variables? Are there omitted variables?
8. What method of analysis was employed? Qualitative or quantitative? Is this method appropriate for the research question?
9. What are the results? How strong are these results?
10. What are the limitations of the theory, methods, and results?
11. How generalizable are the results?
12. How persuasive is the article? Why?