

Contents

<i>List of Figures</i>	x
<i>List of Tables</i>	x
1. Law, Courts, and Social Science	I
Political Jurisprudence	19
Judicialization and the Construction of Governance	55
2. Judicial Law-making and Precedent	90
Towards a Theory of <i>Stare Decisis</i>	102
Path Dependence, Precedent, and Judicial Power	112
3. Constitutional Judicial Review	136
The Success of Judicial Review and Democracy	149
Constitutional Politics in France and Germany	184
4. Testing, Comparison, Prediction	209
The Giving Reasons Requirement	228
The European Court and Integration	258
5. Judges and Company	292
Globalization of Freedom of Contract	296
Islands of Transnational Governance	323
6. Abstract Review and Judicial Law-making	343
Abstract and Concrete Review in the United States	347
<i>References</i>	376
<i>Index</i>	407