1 Introduction

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S.I. Strong

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This chapter provides an introduction to a new, multi-faceted empirical study on legal reasoning in commercial disputes by describing existing scholarship on legal reasoning as well as best practices in empirical legal studies. In so doing, the discussion not only provides novel insights into general practices involving legal reasoning but also lays the foundation for further analysis by considering standard assumptions about differences in reasoning arising along the judicial–arbitral, domestic–international, and common law–civil law divides. These assumptions are tested throughout the book to determine whether and to what extent legal reasoning differs according to the nature of the decision-maker, the scope of the dispute or the legal tradition in which the matter is set.
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