

Contents

Introduction 3

1 The Patterns of Supreme Court Precedent 9

2 Theories of Precedent 47

3 The Golden Rule 79

4 Nonjudicial Precedent 111

5 The Multiple Functions of Precedent 147

6 Super Precedent 177

Conclusion: The Future of Precedent 199

Appendix 205

Notes 255

Index 325