

BOOK REVIEW

Catastrophe: Law, Politics, and the Humanitarian Impulse by Austin Sarat and Javier Lezaun (Eds.), 2009. Amherst: University of Massachusetts Press.

Gabriel R. Burns

Hazard Reduction & Recovery Center
Texas A&M University

Email: gburns@neo.tamu.edu

Austin Sarat and Javier Lezan's edited book, *Catastrophe: Law, Politics, and the Humanitarian Impulse* is a continuation of an earlier edited book on law, jurisprudence, and social thought entitled *Law and Catastrophe* (Sarat, Douglas and Umphrey 2007). This book shifts the topic from the argument over catastrophe's relationship between divine and liberal legality to the legal, political, and humanitarian challenges and opportunities that arise in post-catastrophic events. Specifically, Sarat and Lezan view catastrophes as series of tests that probe the weaknesses of laws and legal systems as well as demonstrate the law's "capacity to mitigate or reduce human suffering" (pg.1). The contributing authors attempt to support this argument through exploring historical and current political processes that reveal vulnerabilities within the legal system as it responds to catastrophic events. The supporting evidence within each chapter is meant to support Sarat and Lezan's central theme, which is to examine and rethink how catastrophic events affect underlying principles in politics, humanitarianism, and the law. Given the nature of the topic and background of each of the contributing authors, the audience for this volume consists of students studying law and political sociology and welfare. In addition, the book's title and the opening argument by Sarat and Lezan that society currently exists in an "age of catastrophe" also suggest an audience comprising specialists in hazard and disaster studies.

The first chapter presents a broad definition of *catastrophe* and the literature explaining the use and understanding of the term within political discourse. Peter Schuck attempts to explain the nature of a catastrophe through generalizations of disaster theories and use of generic labels—thereby demonstrating a law-based understanding of catastrophe rather than its use in disaster research over the past 50 years. However, Schuck's explanation of catastrophe is most useful in conveying the various perceptions of the term and explaining differences between disaster science and its translation into policy. Toward the end of the chapter there is a discussion of how the competing perceptions, knowledge, norms, and value structures of law, science, and religion relate to attitudes and understanding of catastrophic events. These law, science, and religion value-based areas of catastrophe discourse are shown to have direct impacts on policy creation. Schuck argues that the ebb and flow of attitudes and the varying knowledge exchanges across these three areas are tied to the ways in which science is interpreted by the law and vice

versa. These interpretations are crucial for implementing policies to counteract the impacts of a catastrophic event.

In Chapter 2, Michele Dauber argues that the topic of disasters in American politics is the real third rail of politics—a metaphor to describe a controversial topic that has the potential for a politician’s undoing. However, as Dauber notes, this third rail goes both ways in that disasters can be politically dangerous if extreme events go unaddressed but they can also be powerful sources of political leverage. The chapter analyzes this disaster rail duality through historical accounts of President Herbert Hoover’s political failures in the wake of the Great Depression and the rise of rival Franklin D. Roosevelt’s push for the welfare state program known later as the New Deal. The main component of Dauber’s third rail argument is the political characterization of disaster victims as blameless. This point is still relevant in current political approaches to disaster, as shown in the rationale for playing up the role of New Orleans residents as victims of Hurricane Katarina. As Dauber concludes, the political logic of disaster relief is dependent on the “victims’” ability to demonstrate innocence in the aftermath of a disaster event even if they are—at least in part—victims of their own choices.

Dauber’s conclusions in Chapter 2 serve as a transition to chapters by Susan Sterett and Thomas Birkland that discuss the social and political impacts of Hurricane Katrina. Sterett’s Chapter 3 begins with some strong questions about the role government played in executing policies associated with the distribution of aid after Hurricane Katrina. Specifically, she wants the reader to question why the majority of aid recipients were low-income African Americans who were given aid only after Hurricane Katrina even though they were already living in a distressed welfare state that received no aid. Sterett focuses on a political context of state transitions from a catastrophic state to a welfare state. However, throughout her arguments and the supporting literature review, Sterett uses language that will not be well defined to the typical IJMED reader, especially one that is not fluent in the government/state existence discourse. This pressure generated by Katrina’s impacts encouraged the governing body to act in disaggregated fashion where common policy-making no longer worked to settle social stresses. The governing body was unable to protect its notion of a social state and this, in turn, caused the various agencies within the state to work at odds with each other. This resulted in the governing body morphing into a perpetual welfare system that undertook to provide aid indefinitely even after recovery from Hurricane Katrina had theoretically been achieved.

In Chapter 4, Birkland brings the reader back on track in a strong chapter dealing with the importance of principles of emergency management and how they are ignored in government policies. If anything, this chapter is the most comprehensive and important for any reader attempting to relate hazard/disaster theory to law and government. Birkland redirects attention to the social and physical sciences associated with the past 50 years of disaster studies. Furthermore, he clarifies the variety of myths associated with the *catastrophic state* and the unfortunate movement of emergency management away from environmental threats to protection from purposive threats such as terrorism. This lays the foundation for understanding the true catastrophe of Hurricane Katrina as the lack of awareness at the state level of the vast amount of

academic research and case studies showing the social, structural, and political vulnerabilities of New Orleans. Birkland argues that lessons learned from 9/11 foreshadowed how to handle the reestablishment of the courts in a catastrophic event. None of this knowledge was transferred to Louisiana, where the state was unable to revive its court system let alone retrieve records that were stored in flood-prone areas and not evacuated prior to Katarina's landfall. In the end Birkland calls for more integrative research of judicial vulnerability that includes a regional and local perspective on disaster planning and management.

Chapter 5 is a thought-provoking chapter from which most students, instructors, and policy makers are likely to benefit. Kim Fortun presents a powerful narrative detailing the effects that information has had on past disasters and could have in future events. She argues that *Right-to-Know* initiatives have given the public access to a larger picture of how companies are operating in their communities. Specially, Fortun followed the story of Diane Wilson—a resident of Calhoun County, Texas—who opened her local newspaper to discover that her county was one of the most polluted in the United States. Given her location and her business relationship with fishermen, Wilson sought more information from the local companies and governing agencies where she often found discrepancies or hidden information that was detrimental to her county, family, and livelihood. Fortun also relates links between chemical incidents such as the Bhopal incident in 1984 and the Union Carbide incident in Seadrift, Texas in 1991. However, this well written narrative overpowers any type of sound political argument. The anecdotal nature of her main argument about the lack of information that companies or governing bodies can provide to citizens is too generalized. Her final argument about the critical connection of information to the development of protective actions by the public is not backed up with reference to the scholarly literature on disasters or the legal system.

The last chapter, by Peter Redfield and Edward Rackley, is an attempt to provide a more globalized interpretation of catastrophe by examining the impacts of policy during and after a crisis. Redfield and Rackley want the reader to question how a policy implemented by a humanitarian agency during a crisis state would impact the community after a catastrophic event. They argue it can be not only difficult to identify the end of crisis but also to identify the actions that humanitarian organizations should take to move forward after a crisis without inadvertently creating a larger crisis state. The example they use is the program that *Doctors without Borders* implemented to help former child-soldiers in Uganda and the Democratic Republic of Congo, as well as the policies enacted to aid in state recovery. It is a chilling chapter that describes the horrors of physical and psychological abuse during a state of conflict. Redfield and Rackley suggest that humanitarian aid in the aftermath of armed conflict may encourage unwanted behavior particularly when the population suffers from poverty, illness, and the mental anguish of a post-conflict landscape. They particularly focus on the mental anguish resulting from the use of child-soldiers and the impacts of this practice on the rest of the society. Redfield and Rackley imply that the policies of humanitarian aid groups such as *Doctors Without Borders* only deal with the surface scarring and not the long-range problems that may only be revealed later.

In the end, this edited book did not live up to the original promise suggested by Sarat and Lezan that we are currently in an “age of catastrophe.” Though some of the chapter topics include a hazardous event, they do not suggest in any way that their severity was catastrophic as the term is used in disaster research (see for example Quarantelli 1998). What readers should understand, as correctly argued by Sarat and Lezan, is that policy that is created, but not properly implemented in relation to catastrophic events, may be the real catastrophe. Often books that have not engaged disaster literature in detail overlook the simple fact that human actions are involved in the generation of catastrophic events. Certainly, the chapter by Birkland makes that very clear and also gives this book a legitimate reason to belong on the bookshelf of any hazard/disaster researchers or political scientists interested in the topic.