SUPREME COURT OF THE UNITED STATES

No. 99–5525

CHARLES THOMAS DICKERSON, PETITIONER *v.* UNITED STATES

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

[June 26, 2000]

CHIEF JUSTICE REHNQUIST delivered the opinion of the Court.

In *Miranda* v. *Arizona*, 384 U. S. 436 (1966), we held that certain warnings must be given before a suspect's statement made during custodial interrogation could be admitted in evidence. In the wake of that decision, Congress enacted 18 U. S. C. §3501, which in essence laid down a rule that the admissibility of such statements should turn only on whether or not they were voluntarily made. We hold that *Miranda*, being a constitutional decision of this Court, may not be in effect overruled by an Act of Congress, and we decline to overrule *Miranda* ourselves. We therefore hold that *Miranda* and its progeny in this Court govern the admissibility of statements made during custodial interrogation in both state and federal courts.

Petitioner Dickerson was indicted for bank robbery, conspiracy to commit bank robbery, and using a firearm in the course of committing a crime of violence, all in violation of the applicable provisions of Title 18 of the United States Code. Before trial, Dickerson moved to suppress a statement he had made at a Federal Bureau of Investiga-

tion field office, on the grounds that he had not received "*Miranda* warnings" before being interrogated. The District Court granted his motion to suppress, and the Government took an interlocutory appeal to the United States Court of Appeals for the Fourth Circuit. That court, by a divided vote, reversed the District Court's suppression order. It agreed with the District Court's conclusion that petitioner had not received *Miranda* warnings before making his statement. But it went on to hold that §3501, which in effect makes the admissibility of statements such as Dickerson's turn solely on whether they were made voluntarily, was satisfied in this case. It then concluded that our decision in *Miranda* was not a constitutional holding, and that therefore Congress could by statute have the final say on the question of admissibility. 166 F. 3d 667 (1999).

Because of the importance of the questions raised by the Court of Appeals' decision, we granted certiorari, 528 U. S. 1045 (1999), and now reverse.

We begin with a brief historical account of the law governing the admission of confessions. Prior to *Miranda*, we evaluated the admissibility of a suspect's confession under a voluntariness test. The roots of this test developed in the common law, as the courts of England and then the United States recognized that coerced confessions are inherently untrustworthy. See, *e.g.*, *King* v. *Rudd*, 1 Leach 115, 117–118, 122–123, 168 Eng. Rep. 160, 161, 164 (K. B. 1783) (Lord Mansfield, C. J.) (stating that the English courts excluded confessions obtained by threats and promises); *King* v. *Warickshall*, 1 Leach 262, 263–264, 168 Eng. Rep. 234, 235 (K. B. 1783) ("A free and voluntary confession is deserving of the highest credit, because it is presumed to flow from the strongest sense of guilt . . . but a confession forced from the mind by the flattery of hope, or by the torture of fear, comes in so questionable a shape . . . that no credit ought to be given to it; and therefore it is

rejected'"); *King* v. *Parratt*, 4 Car. & P. 570, 172 Eng. Rep. 829 (N. P. 1831); *Queen* v. *Garner*, 1 Den. 329, 169 Eng. Rep. 267 (Ct. Crim. App. 1848); *Queen* v. *Baldry*, 2 Den. 430, 169 Eng. Rep. 568 (Ct. Crim. App. 1852); *Hopt* v. *Territory of Utah*, 110 U. S. 574 (1884); *Pierce* v. *United States*, 160 U. S. 355, 357 (1896). Over time, our cases recognized two constitutional bases for the requirement that a confession be voluntary to be admitted into evidence: the Fifth Amendment right against self-incrimination and the Due Process Clause of the Fourteenth Amendment. See, *e.g.*, *Bram* v. *United States*, 168 U. S. 532, 542 (1897) (stating that the voluntariness test "is controlled by that portion of the Fifth Amendment . . . commanding that no person 'shall be compelled in any criminal case to be a witness against himself'"); *Brown* v. *Mississippi*, 297 U. S. 278 (1936) (reversing a criminal conviction under the Due Process Clause because it was based on a confession obtained by physical coercion).

While *Bram* was decided before *Brown* and its progeny, for the middle third of the 20th century our cases based the rule against admitting coerced confessions primarily, if not exclusively, on notions of due process. We applied the due process voluntariness test in "some 30 different cases decided during the era that intervened between *Brown* and *Escobedo* v. *Illinois*, 378 U. S. 478 [(1964)]." *Schneckcloth* v. *Bustamonte*, 412 U. S. 218, 223 (1973). See, *e.g.*, *Haynes* v. *Washington*, 373 U. S. 503 (1963); *Ashcraft* v. *Tennessee*, 322 U. S. 143 (1944); *Chambers* v. *Florida*, 309 U. S. 227 (1940). Those cases refined the test into an inquiry that examines "whether a defendant's will was overborne" by the circumstances surrounding the giving of a confession. *Schneckcloth*, 412 U. S., at 226. The due process test takes into consideration "the totality of all the surrounding circumstances– both the characteristics of the accused and the details of the interrogation." *Ibid.* See also, *Haynes*, *supra*, at 513; *Gallegos* v. *Colo-*

rado, 370 U. S. 49, 55 (1962); *Reck* v. *Pate*, 367 U. S. 433, 440 (1961) ("[A]ll the circumstances attendant upon the confession must be taken into account"); *Malinski* v. *New York*, 324 U. S. 401, 404 (1945) ("If all the attendant circumstances indicate that the confession was coerced or compelled, it may not be used to convict a defendant"). The determination "depend[s] upon a weighing of the circumstances of pressure against the power of resistance of the person confessing." *Stein* v. *New York*, 346 U. S. 156, 185 (1953).

We have never abandoned this due process jurisprudence, and thus continue to exclude confessions that were obtained involuntarily. But our decisions in *Malloy* v. *Hogan*, 378 U. S. 1 (1964), and *Miranda* changed the focus of much of the inquiry in determining the admissibility of suspects' incriminating statements. In *Malloy*, we held that the Fifth Amendment's Self-Incrimination Clause is incorporated in the Due Process Clause of the Fourteenth Amendment and thus applies to the States. *Id.*, at 6–11. We decided *Miranda* on the heels of *Malloy*.

In *Miranda*, we noted that the advent of modern custodial police interrogation brought with it an increased concern about confessions obtained by coercion.[1] 384 U. S., at 445–458. Because custodial police interrogation, by its very nature, isolates and pressures the individual, we stated that "[e]ven without employing brutality, the 'third degree' or [other] specific stratagems, . . . custodial interrogation exacts a heavy toll on individual liberty and trades on the weakness of individuals." *Id.*, at 455. We

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[1]While our cases have long interpreted the Due Process and Self-Incrimination Clauses to require that a suspect be accorded a fair trial free from coerced testimony, our application of those Clauses to the context of custodial police interrogation is relatively recent because the routine practice of such interrogation is itself a relatively new development. See, *e.g.*, *Miranda*, 384 U. S., at 445–458.

concluded that the coercion inherent in custodial interrogation blurs the line between voluntary and involuntary statements, and thus heightens the risk that an individual will not be "accorded his privilege under the Fifth Amendment . . . not to be compelled to incriminate himself." *Id.*, at 439. Accordingly, we laid down "concrete constitutional guidelines for law enforcement agencies and courts to follow." *Id.*, at 442. Those guidelines established that the admissibility in evidence of any statement given during custodial interrogation of a suspect would depend on whether the police provided the suspect with four warnings. These warnings (which have come to be known colloquially as "*Miranda* rights") are: a suspect "has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires." *Id.*, at 479.

Two years after *Miranda* was decided, Congress enacted §3501. That section provides, in relevant part:

> "(a) In any criminal prosecution brought by the United States or by the District of Columbia, a confession . . . shall be admissible in evidence if it is voluntarily given. Before such confession is received in evidence, the trial judge shall, out of the presence of the jury, determine any issue as to voluntariness. If the trial judge determines that the confession was voluntarily made it shall be admitted in evidence and the trial judge shall permit the jury to hear relevant evidence on the issue of voluntariness and shall instruct the jury to give such weight to the confession as the jury feels it deserves under all the circumstances.
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> "(b) The trial judge in determining the issue of voluntariness shall take into consideration all the circumstances surrounding the giving of the confession,

> including (1) the time elapsing between arrest and arraignment of the defendant making the confession, if it was made after arrest and before arraignment, (2) whether such defendant knew the nature of the offense with which he was charged or of which he was suspected at the time of making the confession, (3) whether or not such defendant was advised or knew that he was not required to make any statement and that any such statement could be used against him, (4) whether or not such defendant had been advised prior to questioning of his right to the assistance of counsel; and (5) whether or not such defendant was without the assistance of counsel when questioned and when giving such confession.
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> "The presence or absence of any of the above-mentioned factors to be taken into consideration by the judge need not be conclusive on the issue of voluntariness of the confession."

Given §3501's express designation of voluntariness as the touchstone of admissibility, its omission of any warning requirement, and the instruction for trial courts to consider a nonexclusive list of factors relevant to the circumstances of a confession, we agree with the Court of Appeals that Congress intended by its enactment to overrule *Miranda*. See also *Davis* v. *United States*, 512 U. S. 452, 464 (1994) (SCALIA, J., concurring) (stating that, prior to *Miranda*, "voluntariness *vel non* was the touchstone of admissibility of confessions"). Because of the obvious conflict between our decision in *Miranda* and §3501, we must address whether Congress has constitutional authority to thus supersede *Miranda*. If Congress has such authority, §3501's totality-of-the-circumstances approach must prevail over *Miranda*'s requirement of warnings; if not, that section must yield to *Miranda*'s more specific requirements.

The law in this area is clear. This Court has supervisory authority over the federal courts, and we may use that authority to prescribe rules of evidence and procedure that are binding in those tribunals. *Carlisle* v. *United States*, 517 U. S. 416, 426 (1996). However, the power to judicially create and enforce nonconstitutional "rules of procedure and evidence for the federal courts exists only in the absence of a relevant Act of Congress." *Palermo* v. *United States*, 360 U. S. 343, 353, n. 11 (1959) (citing *Funk* v. *United States*, 290 U. S. 371, 382 (1933), and *Gordon* v. *United States*, 344 U. S. 414, 418 (1953)). Congress retains the ultimate authority to modify or set aside any judicially created rules of evidence and procedure that are not required by the Constitution. *Palermo*, *supra*, at 345–348; *Carlisle*, *supra*, at 426; *Vance* v. *Terrazas*, 444 U. S. 252, 265 (1980).

But Congress may not legislatively supersede our decisions interpreting and applying the Constitution. See, *e.g.*, *City of Boerne* v. *Flores*, 521 U. S. 507, 517–521 (1997). This case therefore turns on whether the *Miranda* Court announced a constitutional rule or merely exercised its supervisory authority to regulate evidence in the absence of congressional direction. Recognizing this point, the Court of Appeals surveyed *Miranda* and its progeny to determine the constitutional status of the *Miranda* decision. 166 F. 3d, at 687–692. Relying on the fact that we have created several exceptions to *Miranda*'s warnings requirement and that we have repeatedly referred to the *Miranda* warnings as "prophylactic," *New York* v. *Quarles*, 467 U. S. 649, 653 (1984), and "not themselves rights protected by the Constitution," *Michigan* v. *Tucker*, 417 U. S. 433, 444 (1974),[2] the Court of Appeals concluded that

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[2] *See also Davis* v. *United States*, 512 U. S 452, 457–458 (1994); *Withrow* v. *Williams*, 507 U. S. 680, 690–691 (1993) ("*Miranda*'s safe-

the protections announced in *Miranda* are not constitutionally required. 166 F. 3d, at 687–690.

We disagree with the Court of Appeals' conclusion, although we concede that there is language in some of our opinions that supports the view taken by that court. But first and foremost of the factors on the other side– that *Miranda* is a constitutional decision– is that both *Miranda* and two of its companion cases applied the rule to proceedings in state courts– to wit, Arizona, California, and New York. See 384 U. S., at 491–494, 497–499. Since that time, we have consistently applied *Miranda*'s rule to prosecutions arising in state courts. See, *e.g.*, *Stansbury* v. *California*, 511 U. S. 318 (1994) (*per curiam*); *Minnick* v. *Mississippi*, 498 U. S. 146 (1990); *Arizona* v. *Roberson*, 486 U. S. 675 (1988); *Edwards* v. *Arizona*, 451 U. S. 477, 481–482 (1981). It is beyond dispute that we do not hold a supervisory power over the courts of the several States. *Smith* v. *Phillips*, 455 U. S. 209, 221 (1982) ("Federal courts hold no supervisory authority over state judicial proceedings and may intervene only to correct wrongs of constitutional dimension"); *Cicenia* v. *Lagay*, 357 U. S 504, 508–509 (1958). With respect to proceedings in state courts, our "authority is limited to enforcing the commands of the United States Constitution." *Mu'Min* v. *Virginia*, 500 U. S. 415, 422 (1991). See also *Harris* v. *Rivera*, 454 U. S. 339, 344–345 (1981) (*per curiam*) (stating that "[f]ederal judges may not require the observance of any special procedures" in state courts "except when necessary to assure compliance with the dictates of the

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guards are not constitutional in character"); *Duckworth* v. *Eagan*, 492 U. S. 195, 203 (1989); *Connecticut* v. *Barrett*, 479 U. S. 523, 528 (1987) ("[T]he *Miranda* Court adopted prophylactic rules designed to insulate the exercise of Fifth Amendment rights"); *Oregon* v. *Elstad*, 470 U. S. 298, 306 (1985); *Edwards* v. *Arizona*, 451 U. S. 477, 492 (1981) (Powell, J., concurring in result).

Federal Constitution").[3]

The *Miranda* opinion itself begins by stating that the Court granted certiorari "to explore some facets of the problems . . . of applying the privilege against self-incrimination to in-custody interrogation, *and to give concrete constitutional guidelines for law enforcement agencies and courts to follow*." 384 U. S., at 441–442 (emphasis added). In fact, the majority opinion is replete with statements indicating that the majority thought it was announcing a constitutional rule.[4] Indeed, the Court's

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[3] Our conclusion regarding *Miranda*'s constitutional basis is further buttressed by the fact that we have allowed prisoners to bring alleged *Miranda* violations before the federal courts in habeas corpus proceedings. See *Thompson* v. *Keohane*, 516 U. S. 99 (1995); *Withrow*, *supra*, at 690–695. Habeas corpus proceedings are available only for claims that a person "is in custody in violation of the Constitution or laws or treaties of the United States." 28 U. S. C. §2254(a). Since the *Miranda* rule is clearly not based on federal laws or treaties, our decision allowing habeas review for *Miranda* claims obviously assumes that *Miranda* is of constitutional origin.

[4] See 384 U. S., at 445 ("The constitutional issue we decide in each of these cases is the admissibility of statements obtained from a defendant questioned while in custody"), 457 (stating that the *Miranda* Court was concerned with "adequate safeguards to protect precious Fifth Amendment rights"), 458 (examining the "history and precedent underlying the Self-Incrimination Clause to determine its applicability in this situation"), 476 ("The requirement of warnings and waiver of rights is . . . fundamental with respect to the Fifth Amendment privilege and not simply a preliminary ritual to existing methods of interrogation"), 479 ("The whole thrust of our foregoing discussion demonstrates that the Constitution has prescribed the rights of the individual when confronted with the power of government when it provided in the Fifth Amendment that an individual cannot be compelled to be a witness against himself"), 481, n. 52 (stating that the Court dealt with "constitutional standards in relation to statements made"), 490 ("[T]he issues presented are of constitutional dimensions and must be determined by the courts"), 489 (stating that the *Miranda* Court was dealing "with rights grounded in a specific requirement of the Fifth Amendment of the Constitution").

ultimate conclusion was that the unwarned confessions obtained in the four cases before the Court in *Miranda* "were obtained from the defendant under circumstances that did not meet constitutional standards for protection of the privilege."[5] *Id.*, at 491.

Additional support for our conclusion that *Miranda* is constitutionally based is found in the *Miranda* Court's invitation for legislative action to protect the constitutional right against coerced self-incrimination. After discussing the "compelling pressures" inherent in custodial police interrogation, the *Miranda* Court concluded that, "[i]n order to combat these pressures and to permit a full opportunity to exercise the privilege against self-incrimination, the accused must be adequately and effectively appraised of his rights and the exercise of those rights must be fully honored." *Id.*, at 467. However, the Court emphasized that it could not foresee "the potential alternatives for protecting the privilege which might be devised by Congress or the States," and it accordingly opined that the Constitution would not preclude legislative solutions that differed from the prescribed *Miranda* warnings but which were "at least as effective in apprising

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[5] Many of our subsequent cases have also referred to *Miranda*'s constitutional underpinnings. See, *e.g.*, *Withrow*, 507 U. S., at 691 ("'Prophylactic' though it may be, in protecting a defendant's Fifth Amendment privilege against self-incrimination, *Miranda* safeguards a 'fundamental trial right'"); *Illinois* v. *Perkins*, 496 U. S. 292, 296 (1990) (describing *Miranda*'s warning requirement as resting on "the Fifth Amendment privilege against self-incrimination"); *Butler* v. *McKellar*, 494 U. S. 407, 411 (1990) ("[T]he Fifth Amendment bars police-initiated interrogation following a suspect's request for counsel in the context of a separate investigation"); *Michigan* v. *Jackson*, 475 U. S. 625, 629 (1986) ("The Fifth Amendment protection against compelled self-incrimination provides the right to counsel at custodial interrogations"); *Moran* v. *Burbine*, 475 U. S. 412, 427 (1986) (referring to *Miranda* as "our interpretation of the Federal Constitution"); *Edwards*, 451 U. S., at 481–482.

accused persons of their right of silence and in assuring a continuous opportunity to exercise it."[6] *Ibid.*

The Court of Appeals also relied on the fact that we have, after our *Miranda* decision, made exceptions from its rule in cases such as *New York* v. *Quarles*, 467 U. S. 649 (1984), and *Harris* v. *New York*, 401 U. S. 222 (1971). See 166 F. 3d, at 672, 689–691. But we have also broadened the application of the *Miranda* doctrine in cases such as *Doyle* v. *Ohio*, 426 U. S. 610 (1976), and *Arizona* v. *Roberson*, 486 U. S. 675 (1988). These decisions illustrate the principle– not that *Miranda* is not a constitutional rule– but that no constitutional rule is immutable. No court laying down a general rule can possibly foresee the various circumstances in which counsel will seek to apply it, and the sort of modifications represented by these cases are as much a normal part of constitutional law as the original decision.

The Court of Appeals also noted that in *Oregon* v. *Elstad*, 470 U. S. 298 (1985), we stated that "[t]he *Miranda* exclusionary rule . . . serves the Fifth Amendment and sweeps more broadly than the Fifth Amendment itself.'" 166 F. 3d, at 690 (quoting *Elstad*, *supra*, at 306). Our decision in that case– refusing to apply the traditional "fruits" doctrine developed in Fourth Amendment cases– does not prove that *Miranda* is a nonconstitutional decision, but simply recognizes the fact that unreasonable searches under the Fourth Amendment are different from

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[6]The Court of Appeals relied in part on our statement that the *Miranda* decision in no way "creates a 'constitutional straightjacket.'" See 166 F. 3d, at 672 (quoting *Miranda*, 384 U. S., at 467). However, a review of our opinion in *Miranda* clarifies that this disclaimer was intended to indicate that the Constitution does not require police to administer the particular *Miranda* warnings, not that the Constitution does not require a procedure that is effective in securing Fifth Amendment rights.

unwarned interrogation under the Fifth Amendment.

As an alternative argument for sustaining the Court of Appeals' decision, the court-invited *amicus curiae*[7] contends that the section complies with the requirement that a legislative alternative to *Miranda* be equally as effective in preventing coerced confessions. See Brief for Paul G. Cassell as *Amicus Curiae* 28–39. We agree with the *amicus'* contention that there are more remedies available for abusive police conduct than there were at the time *Miranda* was decided, see, *e.g.*, *Wilkins* v. *May*, 872 F. 2d 190, 194 (CA7 1989) (applying *Bivens* v. *Six Unknown Fed. Narcotics Agents*, 403 U. S. 388 (1971), to hold that a suspect may bring a federal cause of action under the Due Process Clause for police misconduct during custodial interrogation). But we do not agree that these additional measures supplement §3501's protections sufficiently to meet the constitutional minimum. *Miranda* requires procedures that will warn a suspect in custody of his right to remain silent and which will assure the suspect that the exercise of that right will be honored. See, *e.g.*, 384 U. S., at 467. As discussed above, §3501 explicitly eschews a requirement of pre-interrogation warnings in favor of an approach that looks to the administration of such warnings as only one factor in determining the voluntariness of a suspect's confession. The additional remedies cited by *amicus* do not, in our view, render them, together with §3501 an adequate substitute for the warnings required by *Miranda*.

The dissent argues that it is judicial overreaching for this Court to hold §3501 unconstitutional unless we hold that the *Miranda* warnings are required by the Constitu-

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[7]Because no party to the underlying litigation argued in favor of §3501's constitutionality in this Court, we invited Professor Paul Cassell to assist our deliberations by arguing in support of the judgment below.

tion, in the sense that nothing else will suffice to satisfy constitutional requirements. *Post*, at 10–11, 22–23. But we need not go farther than *Miranda* to decide this case. In *Miranda*, the Court noted that reliance on the traditional totality-of-the-circumstances test raised a risk of overlooking an involuntary custodial confession, 384 U. S, at 457, a risk that the Court found unacceptably great when the confession is offered in the case in chief to prove guilt. The Court therefore concluded that something more than the totality test was necessary. See *ibid*.; see also *id*., at 467, 490–491. As discussed above, §3501 reinstates the totality test as sufficient. Section 3501 therefore cannot be sustained if *Miranda* is to remain the law.

Whether or not we would agree with *Miranda*'s reasoning and its resulting rule, were we addressing the issue in the first instance, the principles of *stare decisis* weigh heavily against overruling it now. See, *e.g.*, *Rhode Island* v. *Innis*, 446 U. S. 291, 304 (1980) (Burger, C. J., concurring in judgment) ("The meaning of *Miranda* has become reasonably clear and law enforcement practices have adjusted to its strictures; I would neither overrule *Miranda*, disparage it, nor extend it at this late date"). While "'*stare decisis* is not an inexorable command,'" *State Oil Co.* v. *Khan*, 522 U. S. 3, 20 (1997) (quoting *Payne* v. *Tennessee*, 501 U. S. 808, 828 (1991)), particularly when we are interpreting the Constitution, *Agostini* v. *Felton*, 521 U. S. 203, 235 (1997), "even in constitutional cases, the doctrine carries such persuasive force that we have always required a departure from precedent to be supported by some 'special justification.'" *United States* v. *International Business Machines Corp.*, 517 U. S. 843, 856 (1996) (quoting *Payne*, *supra*, at 842 (SOUTER, J., concurring) (in turn quoting *Arizona* v. *Rumsey*, 467 U. S. 203, 212 (1984))).

We do not think there is such justification for overruling *Miranda*. *Miranda* has become embedded in routine

police practice to the point where the warnings have become part of our national culture. See *Mitchell* v. *United States*, 526 U. S. 314, 331–332 (1999) (SCALIA, J., dissenting) (stating that the fact that a rule has found "'wide acceptance in the legal culture'" is "adequate reason not to overrule" it). While we have overruled our precedents when subsequent cases have undermined their doctrinal underpinnings, see, *e.g.*, *Patterson* v. *McLean Credit Union*, 491 U. S. 164, 173 (1989), we do not believe that this has happened to the *Miranda* decision. If anything, our subsequent cases have reduced the impact of the *Miranda* rule on legitimate law enforcement while reaffirming the decision's core ruling that unwarned statements may not be used as evidence in the prosecution's case in chief.

The disadvantage of the *Miranda* rule is that statements which may be by no means involuntary, made by a defendant who is aware of his "rights," may nonetheless be excluded and a guilty defendant go free as a result. But experience suggests that the totality-of-the-circumstances test which §3501 seeks to revive is more difficult than *Miranda* for law enforcement officers to conform to, and for courts to apply in a consistent manner. See, *e.g.*, *Haynes* v. *Washington*, 373 U. S., at 515 ("The line between proper and permissible police conduct and techniques and methods offensive to due process is, at best, a difficult one to draw"). The requirement that *Miranda* warnings be given does not, of course, dispense with the voluntariness inquiry. But as we said in *Berkemer* v. *McCarty*, 468 U. S. 420 (1984), "[c]ases in which a defendant can make a colorable argument that a self-incriminating statement was 'compelled' despite the fact that the law enforcement authorities adhered to the dictates of *Miranda* are rare." *Id.*, at 433, n. 20.

In sum, we conclude that *Miranda* announced a constitutional rule that Congress may not supersede legislatively. Following the rule of *stare decisis*, we decline to

overrule *Miranda* ourselves.[8] The judgment of the Court of Appeals is therefore

Reversed.

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[8]Various other contentions and suggestions have been pressed by the numerous *amici*, but because of the procedural posture of this case we do not think it appropriate to consider them. See *United Parcel Service, Inc.* v. *Mitchell*, 451 U. S. 56, 60, n. 2 (1981); *Bell* v. *Wolfish*, 441 U. S. 520, 531–532, n. 13 (1979); *Knetsch* v. *United States*, 364 U. S. 361, 370 (1960).