

Disasters and State of Exception: Tacloban, Yolanda, and the Political Thought of Giorgio Agamben¹

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Abstract

This paper applies and extends Giorgio Agamben's concept of state of exception—the suspension of Law that makes the Sovereign more powerful and exposes its citizens to greater harm—to the social and political condition that obtained after the supertyphoon Yolanda devastated Tacloban. It argues that the people of Tacloban were subjected to a state of exception that featured two phenomena: (1) the inability of the national government to respond immediately to the horrendous damage created by the supertyphoon, and (2) the sending of police and military forces to stop crime, looting, and robbery, and to impose peace and order in Tacloban. We argue that Agamben's political analysis is very apposite in bringing out the argument that the state of exception, normally an act by a sovereign government, could also result from its sheer ineptitude in carrying out rescue and relief operations in the aftermath of the devastation. In short, disaster analysis should be linked with the inability of the state to protect the welfare of the victims and survivors of disasters.

Introduction: The State of Exception

GIORGIO AGAMBEN IS AN ITALIAN contemporary philosopher well-versed in radical political philosophy and the philosophy of human rights. Born in Rome in 1942, he was educated at the University of

Rome, where he studied law and philosophy and wrote his dissertation on the political thought of Simone Weil. Giorgio Agamben became famous after publishing his *Homo Sacer* (1998) and *State of Exception* (2005). Today, he is also considered as one of the leading philosophers on human rights (Peters 2014). Myriad papers and books have explored the implications and applications of Agamben's philosophy in politics, literature, law, and the arts (Prozorov 2014; Clemens, Heron, and Murray 2008; Ross 2008).

But what does Agamben have to do with natural disasters?

Currently, the discussion on the politico-philosophical nature of natural disasters in the mainstream social sciences is dominated by concepts of risk (Bankoff 2002), vulnerabilities (Cannon 2000), and resiliency (Buckle, Mars, and Smale 2000). Functionalism, combined with the social system and natural hazard model, is also prevalent (Tierney, Lindell, and Perry 2001, 10). This literature (Bankoff, Frerks, and Hilhorst 2004) also gives little attention to the modality of state power in relation to the impact and management of disasters.

Agamben's analysis of the state of exception goes beyond the traditional analysis of government management of disasters, which focuses mainly on mitigation and prevention thereof (Cannon 2000). Appropriating Agamben's analysis might shed considerable light on how the government itself can aggravate the effects of disaster by withdrawing, through neglect, inefficiency, and ineptitude, its sovereign protection of disaster victims. It is also not just a matter of looking at the economic and social causes of disasters (Wisner et. al. 2004). And neither is it merely a question of human rights violations of the victims of disasters, as in the case of "disaster capitalism" (Klein 2007). Agamben also challenges the grounding the human-rights-based critique of the state, a critique which can be extended to its response to disaster. His ingenious analysis of the state of exception provides an appropriate framework to analyze the nexus between human rights and government management of disasters, a link which is undertheorized in disaster literature.

This paper addresses these lacunae by deploying Giorgio Agamben's controversial notion of "state of exception." Originally applied to the biopolitics of regulating populations for the sake of state security, Agamben's state of exception can be fruitfully extended to cover situations after a massive natural disaster. Agamben's fresh analysis of state power stirred a lot of controversies because he claims that power does not only reside in exercising it, but more effectively, in not exercising it. In *Homo Sacer* (1998) Agamben explains this power through abandonment. "[T]he rule, suspending itself, gives rise to the exception' – that is, the juridical order, suspending its own validity, produces the exception of bare life – 'and, maintaining itself in relation to the exception, first constitutes itself as a rule" (18). That is, by suspending the rule and creating a state of exception, the Sovereign still exercises its power effectively.

Following Agamben, this paper shows that the state may create and contribute to such a state of exception because of its inability to protect its citizens and immediately restore order in the aftermath of a great disaster. This incapacity in turn precipitates and exacerbates a condition of lawlessness and social breakdown, wherein the state withdraws its protection of the disaster victims by allowing social disorder to continue. Furthermore, this inability, along with the state of exception, creates the *homo sacer*, an individual who has been abandoned by the law and subject to lawlessness.

Methodology

This paper will focus on the supertyphoon Yolanda (international name Haiyan) and its immediate impact on Tacloban. We chose Yolanda because it is considered to be the "strongest and deadliest storm that ever hit land" (United Nations n.d.). The scale of its devastation remains unparalleled in Philippine history (Mangosing 2013).

The data for the Yolanda disaster included in the current study are based primarily on archival research: official reports from government agencies, newspapers, online news, commentaries, online videos, and blogs.

Our archival research primarily zeroed in on available news several days prior to and after the landfall of the supertyphoon. Furthermore, one of the authors spent several months in Tacloban to verify the reports and to validate the data by interviewing some survivors and the local government personnel responsible for the relief operations. Also, he spoke with the organizers of People's Surge (now Alliance for Disasters Survivors in the Philippines). If there were discrepancies, we relied on official statistics while noting their inadequacy, if any. We did not assume that official statistics disclosed the facts as they are. Statistics do not speak. They must be made meaningful within a framework.

Zoe and Bios: The Biopolitical Foundations of State of Exception

To understand the state of exception, one has to plumb the depths of Agamben's reworking of Foucault's notion of biopolitics, which was developed in a series of books on the topic. Unlike Foucault, who locates the birth of biopolitics in the development of the modern rationality of government, Agamben traces it to the ancient Greek polis. In his book, *Homo Sacer* (1998), he describes the difference between two Greek notions of life, *zoe* and *bios*. Building on Aristotle, Agamben writes of "*zoe*, which expressed the simple fact of living common to all living beings (animals, men, or gods), and *bios*, which indicated the form or way of living proper to an individual or a group" (1998, 1). The latter pertains to the dignified life, a life of worthy rights and privileges in the community.² For Agamben, political life, *bios*, entails having the rights and privileges of a citizen (1998, 132). This is a complex notion, but what is germane to our discussion is the question of who decides who has bare life. How does life become naked or bare? Who produces or declares this kind of life? What is the life of being excluded, naked, and bare in the biopolitical atmosphere, as proposed by Agamben?

In and Out of the Law: The Sovereign and the State of Exception

Agamben grounds his answers to these questions in his analysis of the sovereign, which he develops from the political theory of the German conservative political theologian, Carl Schmitt. The sovereign, for Schmitt, “decides on the state of exception—he has the legal power to suspend the validity of the law” (1998, 17). The paradoxical formulation of Carl Schmitt of the concept of sovereign explicitly explains that the sovereign, who can, within the juridical order, suspend the validity of the law—also stands outside that order. “..the sovereign stands outside of the normally valid juridical order, and yet belongs to it, for it is he who is responsible for deciding whether the constitution can be suspended *in toto* (2005, 35).

Both inside and outside of the juridical order, the sovereign’s power comprises a paradox that lies at the heart of the state of exception, which, for Agamben, also pertains to “the preliminary condition for any definition of the relation that binds and at the same time abandons the living being to law” (2005, 1). Essentially, the state of exception refers to a condition where lawlessness is legalized (Humphreys 2006).

In the state of exception, where the Law is suspended, an individual falls both inside and outside it. On the one hand, by suspending the Law under a state of exception, the sovereign abandons its citizens, depriving them of every right and privilege (*bios*) within the normal juridical order and reducing them to *zoe*. Under a state of exception, the Sovereign ceases to protect, promote, and safeguard the rights of citizens (*bios*). On the other hand, the suspension of the Law and lawlessness are invoked whenever the state is faced with imminent danger, or whenever internal or external security is threatened (Humphreys 2006, 678). The state of exception is proclaimed or declared to prevent chaos in the community. By virtue of the Law, it is invoked to safeguard public order and to defend the constitution and the nation from any form of danger.

***Homo Sacer*, Bare Life, and the Concentration Camp**

For Agamben, life that is never separated from its form or from its essence and importance is human life, i.e., a life which enjoys the happiness, rights and privileges of a human being, whose value is based on its political existence (Agamben 2009, 4). Human beings enjoy the political value of happiness and enjoyment, which can be withdrawn and suspended.

Accordingly, under the state of exception, “we witness the appearance of the *homo sacer*” (Downey 2009, 111), the victim of the *biopolitical* sphere which has been excluded, abandoned, banned, and exposed to misery and even death. The *homo sacer* is not human. *Sacer* (Latin: holy), however, does not designate any religious sense or a liturgical meaning; rather, it “further defines the moment of being set apart and thereafter takes on the hue of accursedness and abandonment” (Downey 2009, 111).

As the product of and under the state of exception, the *homo sacer* does not simply lie outside of the jurisdiction of the state and the law; in extreme situations, he has been abandoned by both. The *homo sacer* is banned from and does not belong to any geographical location; he is not only an outsider and an alien, but also a “nobody.” He is exposed and threatened; anybody can harm him, a situation where life and death are inseparable. The banning of the *homo sacer* is reflected in the Roman law that says, “*exbannitus ad mortem de sua civitate debet haberi pro mortuo*, which is translated as “whoever is banned from his city on pain of death must be considered as dead” (Agamben 1998, 105).

To exemplify the *homo sacer* and the state of exception, Agamben posits the Nazi concentration camp as the locus of the modern *homo sacer* (Overboe 2007, 220). “The camp is the place in which the most absolute *condition inhumana* (inhuman condition) ever to appear on earth” (Agamben 2009, 37). It is a “space in which the law is completely suspended—that everything is truly possible in them” (40).

When the law or the rule has been suspended by the sovereign under the state of exception, the outcast, the *homines sacrii* (Plural of *homo sacer*) are imprisoned in the concentration camp, where grief, loneliness, misery, and death abound. They can be killed by anyone at any time without being considered homicide or murder. The lives of the *homines sacrii* (plural of *homo sacer*) are situated.

...in as much as its inhabitants have been stripped of every political status and reduced completely to naked life, the camp is also the most absolute *biopolitical* sphere that has ever been realized – a space in which power confronts nothing other than pure biological life without any mediation. (Agamben 2009, 41)

In the biopolitical sphere, the *homo sacer* becomes an individual whose rights become insignificant and void. In life under the state of exception, his political value disappears and ceases to be relevant.

Yolanda and the State of Exception

This paper contends that Tacloban City in the wake of Typhoon Yolanda can be discussed and represented as a state of exception, where the law was suspended and citizens' rights were abandoned. However, this application has to be qualified somewhat; there are two aspects underlying the concept's application. First, Tacloban exemplified a state of exception because the Philippine government dismally and spectacularly failed to protect its citizens and address their needs immediately in the aftermath of the typhoon, abandoning them to fend for themselves. At first glance, this is a departure from Agamben's definition of the state of exception, which is created by a sovereign authority that in turn declares it to keep the citizens safe from the dangers of war and conquest. Although state of exception is invoked by the sovereign, in the case of Yolanda, the state of exception arose from government negligence and its inability and inefficiency to protect the citizens of Tacloban. This incapacity in turn exacerbated the damage wrought by the typhoon. The suspension and

negation of the Law resulted in and was part of the complete breakdown of social order, which was intensified by the state's lack of response.

In his discussion of the state of exception, Agamben did not include the decisive impacts of a disaster. In the case of Yolanda, a natural disaster took the place of war, famine, and anarchy. At any rate, even though the application of Agamben's thought departs somewhat from his original formulation, it is still based on his political writings. He had written that state power lies not just in the fact of exercising it, but also in not doing so (1998, 167). In this sense, the act of not protecting or failing to respond to the needs of Tacloban's citizens is still an act of state, a non- or indecision or neglect that created a state of exception in the city.

The second aspect of Tacloban as a state of exception is exemplified when the national government declared a state of emergency; it swiftly sent in police and military to stop crime, halt the looting, and restore order in the city. This aspect hews more closely to Agamben's standard definition of the state of exception, which is invoked by a sovereign in times of calamities, catastrophes, and in the name of peace and order.

Preparing for the Coming Disaster

Considered to be the "strongest and deadliest storm that ever hit land," Super typhoon Yolanda, with maximum winds of 235 kph and gusts of up to 275 kph, made its strongest impact on the Philippine archipelago on 8 November 2013 (Koo 2013). According to the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), Haiyan was equivalent to a Category 5 typhoon, the most powerful category and one that is comparable to a hurricane. It made landfall on six remote areas of Eastern, Central, and Western Visayas.

On the eve of Yolanda's arrival, 7 November 2013, the Philippine President, Benigno S. Aquino III, spoke on national television to present the latest data on the typhoon and its possible impact. The optimistic president hoped that the country would be safe, and even claimed "zero-

casualties.” In his live televised speech, the President said, “Let us do everything we can while Yolanda has not yet arrived. Let me repeat myself: this is a very real danger, and we can mitigate and lessen its effects if we use the information available to prepare” (Aquino 2013). He assured the nation thus:

Our three C130’s are fully mission capable and can respond when needed. Also on standby are 32 planes and helicopters from our Air Force. The Navy has also positioned 20 vessels in Cebu, Bicol, Cavite, and Zamboanga. Relief goods have been prepositioned in the areas we expect to be affected; to those who have not yet been able to reach because it has been damaged too dangerous for ships to go out to sea, rest assured that help will arrive as soon as the storm passes. (Aquino 2013)

As early as 6 November, two days before the typhoon hit Tacloban, the national government released PhP 195 million (NDRRMC 2013) of prepositioned emergency relief funds to be used by the national and local government in order to sustain the immediate needs of the people after the typhoon. This amount covered standby funds, family food packs, and other relief items. Moreover, the Department of Social Welfare and Development readied 83,203 family food packs that would be distributed in the evacuation centers across different localities (NDRRMC 2013; see also Ubac 2013a).

The national government and local government were guided by Republic Act No. 10121, also known as the Philippine Disaster Risk Reduction and Management Act of 2010. Section 2, “Declaration of Policy” states that

It is the policy of the State to protect the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. The State shall continue the policy to create, develop, maintain and improve conditions under which man and nature can thrive in productive and enjoyable harmony with each other. Towards

this end, all government agencies are mandated to institute measures to ensure the safety of its citizens and their properties through the installation of data and information gathering devices and the network of national and local authorities to disseminate risk reduction warning and advice.

As the Tacloban city government expected to be the first to experience the wrath of the biggest storm to ever hit land, preparations were on the highest level. Every matter was considered: livelihood, evacuation, relief goods distribution, and the like. Mayor Alfred Romualdez supervised and checked all evacuation centers and relief centers in the city. Weather forecasters described Yolanda to be “almost the size of the Visayas... [and] could generate waves of up to 7 meters in coastal waters along its path” (Andrade and Ubac 2013). In this regard, the local government of Tacloban evacuated “177 families from 12 coastal barangays, who were brought to San Jose Elementary School, to Eastern Visayas State University, to the Tacloban Convention Center, and to 54 public schools in the city...” (Philippine Daily Inquirer 2013b). However, these evacuation centers proved to be unsafe from the storm surge.

The whole nation was seemingly prepared for the coming of the supertyphoon, which was expected to hit land at around 5 a.m. No one imagined how such a monstrous typhoon could affect the people of Tacloban until it finally ravaged the city from 6 a.m. to 12 noon (Ubac and Dizon 2013).

Amidst a Super Typhoon: A Struggle for Life against Death

And in a minute, we were mired in a blinding white fog that swirled and boomeranged all over the house in concert with the cawed cries of people as if they were only directed at our home, filling the first floor with an unharmonious chorale that rung in my ear. (Mullis 2014, 8)

Yolanda first made landfall in Guiuan, Eastern Samar, a town near the city of Tacloban. Only the Cancabato Bay separates them. The second landfall was in Tolosa, Leyte, an hour's ride from Tacloban City. For six hours, Tacloban was enveloped by sea water from both Cancabato Bay in the West and the Pacific Ocean in the East. Tsunami-like waves inundated residential areas. Farms, infrastructure, houses, properties that had been cared for for years, relationships, and lives disappeared into the Pacific (Yap 2013).

The Abandoned Land

For the first time, the enormity of the tragedy began to sink on me. The entire landscape was almost an exact duplicate of the infamous Hiroshima picture of a lone belfry standing amidst the backdrop of the deserted ruins of the city during the Second World War, where the ghosts of its past had never ceased to haunt the undoing of the future. (Mulle 2013, 31)

In just a couple of hours after the typhoon hit Tacloban, everything fell into ruins: communication lines were cut off, trees fell, roofs were pulled off by the wind, and houses tumbled down and washed out. The 265-kph winds flattened the city. According to the United States Congressional Research Service, “between two-thirds and 90% of structures were heavily damaged and destroyed, including medical facilities” (Lun and Margesson 2014, 1). Yolanda produced a catastrophic and unbelievable level of destruction in one of the poorest provinces in the Philippines.

After the storm, the survivors began to see dead bodies along the roads and under the debris. Other accounts would reveal that some “corpses hung from trees, were scattered on sidewalks or buried in flattened buildings, some by the typhoon that washed away homes and buildings with powerful winds and giant waves” (Esguerra, Ramos, and Dizon 2013).

According to the *Official Gazette of the Philippines*, the official number of deceased was 6,193; about 28,689 individuals were injured, and 1,061 individuals were still missing as of March 2014 (DRRMC 2014). The officials responsible for the rescue operations stopped counting casualties last March 2014, though decayed bodies were still found in some areas in Tacloban before the first anniversary of the supertyphoon.⁴ By then, among the estimated 221,174 individuals (NSO 2010) living in the city of Tacloban, almost half were still recovering from the devastation. Others had no permanent shelter to live in and no permanent livelihood to sustain families of five to eight members. Most importantly, many had not yet recuperated from the emotional, physical, and mental nightmare of the previous year.

Prepared but Incompetent

A night before the typhoon made its first landfall in Guian in the province of Samar, President Aquino addressed the whole country, assuring the Filipino people, especially the people in the Visayas, that all resources were prepositioned and the agencies of government were well-prepared and “help will arrive as soon as the storm passes” (Aquino 2013). Unfortunately, after the six-hour wrath of Yolanda that devastated Tacloban, the much-needed food and rescue did not arrive immediately. The first responders, the local government units, were also rendered impotent by the horrible devastation.

Three eyewitnesses lamented, “Three days after Yolanda, the strongest storm on record, roared across the Visayas, government officials still did not know the extent of the damage and devastation, with some in Manila questioning five-figure local estimates” (Esguerra, Ramos and Dizon 2013). Government officials, three days after the storm, still did not know where to start and to distribute relief assistance among the people. International organizations in contrast had provided estimates.

And in the city of Tacloban, the hardest hit area, on Friday, November 15, a week after Super Typhoon Yolanda ravaged central Philippines,

the Palace admitted it was still working to get aid to all affected areas. At least 10 of Leyte's 40 towns were still not reached because the government did not have enough trucks to deliver the goods. In Tacloban City, Leyte, the hardest hit locality, 82 out of 138 barangays have been provided with relief goods leaving 56 still scrambling for basic needs. (Gutierrez 2015)

Local government units are decisive in any post-disaster response (Loebach and Stewart 2015; Haas 1978; Delfin and Gaillard 2008). But the prepositioned relief goods, medical assistance, and police and military forces were nowhere to be seen in the aftermath until Sunday morning, 10 November, two days after the storm.

The arrival of urgent assistance proved very slow. The national government wasted a day or more—around 39 hours after the storm passed, and did not fulfil its most urgent task: responding quickly to the needs of the people of Tacloban (Ramos and Esguerra 2013). While other nations and countries had begun pouring in resources to help the victims soon after the storm, the national government was nowhere in sight, doing blame games, instead of manning up to the task at hand (Quismundo and Montecillo 2013).

President Benigno Aquino III visited Tacloban City by the 3rd day and on Monday, declared a state of national calamity. Despite the declaration, however, and the Cabinet Secretaries on the ground, international news agencies questioned why there was not an organized, large-scale relief distribution effort even on the 5th day since the storm. By the 6th day, the Palace announced Aquino himself would be directly in charge of relief operations. He is expected to fly to Leyte to oversee aid distribution and cadaver recovery on Sunday, November 17. (Gutierrez 2015)

The Philippine government saw the need to declare a state of calamity after three days, showing just how much they were not able to monitor and get a clearer picture of what was happening because of their

incompetence, ineptitude, and even because of the political conflict between the two family dynasties, the Aquinos and Romualdez. Nonetheless, the President visited Tacloban on the third day when looting, ransacking, jail breaks, and the breakdown of law were already under way. The President and his actions and plans proved too late. The President should have ordered an immediate rescue and relief operation for Tacloban as soon as the storm and the wind died down, as he had promised the night before the storm's landfall.

State of Exception: Abandonment

Considering that the Philippines is visited by an “average of 20 typhoons or tropical storms each year, which kills hundreds and sometimes thousands of people” (Mangosing 2013), the state should have learned from past typhoons, especially the recent ones like Sendong and Pablo, and should have spent more efforts and funds to lessen the destruction. In section 2, (d) of ***“Philippine Disaster Risk Reduction and Management Act of 2010***, the state is mandated to

Adopt a disaster risk reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and environmental impacts of disasters including climate change, and promote the involvement and participation of all sectors and all stakeholders concerned, at all levels, especially the local community;

Further, it mandates the state to

Recognize the local risk patterns across the country and strengthen the capacity of LGUs for disaster risk reduction and management through decentralized powers, responsibilities, and resources at the regional and local levels;

and

Recognize and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters;

Section 3 also states that

The Department of Science and Technology (DOST) shall, in coordination with the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), the Philippine Institute of Volcanology and Seismology (PHIVOLCS) and the National Disaster Risk Reduction and Management Council (NDRRMC), provide a list of all government risk reduction and preparedness equipment, accessories and other vital facility items such as, but not limited to, radars, weather forecasting equipment, flood monitoring instruments, seismographs, tsunami warning systems and automated weather systems.

The State has all the means and transportation, as declared by the President, to reach out to far-flung areas—air drops as well as prepositioned vessels who could deliver relief goods. But in spite of the hyped-up preparations, there was a very slow movement and response on the part of the national government. While officials of the Philippine government were playing the blame game, delaying things further, different countries took greater initiatives to help the victims and survivors. If other nations and countries and international organizations could cooperate and collaborate among themselves, why could not the Philippine government (Esguerra and Avendaño 2013)?⁵

State of Exception: The Abandonment of Victims by the State

“It was as huge a breakdown in peace and order as you’d see in war, famine, or a zombie movie. It’s the face of desperation. It’s the face of chaos. It’s the face of a catastrophe beyond belief” (de Quiros 2013a,

2013b). Aristone Balute's granddaughter, a survivor, said, "There is no help coming in. They know this is a tragedy. They know our needs are urgent. Where is the shelter? We are confused. We don't know who is in charge" (Dizon et.al. 2013).⁶ Jenny Chu, a medical student in Leyte, said, "Everything is gone. Our house is like a skeleton and we are running out of food and water. We are looking for food everywhere. Even the delivery vans were looted. People are walking like zombies looking for food. It's like a movie" (Piggot 2013).

In the aftermath of the super typhoon, the Law, which primarily binds and protects citizens, became a juridical norm that abandoned them. The state's incompetence and ineptitude are reflected in Agamben's definition of the state of exception, which is invoked by the sovereign that then withholds from its citizens protection of the law (Mulle 2014, 42). In the words of Agamben (1998, 59), the national government represented "the sovereignty who is law beyond the law to which we [the victims] are abandoned."

Lawlessness: Suspension of the Law and Homo Sacer

To recall the discussion above, the state of exception results not only from the direct command of the sovereign but also from its inability to intervene after a natural disaster. The Law in Tacloban was not suspended by the sovereign to protect the citizens from the imminent danger of the typhoon, but by the destruction of the typhoon and the government's ineptitude that produced and exacerbated the breakdown of social order.

The 983-strong Philippine National Police force in the Eastern Visayas Regional Office based in Palo, Leyte, was nearly decimated. Only 34 showed up for duty; the rest were declared missing, although their names were not included on the NDRRMC's official list thereof (Pazzibugan 2013). The national government could have swiftly dispatched rescue operations, but failed to do so. As a result, "the absence of authority to reimpose order, issue directions, and organize relief deepened the sense

of desperation and led it to anarchy” (Philippine Daily Inquirer 2013a). In the aftermath of the devastation, when the Law was suspended, Tacloban was bereft of the Sovereign’s protection.

People were desperate for food, water, and medicine. Abandoned because of the delay and lack of relief assistance, people turned into robbers and thieves who scavenged for food, medicine, and water. Their life had been turned into *zoe*, the bare life stripped of any social, religious, and political identity. In a phone interview, Rafael Mariano, the chair of *Kilusang Magbubukid ng Pilipinas* (KMP), said, “what’s happening in Leyte is not looting. It’s a clear demonstration of the people’s struggle for survival in the face of government incompetence” (Mallari 2013). And in a press briefing, Zenaida Delica Wilson of the Disaster Risk Reduction Network, said that

We’re not condoning the taking of other people’s properties, but let us understand the context. Let’s not call them thieves. We don’t know their context, their circumstances. They are hungry and desperate, which is why they are able to do things they would normally not do. (Salaverria 2013)

State of Exception, the Camp and the Policing of the *Homines Sacrii*

Amidst the chaos created by the typhoon and the inability of the government to respond emerged the homo sacer, who was reduced to the simple fact of living associated with animals and simply set outside human jurisdiction without being brought into the realm of divine law (Agamben 1998, 82). As *homines sacrii*, the banned, the people were no longer protected by the Law, yet were still subject to the Sovereign’s absolute power. Indeed, for Agamben, “the state of exception is a kind of exclusion” (1998, 17). Thus excluded, the survivors became part of the biopolitical sphere and the zone of indistinction, where life ceases to be politically relevant, becomes only sacred life, and can as such be eliminated without punishment” (Agamben 1998, 139). “The very body of the homo sacer

is a living pledge to his subjection to a power of death” (99). Indeed, after Yolanda, the people of Tacloban “constitute[d] the originary exception in which human life is included in the political order in being exposed to an unconditional capacity to be killed” (85).

With Tacloban under a state of exception, the people as *homines sacrii* resorted to looting and ransacking. “Tacloban is totally destroyed. Some people are losing their minds from hunger or from losing their families. People are becoming violent. They are looting business establishments, the malls, just to find food, rice and milk.... I am afraid that in one week, people will be killing from hunger,” school teacher Andrew Pomedá said (Piggott 2013). A sociologist (Cupin 2013) explains the looting and lawlessness. “In a crowd where there are no clear rules, then you’ll do anything because nobody’s telling you you’re not supposed to do that.” With no law enforcement, some survivors were reportedly roaming the streets with guns to attack convoys carrying aid (Piggott 2013).

In response, the state exacerbated matters by declaring a state of calamity, a condition that (formally) suspended the law and justified massive deployment of police and military troops, including Special Forces backed by armoured personnel carriers (Yap and Dizon 2013; Ramos 2013). This was done to normalize the situation and bring the *homines sacrii* to order by using perimeter fences and surveillance systems. As we have seen, for Agamben, the state of exception is proclaimed to maintain peace and order when there is a threat of war and conflict. It is “..ultimately proclaimed for reasons of public order – that is to suppress the robberies and looting provoked by the disaster” (2005, 17).

As such, the *homines sacrii* were forcibly interned a huge camp, where they could be regulated, monitored, and executed if they resisted the police. Subjected to the camp, the *homines sacrii* turned from victims into lawless enemies that had to be controlled and subdued. They were not protected by law; and with inefficient and delayed delivery of services, neither did they have access to basic necessities, and their rights to immediate assistance were negated. Under Republic Act No. 10121, the government must

(p) Provide maximum care, assistance and services to individuals and families affected by disaster, implement emergency rehabilitation projects to lessen the impact of disaster, and facilitate resumption of normal social and economic activities. (Republic Act No. 10121)

Left to themselves and without the Law to protect them, the social condition led to a situation described by Thomas Hobbes as a “war of all against everyone.” This was the condition that prompted the government to declare the state of emergency in Tacloban. Its main objective, contrary to its rhetorical trope, was not to facilitate the relief operations, but to arrest the looters. And this indeed led to arrest of 100 looters, including minors, though they were also later released because no criminal charges were filed (Gabetta 2013).

Conclusion

We hope to have shown the fruitfulness of applying Agamben’s notion of state of exception to disaster management, reduction and mitigation, specifically in the case of Yolanda. Using a notion originally applied to the Sovereign’s biopolitical regulation of its population, our analysis has shown that Agamben’s analysis of biopolitics can be applied and extended to natural disasters. People are reduced to “bare life,” not only in times of state of exception like war and rebellion, but also in the aftermath of a massive and horrendous disaster. When an enormous disaster extinguishes even the power of the first responders, a chaotic situation ensues that creates a “zone of indistinction” where laws and social order are suspended. In this case, the response of the state as the Sovereign (or lack or absence thereof) is decisive.

The state’s inability to mitigate the impact of disaster, and its weakness to exercise its positive power created a power vacuum that turned people into “walking dead” bereft of human rights and political protection. We have argued that this was the case in Tacloban. The national government, instead of fulfilling its mandate to protect the welfare and rights of the

people, proved inefficient in responding to the situation. Instead of controlling it, the state only created and intensified the state of exception by converting all survivors as *homo sacer*, which then became the targets of police power.

The current study contributes to the growing literature on disasters by expanding its transdisciplinary scope to include political and philosophical theories. It will be a welcome development if future studies and research on disasters can explore the implications of Agamben's biopolitical theory for disaster management, relief operations, and rehabilitation. In a country that is visited on average by eight or nine tropical storms per year, and with death tolls averaging 1,000 to 2,000 per storm (Brown 2013), developing a critical analysis of disaster in relation to the state is a condition *sine qua non* for making the state accountable to its population.

Notes

- ¹ We would like to dedicate this article to all the victims and survivors of Yolanda, especially the people of Tacloban. Jed Martin Zabala Tingson is from Tacloban City. Gerry M. Lanuza was responsible for providing residence halls, through the Office of Student Housing, to accommodate the students from University of the Philippines, Tacloban who transferred to UP Diliman days after the typhoon. The pains and sufferings we shared with the people and students from Tacloban inspired us to write this article.
- ² Also, Agamben described life as viewed in the classical world by saying that "simple natural life, *zoe*, is excluded from the *polis* and remains confined—as merely reproductive life – to the sphere of the *oikos*, 'home'" (Agamben 1998, 2). In other words, living animals, like human beings, whose lives are *zoe*, are excluded from society—they do not belong to the group which has its political value. Their lives are only meant for reproduction, and are limited only to the household; to that extent, they are not even allowed to participate in the activities in the *polis* or in society.
- ³ Internationally called as *Haiyan*, the name denotes Chinese characters for "sea gulls."
- ⁴ A Roman Catholic priest believed that about 15,000 died due to Yolanda (Felipe 2015). A progressive group claimed in 2014 that at least 18,000 died (Yap and Santos 2014).
- ⁵ Luiza Carvalho, the UN resident humanitarian coordinator in the Philippines, studied the possibility of air drops as a quicker method to reach far-flung areas. She said, "It is possible, and we discussed it yesterday with the city authority about using this disposition within the city itself, so (typhoon victims) don't need to travel some kilometers away. We should use this system of distribution within the city itself" (Quismundo 2013a). In addition, communication was among the major problems. The National Disaster Risk

Reduction and Management Council (NDRRMC) admitted the nonexistence of satellite phones. According to a news report, “At a Senate hearing on Wednesday, defense officials acknowledged that the National Disaster Risk Reduction and Management Council (NDRRMC) had no satellite phones. The NDRRMC also lacked a generator and tents” (Quismundo 2013b; Ubac 2013b).

- ⁶ CNN’s Anderson Cooper, while in Tacloban City, declared that “there is no real evidence of organized recovery or relief” (Esguerra and Ubac 2013).

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