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Humanitarian exception as the rule:

The political theology of the 1999 *Tragedia* in Venezuela

ABSTRACT

In recent years, Walter Benjamin's illumination that "the state of exception has become the rule" has been reactivated by several authors who have seen in contemporary politics a trivialization of situations of emergency. Instead of accepting prima facie the banality of the exception, we submit it to an empirical analysis to show its complexity and ambiguity. Our case study is the political management of the worst natural catastrophe in modern Venezuelan history: the 1999 *Tragedia* caused by massive landslides triggered by heavy rains on the same day that the country's new constitution was voted. A state of emergency was proclaimed and militarization of the disaster area followed, but instead of being feared or denounced, this governmental response appeared to be desired by the majority of the population. The army, under the leadership of President–Colonel Hugo Chávez, embodied the regeneration of the nation, redeemed from the corruption of the preceding regime and united through communion in solidarity with the victims. Arbitrary violence and ordinary looting eventually occurred, but the dominant moral sentiment expressed at the time was deep compassion. The 1999 Venezuelan scene is, thus, exemplary of a more general phenomenon, described by Claude Lefort as "the permanence of the theological-political in modern democracies," for which the humanitarian state of exception can be seen as a paradigm. [*political theology, state of exception, politics of compassion, humanitarianism, militarization, disaster, Venezuela*]

Walter Benjamin's illumination that the state of exception has become the rule is historically situated. It appears, a flash of insight, in a text that Benjamin wrote in early 1940, a few weeks before his suicide, and published in 1942 by a California research institute. As Hannah Arendt (1968) notes in her obituary of the author of "Theses on the Philosophy of History" (Benjamin 1968b), he was profoundly and personally distressed by the violence of the "dark times," the dramatic conditions of his exile, his roaming through an apathetic Europe in the context of rising fascism, his internment in a French camp after the French–British declaration of war against Germany, his escape from Paris on the arrival of the Reich's army, and finally the Gestapo's confiscation of his apartment and his library. But, following Shoshana Felman (1999), one can assert that his work also echoes a more collective reality: the irremediable loss of a world of which he was both witness and victim; the advent of a new age that he saw commencing with World War I and that was finally ushered in by the suspension of the Weimar constitution; and, finally, humanity's entry into a cycle in which "the art of storytelling is finally coming to an end," as he wrote (Benjamin 1968a:83). The exception was made rule: It was, thus, a biographical as much as a historical truth, marked by the conclusion of a process of redefining the meaning of politics in the first half of the 20th century. To a certain extent, the entire reconstruction of the world in the aftermath of World War II under the slogan "Never again" stemmed from a global striving—from a rhetorical but also a judicial and an institutional perspective—to eliminate the very possibility of a state of exception. Everyone knows, of course, that, in reality, counterexamples have abounded, from totalitarian regimes in the East to dictatorships in the South and from colonies to postcolonies. Yet, until recently, the utopia of a future planetary democracy based on a revived Western model could still prevail.

The banality of the exception

This supposed "law of history" has been recently challenged, to the point of trivializing the idea that humankind could again be living in times when the

exception becomes the rule. With this new awareness, many observers see the aftermath of September 11, 2001, and the extralegal conditions of the fight against terrorism, rapidly transformed into a U.S.-led war against the "Axis of Evil," as a historical break. These circumstances paved the way for what John Armitage describes as "foundations for the state and purposes of a state of emergency" (2002:27) and enabled the United States to "regain its global sovereignty, if only for the duration of the current emergency," as George Steinmetz (2003:323) puts it. In these conditions, the surprising return to grace of the work of Carl Schmitt, theoretician of the state of exception, who for a long time was disqualified for his philosophical justification of the Nazi regime and his personal compromises with its representatives, seems particularly significant. As Bryan Turner notes, "While Jürgen Habermas expressed the hope that the Anglo-Saxon world would escape contagion from the Schmittian revival, his optimism was probably premature" (2002:103). In its most radical form, the thesis of the exception as the rule, nevertheless, transcends the circumstances of the fall of the New York towers and U.S. imperial policy. For Giorgio Agamben, whose work is the new reference on the matter, "the deliberate creation of a permanent state of emergency (even if it is not declared in the technical sense) has become one of the essential practices of contemporary states, including those called democratic" (2003:11–12). In his perspective, this evolution is not recent; it has unfolded, uninterrupted, throughout the past century: "Faced with the irresistible advance of what has been defined as a 'world-wide civil war', the state of exception tends increasingly to be presented as the dominant paradigm of government in contemporary policies" (Agamben 2003:11–12). Therefore, from Adolf Hitler to George W. Bush a continuity exists—if not historical, then, at least, genealogical.

The social sciences, however, cannot take the terms of the discussion posed in this way at face value. They have to "problematize" it, in the sense given to this word by Michel Foucault (1994:670) in one of his last interviews. For Foucault, "problematizing does not mean representing a pre-existing object nor creating in the discourse an object that does not exist; it is the set of all discursive and non-discursive practices that include something in the game of true and false and constitute it as an object for thought" (1994:670). To problematize the exception in contemporary societies is, thus, to wonder about both the supposed normalization of the state of exception and the generalization of discourse on exception. The two go together: Facts cannot be dissociated from discourse. In this respect, one can talk of the banality of the exception: not to assert that exception has become the rule but to question its presentation as such.

To transcend what could rapidly become a play of mirrors between reality and its construction, scholars need to put the theoretical work to a sort of empirical test. Beyond the assertion of a trivialization of the situation of exception, they need to ask how and when does a state of emergency come into being in contemporary societies? To which observable realities does the decisionist conception of law correspond? How can the full complexity of the significations and consequences of the issue of sovereignty be grasped? These are the questions underlying our study of the political management of a natural disaster in Venezuela. Our aim is twofold: First, to apply the tools of political philosophy to report on a particular time in history—the neo-Bolivarian "moment," to paraphrase John Pocock (1975)—generally conceived of in the language of pure emotion, whether compassionate or political; and, second, and in a sense symmetrically—from the singular to the general and perhaps from the "ethnographic" to the "anthropological," in the sense of Claude Lévi-Strauss (1958)—to dissolve the homogeneity of the category of "exception." A political anthropology of exception is, thus, based on the dual requirement of making both historical and ethnographic sense of singular situations and, what is more, of doing so through what Walter Mignolo (2000) calls "local histories" grasped in—but also beyond—"global designs": a "border thinking" that departs from the traditional periphery theory. Understanding the Venezuela of Hugo Chávez, in particular, often treated with irony in the international press as an exotic and anachronistic oddity, calls for this shift of perspective to avoid both culturalistic prejudices and abstract reasoning.

For Schmitt, "sovereign is he who decides on the exception" (1988:5). The exception is, hence, what defines sovereignty and stems from the decision: The three terms are linked. More than simply a legal notion, the exception is a theoretical concept on which Schmitt, the author of *Political Theology* (1988), hesitates lexically, using almost interchangeably the terms *Ausnahmezustand, Ausnahmefall, Notstand,* and *Notfall,* which can be translated as "situation of exception," "case of exception," "situation of emergency," and "case of emergency," respectively. This indeterminacy underscores the delimitation of the issue not by law, of which it constitutes a negation, but, more pragmatically, by the "situation that makes the question of the subject of sovereignty topical," that is, that "decides as much on the existence of the case of extreme necessity as on the measures to take to put an end to it" (Schmitt 1988:16–17). In its most obvious form, the state of exception is characterized, in the presence of a threat to national public order, especially war, by a suspension of constitutional guarantees and the granting of full powers to the sovereign, often a military authority. Compared with this traditional schema, the contemporary state of emergency has two variants: First, it does not necessarily imply a full-blown war but simply the presence of what Ulrich Beck (2002) qualifies as a "threat" or "risk," of which

September 11, 2001, could be seen as the paradigmatic fact; and, second, it implies not the abolition of the law but, rather, an undermining of certain rights, as Judith Butler (2002) notes with respect to ''indefinite detention'' of so-called terrorist suspects in the Guantanamo U.S. prison camp. In other words, the state of exception has to be conceived henceforth as a condition that has been modulated and, therefore, euphemized in both its causes and its effects.

In this context of a transformation of the practical terms of the traditional state of siege, President Chávez's response to the December 1999 floods in Vargas, near the Venezuelan capital, is fully meaningful. This natural disaster, in which thousands of people died and tens of thousands were displaced, is generally considered the most dramatic event in Venezuela's recent history (Casas 1999). Significantly, ''la Tragedia'' is the allusive yet explicit expression commonly used to refer to it. Faced with this exceptionally serious trial, the sovereign, a colonel, had to introduce exceptional measures. Yet he was supposed to do so in a proportional way, so to speak. A state of emergency was proclaimed, but basic rights were maintained. Militarization of the disaster area was total, but the army remained in its barracks where it even took care of the victims. In fact, it was the tension between compassion and order, rather than that between the dialectic of the law and of anomie, that characterized this historical moment.

What made la Tragedia a singular—in both senses of the word—event was that it produced what we suggest calling a ''humanitarian state of exception.'' It was not in the name of a threat to public security (as, in a classical sense, a declaration of war or, from a more contemporary perspective, a risk of terrorist attack would pose) but in the name of the emotion generated by the cataclysm and its human repercussions that a state of emergency was imposed throughout the country to make rescue operations more efficient. It was not the fear of danger that authorized exceptional measures but sympathy for the disaster victims that called for and supported them. That is the profound originality of the situation: Far from being the decision of a single sovereign, the state of exception was desired by large segments of society, transported by a wave of generosity toward the victims, the *damnificados,* and, paradoxically, by a feeling of trust in the president himself. Normally dreaded and denounced, the state of exception was wanted. Our task is, thus, to account for this unusual combination of generosity and trust in emergency, this desire for exception, so to speak, in light of the country's recent history. To understand this exceptional moment, we inscribe it in its historical context and relate it to the prevailing mystique of power. Coming after a long period of progressive deterioration in the credibility of the state, the Chávez regime was legitimized by an ideology espousing regeneration of the nation and redemption of the people. Coincidentally—and symbolically—the natural disaster in Vargas occurred on the same day as the vote on the new constitution.

We conducted empirical work from January 2000 to September 2003. It included in-depth interviews with voluntary as well as professional rescuers from three different institutions, numerous rescued persons from middle-class and working-class families affected by the disaster, private medical doctors and state social workers involved in the emergency phase, and, finally, military officers, civil servants, and government representatives and ministers. We carried out participant-observation in two military forts used as refuges for the victims. We also collected articles, reports, films, and photos from the newspapers and websites cited throughout this article. These data circumscribe what appears to have been a humanitarian exception. A literally extraordinary situation, one may be tempted to think, considering both the circumstances of the proclamation of the state of emergency and the feelings legitimizing it. The situation in Venezuela seems unique, with characteristics that cannot be extrapolated beyond that country's borders—and this is precisely how the national image was constructed in the Venezuelan public sphere: on the basis of a model of exception. Yet, if one analyzes the place occupied today by humanitarianism in the governance of the world, especially in war zones (Macfarlane 1999), and the way in which military interventions are justified by moral humanitarian arguments (Woodward 2001)—as in Somalia or Kosovo—and in which humanitarian organizations accompany the deployment of military operations (Pugh 1998)—as in Afghanistan or Iraq—the Venezuelan case warrants particular attention more for its exemplarity than for its exceptionality. That a state of emergency can be pronounced in the name of humanitarian considerations is perhaps essentially the manifestation of a profound truth of the contemporary world (Fassin 2004): As a last resort, when ''the simple fact of living,'' as Benjamin put it, is under threat in human communities, whether confined to refugee camps or subjected to the whims of nature, humanitarianism always justifies a form of exception.

The natural disaster as a political event

For a long time, ''the event'' has remained outside anthropological inquiry. To be sure, this lack of concern is not unique in the social sciences. One could easily demonstrate that, for sociological method, the social fact often transcends the contingency of the event, just as, for scientific historiography, statistical series, the diachronic perspective, and the study of mentalities tend to dissolve the temporality of the event (Bensa and Fassin 2002). As far as anthropological work is concerned, whether in the light of big theories such as Marxism and structuralism or from the

approach of social change mainly focused on historical forces, the event has generally been absent. It has been invisible because it has not been interpretable. New perspectives, however, have been emerging in the past few decades and, especially, in the past few years. Even if its significance in the anthropological field should not be exaggerated, ''September 11''—if only by its designation—was clearly a watershed in anthropologists' work, especially in the United States (Mascia-Lees and Lees 2002). But what is an event? To stick to a simple definition, we suggest characterizing it as a temporally circumscribed fact that delimits two states of the world (whether local or global): one before and the other after. In this respect, December 15, 1999, in Venezuela clearly had a before and an after.

''Y el Ávila bajó al mar'' [and Avila Mountain—2,000 meters (about 6,500 feet) in elevation—plunged into the sea]. This was how the daily *El Nacional* described the exceptional violence of the landslides and rivers of mud caused by torrential rains in the coastal area of Venezuela. In ten days, 1,200 centimeters (about 472 inches) of water, four times the potentially dangerous threshold, fell on the cordillera bordering the coastline and, especially, on the slopes of el Ávila, which overlooks the city of Caracas on one side and descends toward the state of Vargas on the other. Two phenomena combined to produce the disaster. First, the swelling of the soil from so much moisture caused instability and landslides *(derrumbes)* that carried away entire neighborhoods. The poorest quarters, often composed of illegal housing *(ranchos)* and built on slopes known to be unfit for construction, were the areas most exposed to this type of risk. Second, with the buildup of water, swollen rivers carrying rocks and mud *(deslaves)* flooded their banks, gushing through streets and between houses. Even established residential areas *(urbanizaciones)* and luxury hotels in coastal resorts at the foot of the mountain were flooded, although, once again, the illegal houses on the fringes of the city were by far the most fragile structures (see Figure 1). As Anthony Oliver-Smith and Susanna Hoffman write, ''The conjunction of a human population and a potentially destructive agent does not inevitably produce a disaster: a disaster becomes unavoidable in the context of a historically produced pattern of 'vulnerability' evidenced in the location, infrastructure, socio-political organization, production and distribution systems, and ideology of a society'' (2002:3). In this case, as in many Latin American cities, land development and environmental policies produced the objective conditions for disaster, which may be a matter of hazard but are nonetheless highly predictable from a risk-exposure point of view, especially in areas of unregulated construction on the outskirts of large cities (Bolivar 1995). Every year in the rainy season, minor catastrophes occur, the victims of which are too few in number and too illegitimate to be noticed. The people whose houses are carried away by a landslide or a river of mud normally receive very little support or compassion from the nation.

In December 1999, two differences—one essentially quantitative, the other primarily qualitative—turned a natural catastrophe into a national tragedy: its spectacular violence with its high number of casualties, injured, and homeless and its apparently indiscriminate character, as it affected not only the poor but also the rich. The intensity of the experience was described by a nun working as a nurse in a Roman Catholic hospital in the state of Vargas:

> Within the community we experienced fear and even a sort of terror, to the extent that some sisters said we shouldn't go to sleep. At 10 p.m. we went out onto the terrace of the hospital and at around 11.30 we started to hear a rumbling with a terrible echo that was difficult to locate. We knew that something terrible was happening. There was a huge crash and at that moment the lights went out. From then on we heard the cries of people running in the streets to escape the fury of the river and trying to save their loved ones engulfed by the water. It was a mix of water, soil, sand, stones, trees, houses, people, animals, vehicles, all sorts of rubble about fifteen meters high and moving along at about one hundred kilometres [about 62 miles] per hour. We felt destruction and death very close to us. We spoke to the mother superior who encouraged us to put ourselves in the hands of Fate, to pray with all our hearts and to follow the authorities' recommendations. [Sanchez 2000]

The idea prevailed that everyone was affected, as attested by the same nun's description of the victims taken into her hospital after the disaster: ''Among them were all sorts of people, rich and poor, educated and illiterate, good and bad, black and white, priests and brigands'' (Sanchez 2000). The intensity of the disaster and the sharing of the misfortune combined in a feeling of national communion that fueled solidarity and compassion, at least in the first few days. ''Everyone is a victim of Vargas'' is how Venezuelan society's feelings could be summed up regarding what the newspaper *El Universal* described a month later as the ''gran tragedia.''

December 15 was chosen in the records of the disaster as the date of the fateful moment. Despite some precursory signs in the days leading up to the event, such as localized cases of houses collapsing and a few accidental deaths, it was unquestionably the increasingly heavy rains on December 14 and the floods on the evening of December 15 that caused the latter day to be seen as the real turning point in the drama. But what made the date itself a particularly potent political symbol was its coincidence with another key event, this time perfectly predictable: the national elections that were to enable the people to voice their opinions on the constitution designed to lay
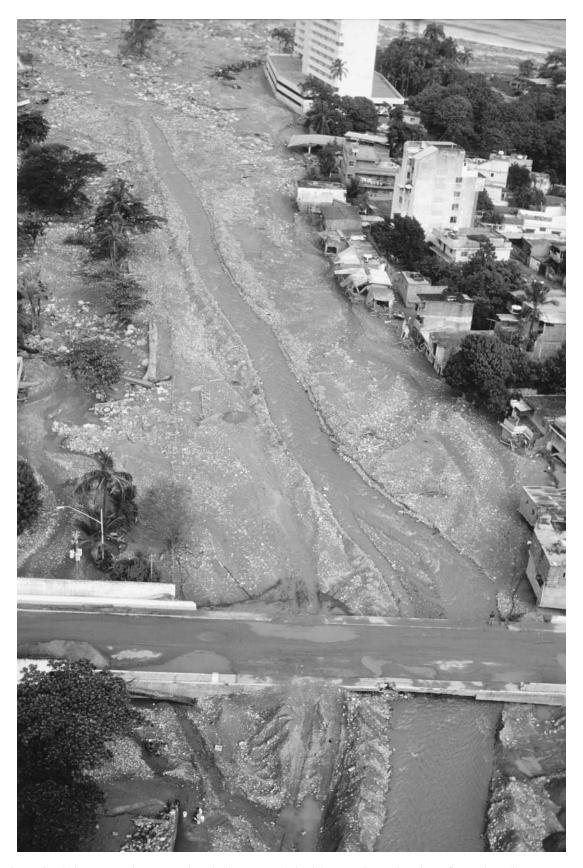
Figure 1. Urban and periurban areas underwater. Mud reached ten meters in depth in some places. Photo by José Manuel Da Silva.

the foundations of the new ''Bolivarian republic'' dreamed of by President Chávez. The head of state, leader of the abortive but popular February 4, 1992, coup d'état, had been democratically elected on December 6, 1998, after a campaign in which he advocated founding the nation anew (this foundation could, however, be historically relativized, considering that Chávez's was the 26th constitution of the postcolonial era). The president's plans were inspired by the epic figure of Simon Bolivar, known as the ''Libertador,'' who had died in 1830 in Colombia but whose ashes had been repatriated to Venezuela in 1842. Bolivar, the ''father of the nation,'' served as a guide for the definition of a new social order that was to eject the ''corrupt oligarchy'' in power for decades and instate the authority of the ''sovereign people'' robbed of their prerogatives by the previous regime.

Chávez, thus, became the depository of a ''moral power,'' along with the executive, legislative, and judicial powers in the representation of political life (Porras Poncelón 2000). The Constituent National Assembly that Chávez had convoked a few months after taking power had implemented this program in a document consisting of 350 articles, which was submitted to the electorate for approval. The 88 percent of votes in favor of the new constitution were a clear indication of the broad consensus that Chávez enjoyed (despite the 63 percent abstention rate). He literally embodied the regeneration of a Venezuela that observers, politicians, and ordinary citizens saw as derelict. Oil money flowed freely, and, as the majority of the population sank into poverty, a corrupt elite reaped all of the benefits. Borrowing a term coined by political analyst Juan Pablo Pérez Alfonso (1976), who in the seventies described oil as a source of both natural wealth and corruption, Fernando Coronil (1997) talks of ''Devil's excrement,'' thus, qualifying the moral decay experienced by the majority of Venezuelans at the end of that political period. In this context, Chávez, ''enchanter of the masses,'' according to Eleonora Bruzual, and ''magician of emotions,'' in Luis José Uzcátegui's words (Langue 2002), was the one who claimed both to revive a glorious past and to establish a new ethic. In mystical terms and Christlike symbols, with endless speeches full of religious references, he offered the wounded and divided nation a prospect of atonement. The state of emergency was the price to pay for it.

Thus, in the same event and on the same day, la Tragedia combined two phenomena: communion in misfortune, which united the entire country because it struck all categories of society indiscriminately, and redemption through the ballot box, which, by the grace of constitutional amendments, signified a promise of national regeneration. To cope with affliction, it was, thus, the ''sacred union'' of the populace that was invoked. The rhetoric clearly related to a political theology in the Schmittian sense. The figure of

the head who decides to assume full powers in a time of danger to save the threatened fatherland is fully legitimate in this context. It is a kind of reminiscence of a time when the ''king's two bodies,'' in Ernst Kantorowicz's (1957) words, manifested both the immanence and the transcendence of power. But on this fateful day, the sovereign also had to show the victims his full sympathy. Considering the circumstances, he had to be seen as both dramatically authoritarian and profoundly compassionate.

The strength of humanitarianism

Over the past two decades humanitarian intervention has played an increasingly large part in the management of world affairs (Duffield et al. 2001). Compared with the traditional model of the Red Cross, intimately linked to the military scene and supposedly neutral with respect to the antagonists, the diverse contemporary forms of humanitarian action have some difficulty situating themselves in relation to military actors (Nederveen Pieterse 1997). From Bosnia to Afghanistan, Rwanda, or Iraq the very notion of ''military–humanitarian'' intervention has become commonplace in the political rhetoric of justification of what are called—a bit less often than in the past—''just wars'' (Walzer 1992). Two types of institution stand out in the global development of the ''new humanitarian order'' (Minear and Wiess 1992): nongovernmental organizations, for instance, Médecins sans Frontières and Médecins du Monde, and UN agencies, primarily the High Commission for Refugees (Natsios 1995). Although scholars have shown an interest in these obviously legitimate actors, they have not paid much attention to governmental humanitarian policy—which often proves, moreover, to be closely linked to military practices. Venezuela's history provides an illustration of this point.

What exactly is it that we here call ''humanitarianism''? Empirically, it is a flexible concept, a sort of ethical object with a high value added that many agents use to justify their actions. As a convention—albeit an empirically constructed one—we can suggest three main criteria. The first criterion concerns timing, for humanitarianism is always a matter of emergency. The suddenness of an event requires immediate action, unlike conditions addressed by other, more long-term approaches, such as those relating to what is commonly known as ''development'' (Ferguson 1994). The second criterion concerns the object of humanitarian mobilization, which consists, above all, in saving lives. That humanitarian efforts are invested with such a high level of legitimacy stems precisely from the claim that they save people from deaths caused by starvation, disease, or injury (Agamben 1997). The third criterion relates to the action of humanitarianism, grounded in a moral sentiment, in the classical English philosophers' sense. It acts in the registers of emotions and values, of what people feel and believe

(Boltanski 1993). It is these three criteria that are found in the ''management of the crisis,'' as the Venezuelan defense minister put it on December 24. Let us take a closer look at these components and see them at work.

During the days following the floods, most Venezuelan newspapers ran the headline ''Emergencia nacional.'' In this type of disaster, emergency is, indeed, an obvious fact that imposes itself on all. But emergency is also a political act decided by public authorities. Remarkably, a state of emergency had already been decreed in the limited territory of Vargas on December 6 to deal with the impending disaster, and the first army battalion had been sent out on December 11 to rescue 500 affected people (Rodriguez 1999). Yet just after December 15, the talk was of tens of thousands of victims and of the inability of obtaining more precise estimates of the human cost of the floods because of the virtual inexistence of communications (see Figure 2). On December 16, as the president called for national unity and the Council of Ministers declared a state of emergency in five states, the first rescue operations were chaotic. In an interview he gave us, a first-aid worker testified,

During the massive evacuation of the population there was total disorganization and the victims' families were lost. The airport was chaotic since, instead of closing its doors as protocol stipulates in times of emergency, the victims from nearby neighborhoods were allowed in. It should have remained functional and thus become the command center. Instead, the *barrio* went into the airport.

The minister of the interior's emergency committee, consisting of civilians, is supposed to intervene in this type of case and to coordinate operations within the airport, ensuring that helicopters and airplanes constantly rotate in and out to evacuate victims. The lack of means and the absence of organization, however, made rescue operations difficult. As the head of this committee told us, ''The management of this disaster was a disaster.'' On December 17, noting the Civil Defense Force's inability to deal with the situation, the Constituent National Assembly met and, ''exercising its original constituent powers, decreed a state of emergency throughout the Republic for the duration of the disaster'' (Delgado 1999). Without undermining the

Figure 2. Military personnel and civilians finding their way along roads changed into mud rivers, December 16, 1999. From *Y el Avila bajó al mar,* p. 30. Courtesy of Los Libros de El Nacional, Carcacas.

guarantees provided for in the old constitution, given that the new one had not yet come into force, the assembly ''authorized the President to adopt the measures that would prove necessary to avoid extensive damage'' (Delgado 1999). At night the disaster area was totally militarized. The first phase in the aftermath of the floods was known as the ''emergency'' and lasted until December 27. During this phase, 13,200 members of the three military forces and the gendarmerie were mobilized as well as airplanes, helicopters, and boats (see Figure 3). Their mission was to transfer victims to safety, to meet victims' basic needs, to collect and distribute humanitarian aid, to administer medical care and remove corpses, and to clear the drainage systems and the streets (Corpovargas 2000:30). Emergency as both a temporal condition and a legal procedure became a justification in itself for all rescue-related actions: ''We are in a state of emergency and we can do anything we want,'' commented a security officer during one of our interviews. We discuss the sometimes disastrous consequences of this self-proclaimed arbitrary authority below. But first let us consider the convergence of the sentiment of emergency and the state of emergency, of the humanitarian gesture and the legal act, all in the name of the overriding need to rescue the victims.

''The desperate wish to save lives was immense,'' relates ''disaster expert'' Enrique Martín Cuervo (2000) in a report for the rescue organization Humboldt. In the first days, the objective was to evacuate those people who had managed to climb onto roofs, terraces, or balconies and were picked up by airplanes and helicopters and those who had been able to reach beaches covered in alluvial deposits and were picked up by lifeboats. A young woman told us how she thought she was going to die: ''I had water up to the waist. It was flowing very fast. My skin was almost rotten.'' Testimonies describing the conditions of survival in the catastrophically flooded area proliferated. A 12-year-old boy, discovered by chance in a poor neighborhood, was saved by firemen: ''He was walled in by the remains of the former Caracas-La Guaira road,'' explained a nurse (Davies et al. 1999). This account, like many others reported by journalists, shows just how close to death the survivors had been. The precariousness of their existence and their

Figure 3. Air force helicopter helping to evacuate victims. From *Y el Avila bajó al mar,* p. 77. Courtesy of Los Libros de El Nacional, Caracas.

stripped lives were the very substance of humanitarian intervention, especially given subsequent counts of the number of survivors. The victims were, above all, physical bodies in a natural state of basic need and vulnerability. In this situation the illusion of equality of human beings in the face of misfortune but also of compassion was a powerful driver of collective action. A doctor explained the phenomenon to us as follows: ''All social levels were mixed, rich and poor and we treated everyone in the same way.'' Yet the reality was more complex.

Even if rescuers did not seem to distinguish between victims as they were rescuing them, and even if rich men readily used their personal helicopters to participate in the evacuation of victims without regard to class distinction, as soon as the first emergency phase was over, hierarchical values prevailed once more, almost naturally. Swamped by the number of victims accommodated in refuges in the capital, the military rapidly organized massive transfers to the interior, hundreds of kilometers from the disaster area. Two women evacuated by the army to Barquisimeto told us about their arrival at the airport of this town in the cordillera, east of Caracas. One woman, from a working-class family in a poor area of Vargas, was taken in at the military garrison, where she was able to wash and warm herself. Having nowhere to go, she and her children were then housed and fed there for several months, in exchange for performing cleaning work. The second woman, a member of the middle class living in a residential coastal neighborhood, met an engineer at the military fort, who was participating in the rescue operations. Feeling a social proximity to the woman and her daughter, he suggested that they take a shower in his office. From there, the woman called friends, who lent her a house in Barquisimeto. Her other daughter, who lived in the United States, hurriedly flew to Venezuela and hired two cars that she and relatives used to take her mother and sister back to the capital. These examples show just how quickly the bare lives of victims are resocialized along the usual lines of inequality, once the rescue stage is over (see Figure 4).

''We suffered like the poor. We gave them everything we had, without expecting anything in return. . . . We were with the poor people and, like them, we experienced pain and need'' (Sanchez 2000). This is how nuns belonging to a charitable order described their experience of the disaster. The most prevalent moral sentiment, in those times of misfortune, was clearly compassion, in the literal sense of communion in suffering, of sympathy in proximity. For rescue workers in the field, compassion was undoubtedly predominant: All with whom we spoke told of how they were personally affected by what was happening to their fellow citizens and of how they never stinted in their efforts to save anyone they could. But, for ''this nice lesson in solidarity that Venezuelans are busy teaching their leaders'' (*El Nacional* 1999) to have substance, the entire

nation had to share in the empathy. Here the media played a key role by transforming the abstract reality of death tolls and victim statistics into dramatic individual testimonies. The most heartrending for Venezuelan society was certainly the story of little Maria Eugenia, whose minute-by-minute rescue, shown live on television, corresponded to a dramatic form of mediatization that, since the eruption of the Armero volcano in Colombia and the miraculous rescue in that case of a little girl in front the world media, had become the norm. On the morning of December 16, a cameraman filming a mudslide on the car park of a residential building noticed a child's arm waving from under a heap of rubble. He called for help, and the building's inhabitants extricated the child as fast as they could while the cameraman kept on filming. His footage, ending with the image of the little girl snuggled up in a rescuer's arms, was shown repeatedly on television during the next few days (Defensa Civil Tachira 1999–2000). Subsequent episodes of this drama were no less moving: Maria Eugenia's brother was discovered alive in a tree, whereas her mother was never seen again, and her little dog, shown to the public in a family photo, was brought to her a few weeks later by a man who had found him.

The question of the gaze, and of the mass media's, especially television's, ability to communicate events in a direct way, is essential to consider if one wishes to apprehend the emotional surge that united the country and transfigured the nation. It is the gaze that brings people together and through which one feels compassion. This is the movement that spawns humanitarian aid. Along with more than $7 million in donations collected during the first five days of the disaster—which, according to the local press, bore witness to the Venezuelan people's generosity— international contributions were seen as so many ''gestures of friendship'' (*El Nacional* 1999). The governments of the United States and France were the first to provide aid, followed by the UN Development Programme, the Inter-American Development Bank, and nongovernmental organizations, led by Caritas. This demonstration of international solidarity with the victims was hardly dented by Chávez's highly symbolic decision to deny U.S. ships berthing rights in Venezuelan waters, in the name of national sovereignty. The president, moreover, never missed an opportunity to appear physically in the field among the rescuers and in the company of the damnificados, comforting them with his charismatic presence and showing the chief's compassion for his people.

In cases of exception such as that described above, humanitarianism creates an unequal relationship between helper and helped. This has been evidenced in many places where the emergency of a disaster has reduced the victims' condition to the simple fact of living and generated ambiguous currents of pity and solidarity. Alice Fothergill (2003), thus, reports how women affected by the 1997

Figure 4. The most incisive of Vanezuelan cartoonists illustrates the risk of being poor: "One never knows if one will die of hunger, flood, or torture." Courtesy of Pedro Leon Zapata.

Grand Forks, North Dakota, floods, mostly from the middle classes, suddenly felt doubly distressed by the "stigma of charity" when they became dependent on others' help. They even said that the experience had given them an idea of what life must be like for a poor family living on welfare. This stigma was, self-evidently, spread unequally in Venezuelan society, as seen in the case of the two women evacuated to Barquisimeto. To the Venezuelan president's probable credit, he weighed the social injustice of the humanitarian gesture that compounds the shared misfortune of a natural disaster and proposed to reverse the stigma by renaming the victims. In the Spanish language, they are called "damnificados," a term that, despite its common use, nevertheless, has a religious root connoting damnation. To break away from this lexical ambiguity, Chávez suggested in his weekly radio program *Aló Presidente* that this term be replaced by *dignificados,* "those whose dignity is recognized." In other words, misfortune does not debase, it elevates. In Venezuela, the damned of the earth, the survivors, became the redeemed. To be sure, the requalification of victims through this religious terminology had little effect on the concrete conditions of their confinement in military camps. More than a name change is required to transform the reflexes of a society regarding its poor or those of the army in a state of emergency. The change of terminology, nonetheless, revealed the force of Christian symbolism in the political management of the crisis. Associating the grace accompanying misfortune with the justification of exception, it linked power and redemption.

The price of exception

As Candace Vogler and Patchen Markell (2003:2) assert, violence has been at the heart of the modern social contract from Thomas Hobbes to John Rawls. This contract links a society that agrees to delegate its power and the state that receives it in exchange for a guarantee of greater welfare for its citizens. For Vogler and Markell,

> This is an image of redemption from violence. Casting the state as the bringer of peace and prosperity into a disorderly world, this picture replays, in secular terms, the Christian theme of an epochal transformation in the human condition that the *Oxford English Dictionary* unsurprisingly lists as the first definition of redemption: "deliverance from sin and its consequences by the atonement of Jesus Christ". At the same time, however, this is also an image in which violence persists, though often reorganized, renamed or repressed. [2003:2]

This is clearly the significance of the implicit contract in the state of exception, in general, and in the one we here qualify as humanitarian, in particular. By decreeing a state

of emergency in 1999, the Constituent National Assembly, which at that tragic time embodied the people's sovereignty, gave the president of the republic not full powers—which would have implied a suspension of constitutional guarantees—but absolute latitude to define what ought to be decided for the common good. The moral sentiment binding the nation together behind its leader and the higher demand represented by the duty to save lives justified the state of emergency. Yet experience has shown that, even in those situations that justify military intervention in the name of humanitarianism, violence lies at the heart of the exception, buried beneath ethical justifications and ready to reveal itself to suit the circumstances. In her study of the Canadian peacekeeping mission in Somalia, Sherene Razack (2004) reports on the racist and criminal acts of violence committed by the very people who came as benefactors to that torn part of Africa. The "white knights," thus, turned into "dark threats" to those they claimed to rescue. The army's intervention in the state of Vargas was no exception to that pattern.

The violence instituted by political order as the rule of law declined was, people said, the price to pay to avoid greater violence—not only that of nature's fury but also that of the disruption of society. On December 17, the second day of the disaster, the first signs of anomie appeared: looting and pillaging in residential neighborhoods. "That night, the devil entered the bodies of delinquents who, instead of thanking God for keeping them alive, took the lives of innocent Venezuelans" (Martín Cuervo 2000). The feeling of insecurity grew among survivors who tried to take refuge in public places to escape assault. "Acts of vandalism and clashes between rival gangs killing one another, violence and destruction of all kinds proliferated. It was another tragedy, perhaps even more serious than the one we had just experienced. ... We sought the protection of the military by all means, until on the Tuesday we received an answer with the arrival of a battalion of the Inteligencia Militar" (Sanchez 2000). Hence, as much to maintain public order, threatened by the anomie of the aftermath of the disaster, as to organize aid for victims who could still be saved, the army intervened. For many Venezuelans, the military represented a twofold guarantee: of efficient rescue operations and of security in the face of disorder. Yet, in reality, the roles were shared between, on the one hand, the three military forces—army, navy, and air force—whose main function was organizing rescue and evacuations, and, on the other hand, the national guard, the military police, the intelligence services, and, under the supervision of the Ministry of the Interior, the feared members of the Dirección del Servicio de Intelligencia y Prevención (DISIP), who had been responsible for past repression.

In these conditions, proclamation of the state of emergency appeared to be little more than a technicality,

a practical way of managing the crisis, a necessity of common sense to avoid the worst. Moreover, care was taken not to strip the proclamation of its democratic presentation. The Constituent National Assembly issued a decree that referred, rather, to a ''state of alert'' while giving the president all of the prerogatives he deemed useful to deal with the gravity of the situation. Constitutional guarantees were maintained, even if virtually no control over the action of the ''special commandos'' in disaster areas was provided for. The government avoided authoritarian acts but left it to the army to recommend that inhabitants of these areas remain indoors from 9 p.m. to 7 a.m. With a curfew, thus, effectively established, soldiers were ordered to open fire on anyone moving about at night and refusing to show his or her identity documents (see Figure 5). In other words, a state of emergency, never officially pronounced, was actually in force (Rondón de Sansó 1999)—not de jure but de facto. The minister of the interior seemed to recognize this when he publicly used the term *declaration of emergency*. Thus, for a period of several weeks in the devastated area of the Venezuelan state, the military and civilian law enforcement forces had extensive powers. Not only did society not object but it also considered this demonstration of authority both desirable and necessary. Security and humanitarianism seemed to be linked. The consensus about the necessity of the exception was national.

Beyond this pragmatic justification, the decision to institute a state of emergency can also be linked to the political history of the country. As Minister of Justice José Vicente Rangel said on January 11, concerning violent acts committed by the military, ''In Venezuela we live in a culture of arbitrary power that cannot be stopped overnight by changing the government or the constitution'' (Delgado 2000). Since its independence in 1830, the country had been governed, at least until 1959, by generals and military juntas. The very construction of the nation was closely bound to this singular experience of the army's power (Coronil 1997). Yet this evident continuity, in the long run, should not mask the profound change introduced by Chávez (Norden 1998). First, he came to power democratically in 1998, after his abortive coup d'état in

Figure 5. Paratroopers patrolling in search of looters in Tanaguarenas, Edo. Vargas. Photo by José Manuel Da Silva.

1992, and the paradox is that this putschist was seen as the savior of democracy by a vast majority of Venezuelans, who reelected him in 2000. Second, his approach was the revival not of the traditional caudillism of his predecessors but of a revolutionary Bolivarianism, product of an ideological reconstruction that skipped back a century and a half to revive the mythical origins of Venezuela. This is why Angela Zago (1998) calls Chávez and his comrades in arms ''rebel angels.'' Once again, note the register of faith that draws on the immaterial sources of religion and the nation.

Events were, nevertheless, to put this mystique of power to a severe test. The soldiers and other military personnel who had come as saviors soon turned into criminals in the eyes of the majority of the people. In a report headed *Emergencia en la emergencia,* a Venezuelan human rights organization, Programa Venezolano de Educación Acción en Derechos Humanos (PROVEA; 1999), denounced violent acts, including summary executions and kidnapping, committed by the police and army in Vargas province. A witness reported having heard members of the police force talking about how they had used truncheons or baseball bats to execute those they identified as ''looters, rapists, or thieves.'' These weapons produced marks on the bodies similar to those that ''could be caused by a death due to the disaster.'' As an extra precaution, the police buried their victims in ''communal graves'' (PROVEA 1999). Several testimonies corroborate this account of summary justice with its organized elimination of evidence. In such contexts of arbitrariness, however, mistakes, if one can call them that, can happen, as in the case of a young man who was mistaken for a thief and shot dead when he went to fetch his belongings from his flat. The police and military forces eliminated not only delinquents caught red-handed, for instance, looting a supermarket or a home, but also those with whom they had had previous dealings and who were taken from their homes, never to be seen again. In addition to this violent repression, they participated in looting and pillaging. Several witnesses reported police and soldiers visiting residential neighborhoods and collecting a sort of war booty. One witness we interviewed suggested that complex games were devised between the different groups. For instance, officers of the DISIP, called to an army captain's home that was being looted, found a group of about 20 parachutists on site busily stripping the house on the pretext of searching for weapons. A civilian rescuer who remained there told us afterward,

During the night there were continuous gunshots. It was a shootout. The DISIP against the *malandros.* The army against the *malandros.* They were all looting. . . . I've got photos of soldiers busy looting. I did the first report on human rights violations but I didn't go to testify. I was scared the military would come and kill me because there were three of us but I was the only one with a camera and they knew it.

One morning we heard a noise, someone forcing doors open. It was the soldiers with a major. They were trying to break open a safe. My colleague was armed, he shouted to them to get out and then I saw a row of little soldiers with red berets coming forward. I took pictures of them while my friend held their attention.

The chief of operations of maritime customs, Colonel Manuel Carpio, officially acknowledged that of the 64 individuals arrested during the looting of the harbor area, most were ''wearing uniforms of the police and fire brigade, and even of the national guard'' (Mayorca 1999). Officially, because of a lack of space locally, the looters were not put in prison but returned to their respective units.

In these circumstances the government had little room to maneuver between its concern to maintain military order in the disaster area and its recognition of acts of violence by the security forces, between its support for the powerful police and army units and its response to the accusations of human rights organizations, and between the application of the state of emergency and the maintenance of the rule of law. On this tightrope, the position of the president and his government was particularly tricky. Not only did these events take place at the very time that the new constitution was supposed to guarantee more efficient functioning of democracy than in the past but the disaster also received extensive media coverage in the international public sphere in which the head of state wanted his country to be seen as a model. Chávez intervened personally on January 16, 2000, in his weekly radio dialogue with listeners: ''There is absolutely no proof of human rights violations, only speculations.'' To show both his skepticism and his good faith, he added: ''Take me blindfolded and handcuffed to talk to the witnesses'' (Cardona 2000). Like doubting Thomas in the bible, he needed proof to believe. Although commissions of inquiry were appointed, the authorities preferred to highlight the military's success, especially through public homage paid to it. General Gerardo Briceño García decorated a group of gendarmes of the national guard for their courage in saving victims and at the same time urged citizens to report violent acts of which they might have been victims ''so that we can preserve the image of our institution'' (La Rotta Morán 2000). Along with testimonies of plundering and violence by security forces, the press published documents attesting to the solidarity—often described in religious terms—that had prevailed in the management of the disaster.

Alfredo Infante, a Jesuit member of the service for refugees set up by his church congregation, spoke about the general mobilization in the Jesús Obrero parish: ''The members of the Army, under the coordination of Sergeant Pacheco, a member of our Christian community, fulfilled

their duty, providing valorous assistance and showing their human qualities'' (Infante 2000). He recalled the words of this praiseworthy soldier: ''After the Christmas mass and meal, Sergeant Pacheco summed up his experience as follows: 'What great things we can do when we work hand in hand with those who are in need! It gives me a feeling of peace', he said'' (Infante 2000). Collective redemption required this dual movement consisting in openly producing signs of the grace that had touched the entire nation in this painful ordeal and, on the fringes, in constructing the misdeeds accomplished under cover of the emergency as an inevitable and reprehensible reality. The exception was necessary and the crimes committed were simply an exception within the exception. In this de facto state of emergency around which consensus had been reached, the country, with its civilians and its military, its victims and its rescuers, its poor and its rich, thus, found the ''national unity'' that the president had called for in the wake of the disaster.

Conclusion

Exception, in the political sense, is always apprehended through the categories of law, of which it marks less the negation than the boundary because it is often included and even prescribed in constitutional texts. In this regard, the Venezuelan case is interesting because the 1961 constitution, still in force at the time of the 1999 disaster, contains five articles (240 to 244) that, under the heading ''De la emergencia,'' refer only—and relatively briefly—to the state of emergency. By contrast, Chapter II, ''De los estados de excepción,'' of the 1999 constitution, voted on the day of the disaster, lists a series of exceptional situations—''state of alert,'' ''state of economic emergency,'' ''state of internal and external disturbance''—along with details of the circumstances and consequences of each case. The issue of exception is, thus, dealt with far more explicitly in the new version of the constitution than in the old one. Moreover, during events in Vargas, even though the official reference could only have been the 1961 text, the government's intellectual reference was clearly the 1999 constitution. This is attested by the choice of the term *state of alert,* absent from the first document but found among the states of exception in the second.

We have tried to consider exception here from a particular perspective, not only as a legal act, in this case by the Constituent National Assembly, or as a de facto situation instituted by the army, but also as a political act that involves and runs throughout society as a whole. The exception is not only the proclaimed state of exception (and we have noted that it was not explicitly proclaimed in the Venezuelan case). It is also the exceptional situation (seen collectively as such). From this angle, la Tragedia becomes fully meaningful. Faced with the most over-

whelming and inevitable misfortune—as in this case it was claimed to be, with the accent on nature's fury against humans—the population united and the nation was redeemed. Nothing bears witness to this more clearly than the leitmotif in press articles and in the interviews that we held, in which reference was constantly made to there having been no differentiation in misfortune and assistance: The absence of distinction concerning social or racial origin in the victims' suffering and in the rescuers' help was repeated over and over again. The inhabitants of better-off residential areas said that they shared the misery of the poorest of poor; doctors from private clinics treated patients from working-class neighborhoods that they had never before had the opportunity of meeting; luxury restaurants were turned into canteens for those who had nothing else. Egalitarian illusion to make up for the weight of inequality of Venezuelan society, and benefits of generosity to offset the widespread corruption? Of course, this cynical perspective has some basis. But there is more to it. La Tragedia also allowed communion in the same humanitarian fervor. The exception was perhaps less in the decree instituting it than in the sentiment justifying it. Analyzing one without understanding the other would mean overlooking the purely theological dimension of politics.

''God exists,'' writes academic and journalist Yelitza Linares (2000) in her account of her conversion to Christianity at the moment when, having taken refuge on the roof of her house destroyed by a flood of mud and rubble, she was persuaded that she was going to die. She joined her neighbors in praying aloud, crying and begging for divine aid, until, eventually, the water subsided and rescue became possible. The significance of what she perceives as a miracle is not solely an individual truth. It is comprehensible only in the broader national context, in which la Tragedia was presented, by clergy and government alike, as a trial through which the nation had to be reinforced. To be sure, the moment of grace was short. Remarkably, this almost fleeting moment of renewed unity was also the starting point for future divisions that split the country profoundly and brought it to the brink of civil war several times, leaving a pervasive threat of a new state of emergency in the air, this time for strictly internal security reasons.

In an essay on ''the part of the irreducible,'' Claude Lefort (1986:260–265) questions what he calls ''the permanence of the theological-political'' in modern democracies. Noting ''the historically achieved disentanglement of the religious and the political'' and ''the representation of power that attests to its emptiness,'' he wonders whether scholars should not consider ''that henceforth the theological and the political are separate'' and ''that a new experience of the institution of the social has emerged'' (Lefort 1986:265). In light of this problematic and on the basis of the empirical material presented, consider for just

a moment what la Tragedia and its management in a state of exception actually was. In the process of regenerating the state, expressed in terms of a rhetoric that was essentially more revolutionary than mystical and drawing on religious and political symbols alike, the disaster was experienced as a trial making it possible to reconstruct national unity, and the exception appeared as the concrete modality of collective redemption acquired at the price of symbolic and even physical violence. When the state of grace disappeared, the social reality reappeared for what it was: hierarchical, divided, and conflict ridden. But the power continued to be embodied in the president, as evidenced by the way Venezuelans find themselves today unable to adopt any position other than for or against Chávez. Whereas the ''One'' of the body of society materialized only fleetingly in the moment of the humanitarian exception, the ''One'' of the body of power is perpetuated in the figure of the chief.

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