The aim of this chapter is to emphasise that legal analysis is not just a question of comparing facts or using a set of balancing scales to see if the facts weigh about the same. The situation is often much more complicated than that. This chapter discusses the following: the development of case law and why cases may be distinguished as well as applied on the material facts; defining ratio decidendi; perception and ratio; ratio and interpretation; obiter dictum; how precedents develop; answering legal questions on precedent; material facts; what can happen to a case; the postal rule cases; and the ‘uncertainty principle’ of cases.
7. How Precedent Operates: *Ratio Decidendi* and *Obiter Dictum*

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