

Governing disasters: the challenges of emergency risk regulation

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Book review by Sally Ramage

As befits a book on emergency risk regulation, this most thought-provoking volume was prepared very soon after the latest Icelandic volcanic ash eruptions disrupted the airline industry with contributions from a cross-section of academics from around the globe. Emergency risk regulation represents regulatory actions in the immediacy of a disaster, presupposing the existence or the threat of a disaster, with suddenness being the most relevant criterion to define a disaster, in which case, terrorism and the response to a sudden terrorist attack must be included. The amount of regulation already in place takes one by surprise if one's concept of a disaster is somewhat blurry. For instance, in 1971, the Italian national code, no.1086, regulated the building of reinforced concrete structures. EC regulations include directives 1999/30/EC- relating to limit values for sulphur dioxide, etc. and lead in ambient air; 2000/69/EC- to limit values for benzene and carbon monoxide in ambient air; 2001/18/EC -on the deliberate release of genetically modified organisms; 2001/792/EC- a community mechanism to facilitate reinforced cooperation in civil protection assistance interventions; 2002/3/EC on ozone in ambient air; 2002/49/EC on assessment and management of environmental noise; 2004/549/EC, laying down the framework for an integrated air-traffic management. There is 2007/60/EC on the management of flood risks; 2008/50/EC on ambient air quality and cleaner air for Europe; 2008/50/ec on better air quality; and amendments to air traffic management in 2009/60 /EC. The conclusion is that there is still a need to reform the European response to crises. There are the ICAO guidelines in place. (See section 3.4 ICAO *Manual on Volcanic Ash, Radioactive Material and Toxic Chemical Clouds*, 2007). According to the editor, 'how to respond to such emergency problems is a major source of complexities in risk analysis, crisis management, and regulatory decision-making in any legal system'. Financially, airlines lost the sum total of 3.374 billion euros over a period of one month, due to the latest volcanic ask disruptions.

A frustrating factor is the way that the media often amplifies risk and therefore, fear. One newspaper's front-page headline regarding the volcanic ash disruption was '*Terror as plane hits ash cloud*'. Such amplification can indeed create panic. See studies by Kitzinger and Reilly (1997) and Pidgeon, Kasperson and Slovic (2003).

The final thought on the matter is that although countries might legislate in unification on matters that will avoid or manage disasters, the overall problem of the criminal and moral abuse of such laws are still to be resolved. How to hold people responsible for not complying with regulations during times of emergency is still unresolved as is the issue of what signifies a disaster, since theorists have created the term 'normative uncertainty' as a feature of emergency, when conventional moral standards may not hold up, eg when the nature of an emergency is such that individuals turn to immoral and criminal actions of cheating, lying, stealing, assault and murder. (See N. Zack, (2006), 'Philosophy and disaster', *Homeland Security Affairs* (2) 1, pages 1-13, at <http://www.hsaj.org/has/volII/iss1/art5>).

