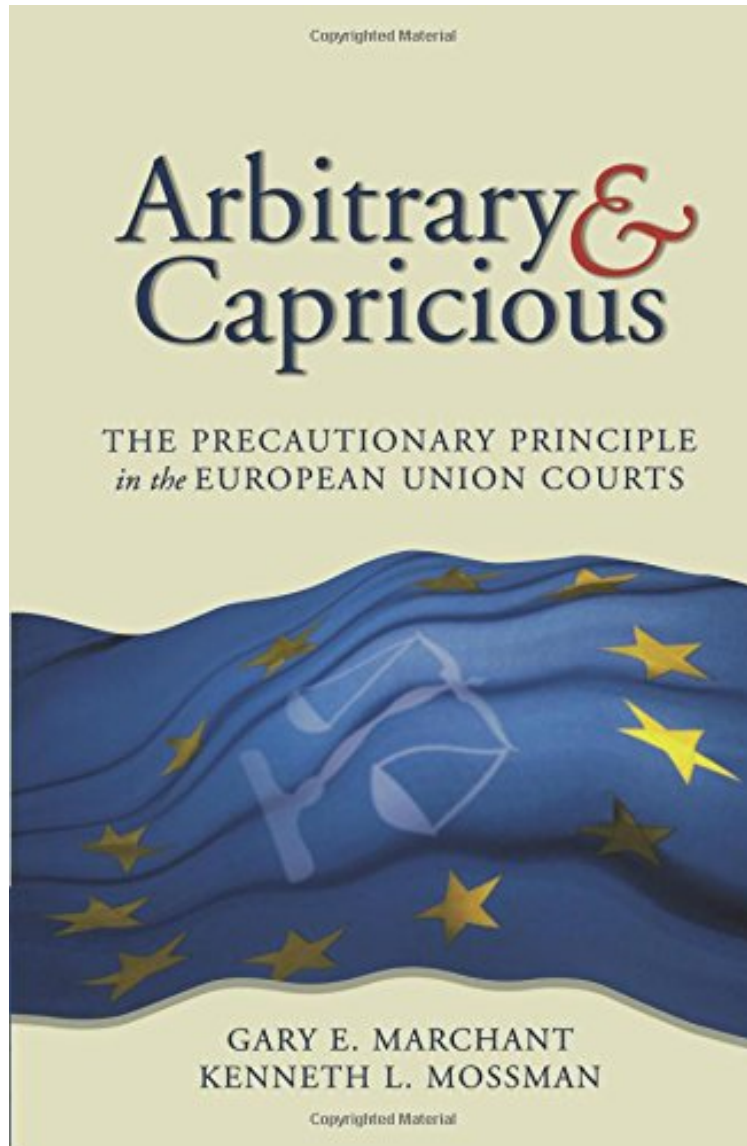


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Arbitrary and Capricious: The Precautionary Principle in the European Union Courts

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Capricious: The Precautionary Principle In The European Union Courts by Gary E. Marchant (Professor of Law, Arizona State University College of Law) and Kenneth L. Mossman (Professor of Health Physics in the School of Life Sciences, Arizona State University) reveals that in some sixty judicial decisions to date, the EU courts have failed to provide a transparent and consistent meaning and application of the precautionary principle in their legal decisions affecting international environmental, health, and safety policies over the past 25 years. An empirical analysis demonstrating the EU court's arbitrary and reasonable judicial behavior as evidenced in their rulings, *Arbitrary Capricious* should be mandatory reading in every International Studies course, every Free Trade policy discussion seminar's supplemental studies list, as well as for every academician, governmental official, and agency policy maker involved with America's EU trading policies.

This study examines how the European Union has used the precautionary principle in legal decisions.

About the Author Gary E. Marchant is a professor of law at Arizona State University College of Law in Tempe, Arizona. He also serves as director of ASU's Center for the Study of Law, Science and Technology. Kenneth L. Mossman is a professor of health physics in the School of Life Sciences at Arizona State University in Tempe, where he has also served as assistant vice president for research.