



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, first published in 1999, examines the influence of precedent on the behavior of US Supreme Court justices throughout the Court's history. Under 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 results show that when justices disagree with the establishment of a precedent, they rarely shift from their previously stated views in subsequent cases. In other words, they are hardly ever influenced by precedent. Nevertheless, the doctrine of stare decisis does exhibit some low level influence on the justices in the least salient of the Court's decisions. The book examines these findings in light of several leading theories of judicial decision making.

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