Abstract
Every year, lawmakers and agency regulators, with the input of industry experts and scientists, make hundreds of decisions about how to regulate conduct and allocate resources to address various types of risks that threaten the well-being of American citizens. In fact, managing and minimizing risk is one of the most important tasks of today's policy makers. In spite of this fact, policy makers often take action without their systematically considering the preferences of the very people whose welfare is at stake. There are several reasons for this. The dominance of traditional risk analysis, with its emphasis on statistics and cost-benefit analysis, has influenced policy makers to downplay the role of values and subjectivity in risk management. The result has been that risk decisions have been based upon the erroneous assumption that empirical data and mathematical calculations alone are adequate bases for risk decisions. Rarely do decision makers acknowledge that ex ante consideration of public sentiment is valuable. In fact, a number of scholars have argued that because individuals become emotional about potential harms, scientific experts should make all risk decisions without any public involvement at all. A consequence of the focus on traditional risk analysis is that no one has developed a comprehensive model of public risk perception. Existing theoretical perspectives and methodologies have not offered a comprehensive model, and each suffers from a limitation of one kind or another. This Article argues that lawmakers cannot adequately manage risks without understanding how members of the public view and react to these risks. In an effort to provide specific guidance for future risk decisions, the Article synthesizes past risk perception research and theory in order to offer a comprehensive risk perception model. This model should serve as a tool for risk managers and policy makers and as a catalyst for future normative risk management debate.
Likewise, the 2010 Review Conference of the NPT noted “the catastrophic humanitarian consequences of any use of nuclear weapons” and reaffirmed “the need for all States at all times to comply with applicable international law, including international humanitarian law”. This language was significant for two main reasons. First, although humanitarian consequences are referred to in the NPT’s. This is the logic of the Precautionary Principle. See C. Sunstein, “Irreversible and catastrophic”. Cornell Law Review, vol. 91, no. 4, 2006. N. Bostrom, “Existential risk prevention as global prio