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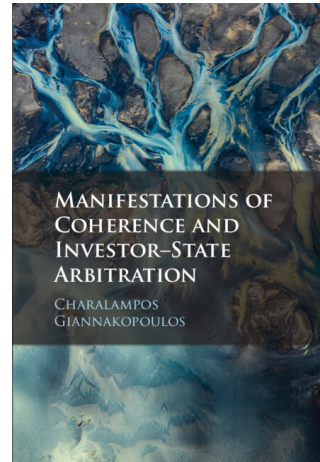
Manifestations of Coherence and Investor-State Arbitration

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Coherence is highly valued in law. It is especially sought after in investor-state dispute settlement, where charges of incoherence in arbitral awards have long been raised by states and scholars. Yet coherence is a largely underexplored notion in international law. Often, it is treated as a mere ideal to strive towards or simply as a different way to describe the legal consistency of judicial outcomes. This book takes a different approach. It sees coherence as an independent concept having two dimensions: a substantive and a methodological one. Both are critically important for legal reasoning by international courts and tribunals, including by investor-state tribunals, and the book illustrates through several case studies some of the ways this conclusion is borne out in practice. A fuller understanding of coherence in international law has implications for our understanding of the concept of law, the practice of legal reasoning, and judicial professional ethics.

Introduction; 1. The content of coherence; 2. Coherence and legal reasoning; 3. Two models for coherence; 4. Coherence and the interpretation of treaties; 5. Coherence and analogical thinking; 6. Coherence as reflexivity; 7. Coherence as moral responsibility; Coda: coherence and investor-state dispute settlement reform; Epilogue.



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