



Majority Rule or Minority Will: Adherence to Precedent on the U.S. Supreme Court

Harold J. Spaeth, Jeffrey A. Segal

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This book examines the influence of precedent on the behavior of the US Supreme Court justices throughout the Court's history. Supreme Court justices almost always "follow" precedent, in that they always cite precedents for the positions they take. Because there are always precedents on either side of a case for justices to follow, following precedent does not mean that the justices are ever influenced by precedent. Employing the assumption that for precedent to be an influence on the behavior of justices, it must lead to a result they would not otherwise have reached, the authors show that precedent rarely controls the justices' votes.

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