Disaster Risk Reduction and Furthering Women's Rights **FREE**

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https://doi.org/10.1093/acrefore/9780199389407.013.406 **Published online:** 19 October 2022

Summary

Traditional conceptions of disaster mitigation focus mainly on risk reduction practices using technology; however, disaster mitigation needs to be reconceptualized as a discursive and social intervention process in the disasterdevelopment continuum to further women's rights and equality and their emancipatory interests before, during, and after disasters. Such reconception would be more aligned with current formulations within the Sendai Framework of Action (2015–2030), which to an extent highlights the need to engage with gender inequalities through women's leadership in disaster and development planning and the fifth UN Sustainable Development Goal on furthering gender equality. As discursive practices, disaster mitigation should question discrimination against and marginalization of women in disaster recoveries and development processes in different contexts. Discourse about women and gender is ingrained in the society and further perpetuated through regressive and patriarchal state policies and practices in the disaster-development continuum. A critical and progressive politics for women's rights that furthers their equality would counter regressive discourses and their effects. Women experience discrimination through complex and multiple axes of power, such as race, class, ethnicity, and other social markers. Instead of treating women as a passive site for relief and recovery, nongovernmental organizations, both national and international, should work with women as persons with agency, voice, aspirations, and capacity to bring about policy and social change in the terrain of the disaster-development continuum. Critical humanitarianism and mobilizing women's leadership would be a hallmark of such work. The relation between disaster mitigation and women's rights is that of a virtuous cycle that calls for a synergy between disaster response and development goals to further women's equality and rights. A vision for socially just and equal society must inform the relation between disaster mitigation and furthering women's rights.

Keywords: gender, rights, disaster, development, humanitarianism, disaster mitigation, vulnerability, resilience, social justice, women

Subjects: Mitigation, Recovery, Risk Management, Vulnerability, Development, Gender Issues

Introduction

This article develops a new perspective on the relation between disaster mitigation and women's rights by examining these two concepts, other associated concepts, and their critical connection. While there is literature on disaster mitigation per se or women or gender issues in disasters, literature explicitly looking into the relation between disaster mitigation and women's rights is scarce. Given the explicit literature gap on the issue, the article explores this relation through a critical synthesis of literatures on disaster mitigation, the links between disasters and development, women's and gender equality issues in disasters and development, and rights history with a focus on women's rights in disasters. This critical literature synthesis leads to questions about the traditional understanding of disaster mitigation as a unidimensional concept

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—one separately identified part of the different stages of the disaster cycle—and offers a new way of conceptualizing disaster mitigation by interpreting disasters through the lens of women's rights and gender equality. This analysis posits disaster mitigation as an overlapping concept and a process that works across the disaster-development continuum and through interventions furthering women's rights and gender equality, that is, before, during, and after disasters. The discussion conceptualizes disaster mitigation as a dynamic gendered intervention process that furthers gender equalities and women's rights throughout the disaster-development continuum. This is achieved by interpreting disasters through the varied lenses of "social vulnerability," "gender inequalities," "disaster-development continuum," "resilience building," "rights-based approaches," and "women's rights." Disaster mitigation is foregrounded as a potential process that furthers women's rights in disasters and developmental processes.

Rights in the History of Interpretations of Disasters

Early dominant literature on disasters was at odds with the language of rights, which mobilizes emancipatory vocabulary in the interests of excluded and disadvantaged persons. Emancipatory perspectives engage with oppression, unequal social orders, and ways to change them. The early dominant disaster literature, identified through a "natural hazards approach," considered disasters as natural or extreme hazard "events" that could be mapped and controlled through technological interventions and human adjustments to those hazard scenarios (Burton et al., 1993). Allied social science literature suggested that disasters are major unforeseen events with major impacts on society, such as impairment of essential functions, overwhelming of local capacities to enable recovery, and a need for an external support (Cutter, 2003; Fritz, 1961). Such analysis privileged undertaking of managerial and technical strategies by government and nongovernment actors in disasters to return the essential functions required for the smooth working of the society. Thus, rights or entitlements do not figure in these early conceptualizations of disasters or perspectives on people's recovery; that is, they make their presence felt through their absences in this discourse.

An alternative interpretation and conception of disasters (Hewitt, 1983) argued that the existing unequal social orders and entrenched social relations affected disaster outcomes and people's recoveries. People's responses to risks were shaped by social processes and their everyday, unequal sociopolitical relations in their habitat and with the state. The focus on only technocratic and management solutions did nothing to change the fundamental social forces that shaped people's unequal resources to respond to and cope with hazards and risks. Rather, such an approach contributed to a more authoritarian, rationalist, technocentric, top-down response, which ultimately sought to disempower the disadvantaged people and consolidate the very unequal power structures that contributed to their chronic vulnerability. To take Hewitt's logic (Hewitt, 1983) of argument further, the dominant natural hazards and technocratic approach only concealed the rightlessness of certain social groups affected by disasters. These newer theorizations about risks, disasters, and people led to the formulation of a social vulnerability approach to disasters that argued that people's susceptibility to risk is mediated through social, economic, and political processes of marginalization and unequal development (Susman et al., 1983; Wisner et al., 2004). The interplay of class, gender, age, ethnicity, race, occupation, and

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patterns of conflict and cooperation show the prevalent social, economic, and cultural differentiation within societal structures at micro levels (Oliver-Smith & Hoffman, 2002). These micro and macro structures, such as the state and its policies and legal frameworks, influence people's ability to influence and access resources for recovery. Distribution of entitlements within the society—that is, the right to resources that people can access and control—affects the distribution of risks and the ability of affected people to recover. In his path-breaking analysis of famine, Amartya Sen (1983) explained that famines were not an effect of natural hazardtriggered disasters, such as drought, but were caused by the breakdown and failure of entitlements, namely social and legal arrangements that enable people command over food. Sen identified four entitlement failures: land (production of enough food through land ownership), labor (e.g., enough wages earned through labor to buy food), trade (e.g., other household asset that could be traded for food), and social transfers (e.g., state food transfers through which people could access food) (Sen, 1983). The social transfer entitlements are also deemed as the right to social protection, that is, a right of transfer of food resources through cash or noncash food support by the state to the disaster-affected persons (Akerkar et al., 2016). The role of entitlements in averting famine deaths, namely as formal rights in the form of transfer entitlements to the citizenry, is realized through citizens' social contract with the state (Sen, 2010). Thus, the language of entitlements can be seen as an initiator of the discourse on rights and disasters within the field of disaster studies.

Reconceptualizing Disaster Mitigation

While the nascent entry of rights discourse can be seen through the concept of entitlements and the failures to realize them in disaster and famine discourses, overall, the conception of disasters were (and often still are) offered through an operational lens of "disaster cycle." Disaster or emergency management is still the main policy and program framework applied by governments and international nongovernmental organizations in their operational work on disasters, which includes immediate rescue, relief, and recovery; disaster preparedness; and mitigation phases (Cutter, 2003; McEntire, 2015). Disaster mitigation involves activities that lead to disaster "risk reduction, loss minimization or the alleviation of potential negative impacts associated with disasters" (McEntire, 2015, p. 4).

The United Nations International Strategy for Disaster Reduction ([UNISDR], 2009) describes disaster mitigation as strategies and measures undertaken for "lessening or limitation of the adverse impacts and related disasters" (p. 19). However, often the focus is on structural measures for risk reduction, including land-use planning or improvements in building standards; for example, making built structures earthquake proof, improving environmental policies, and implementing economic measures (e.g., insurance) that compensate people for their losses (McEntire, 2015; UNISDR, 2009).

However, this focus on disaster mitigation as risk reduction or limiting adverse impacts by focusing on physical or structural measures necessitates a more critical evaluation because it aligns with the dominant mode of interpreting disasters, which is allied with the natural hazards approach. The alternative interpretation of disasters centers people's differential social

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vulnerabilities, and the conception of disaster mitigation requires the incorporation of social vulnerability reduction dimensions. This interpretation is recognized in the policy conceptions of disaster risk reduction formulated through the UN Hyogo Framework of Action (HFA 2005–2015) and the Sendai Framework of Action (SFA, 2015–2030). The SFA framework includes the need to eliminate the root causes of these risks, such as poverty, inequality, and climate change, thus highlighting the disaster-development nexus in the making of disasters. The goal for the SFA 2015–2030 is to

prevent new and reduce existing disaster risk through the implementation of integrated and inclusive economic, structural, legal, social, health, cultural, educational, environmental, technological, political and institutional measures that prevent and reduce hazard exposure and vulnerability to disaster, increase preparedness for response and recovery, and thus strengthen resilience.

(UNISDR, 2015, p. 12)

The guiding principles for implementation of the framework indicate that disaster risk reduction requires

empowerment and inclusive, accessible and non-discriminatory participation, paying special attention to people disproportionately affected by disasters, especially the poorest. A gender, age, disability and cultural perspective should be integrated in all policies and practices, and women and youth leadership should be promoted.

(UNISDR, 2015, p. 13)

In line with its goal, which furthers the interpretation of disasters through a disasterdevelopment continuum, the priorities for the SFA include a call to

integrate disaster risk reduction in response preparedness and ensure that capacities are in place for effective response and recovery at all levels. Empowering women and persons with disabilities to publicly lead and promote gender equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches is key. Disasters have demonstrated that the recovery, rehabilitation and reconstruction phase, which needs to be prepared ahead of a disaster, is a critical opportunity to "Build Back Better," including through integrating disaster risk reduction into development measures, making nations and communities resilient to disasters.

(UNISDR, 2015, p. 21)

The SFA rightly highlights the need to incorporate the social risk reduction dimensions in the disaster-development continuum link. However, a closer look at the SFA shows that it has tenets of techno-managerial and relief-oriented discourse, suggesting that the SFA needs to elaborate on how to further gender equity and social justice (Bondesson, 2019; Zaidi & Fordham, 2021). More generally, the SFA's conceptualization of disaster risk reduction represents welcome

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progress and enhances the earlier, unidimensional understanding of disaster mitigation. Historically, mitigation has been viewed as a stage within the disaster cycle or activities taking place prior to the disaster event and focusing only on physical risk reductions. The links made between disasters and development highlight that disasters cannot be treated as singular "events." Disaster mitigation therefore needs to be reconceptualized as an overlapping concept that puts a spotlight on the need to bring risk and social vulnerability reduction processes into the disaster-development continuum. In other words, aligned with the interpretation of disasters as a result of differential social vulnerabilities, to start with, disaster mitigation should be understood as interventions needed for risk and social vulnerability reduction before, during, and after disasters.

In this relation, the concept of "building back better" in disaster response, recovery, and reconstruction needs to be particularly reframed through nonstructural mitigation means—that is, through interventions that reduce social vulnerabilities and inequalities and rightlessness of women and other socially marginalized groups. The need to treat disasters as opportunities for change of inequalities or effectors for social change dynamics in society goes back many years (Prince, 1920). Bates and Peacock (1987) argued that disasters put stress on social systems and force it to adapt, making some of these changes permanent and sometimes leading to new forms of working within social systems. Crises can have paradoxical effects; they can exacerbate existing inequalities but can also be opportunities for gender transformative change with women taking new roles in the society (Oxfam, 2019). Disasters can lead to disruptions in routines and enable opportunities for women to challenge, exceed, and transgress their traditional gender norms and roles when supported by organizations that give them new skills and resources (Enarson, 1998). Such opportunities for social change are explored and evaluated further through women, equalities, and rights-based approaches in the disaster-development continuum.

Understanding Inequalities Through a Contextual Construct of the Category of "Woman"

Concerns of social and gender justice have been central to feminist literature. The wider social vulnerability approach was furthered by feminist theorization, which highlighted effects of gender inequalities in disasters. This feminist view within the disaster discourse also questioned the notion of the unified subject and suggested that crises affect males and females differently (Akerkar & Fordham, 2017; Enarson, 1998; Enarson & Fordham, 2001; Enarson & Morrow, 1997; Fordham, 2003, 2004; Fothergill, 1998) and emphasized the importance of eliminating the root causes of women's social vulnerability (Ariyabandhu & Wicremasinghe, 2003; Bhatt, 1998; Yonder et al., 2005).

Gender in intersection with class, caste, ethnicity, race, and disability led to differential impacts in specific historical and social contexts (Kailes, 2007; Marable, 2006; Peacock et al., 1997; Ray-Bennett, 2009; Suar, 2007). This analysis emphasized women's socially constructed invisibility, which made them more vulnerable before, during, and after the disasters (Enarson & Fordham, 2001; Fordham & Ketteridge, 1998). A lack of awareness of gender issues in decisions made by intervening agencies in a disaster context furthered women's unpaid workload and marginalized

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them in the decision-making processes of the agencies that intervened in disasters (Fordham, 2004). Other social constraints, such as the restricted mobility of female-headed households—in some contexts in public spaces—also led to their being left out of humanitarian assistance, thus increasing their vulnerability or chances of better recoveries (Akerkar, 2007; Akerkar & Devavaram, 2015; Bryne & Baden, 1995). LGBT critique has also shown how some groups who do not fit into the gender binary are excluded, face discrimination in disasters, and are exposed to disaster risks in very different ways (Balgos et al., 2012; Gaillard et al., 2017a, 2017b; Pincha & Krishna, 2008). Such theorizing on gender issues has suggested that an unequal social order is largely responsible for the exclusion of women and other marginalized groups.

Binary gender conceptions challenge formulation of the category of "women." The category "woman" gets its meaning from "gender" construction. In addition, the category of gender and woman can be "discursively" organized, with real effects of subordination in the society; that is, categories through which society organizes its power (Butler, 1990; Scott, 1988). Scott (1986) referred to the symbolic systems in societies that "articulate the rules of social relationships or construct the meaning of [gendered] experience" (p. 1063). This suggests that the category "woman" gets its meaning through contextually articulated societal discourses about the subject woman experiencing particular forms of gendered subordination and discrimination in that context. Such feminist framing thus articulates plural forms of imagining and articulating the subject category "woman" and her emancipations. The subject bearer of the contextual experience is discursively organized as a "woman" of a "class," "race," "caste," "ethnicity," "marital status," or "sexuality," among other markers, rather than a "universal woman" (Akerkar, 1995; Scott, 1986). For example, in the context of Hurricane Katrina, experiences of rightlessness may be analyzed through the lens of "Black women" affected by the hurricane, and in the context of the tsunami in Tamil Nadu, India the experiences of rightlessness may be analyzed through the lens of a female-headed household, rather than a "universal" idea of a "woman." Gender and disaster literature can thus be seen as highlighting contextual discriminations experienced and articulated by the "woman" in different disaster contexts. This suggests that inequalities and unequal social order distribute gendered entitlements in differential ways in societies, thus distributing vulnerabilities, risks, and capacities to the subject "woman" in different contexts in different ways.

The suggestion that the category "woman" is discursively organized leads to other consequences for conceptions and strategies of disaster mitigation. This means that since the category "woman" is discursively constructed, the discursive articulations made about "woman" in any given disaster and development setting through policies and programs of the state and nonstate actors can be progressive or regressive in their content in their approach to woman in those contexts. The effect of regressive and patriarchal constructions of woman through statist discourses, policies, and practices and the resulting entrenchment of social inequalities in disasters is analyzed in detail in the sections "Recognizing the Paradox of Rights" and "Toward the Politics of Rights" . More generally, this means rightlessness by the "woman" is experienced in disasters via experiences of discrimination and marginalization in recoveries that is affirmed and produced by discriminating social, public, and state discourses, policies, and practices. Countering this requires an alternative progressive discourse and practices that further women's rights in disasters and development. Affirming social justice in the context of disasters is thus

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about understanding and questioning the wider and long-term social inequities, contextual women's rightlessness, and discourses that sustain such inequalities. Disaster mitigation has been highlighted as a process of intervening in the disaster-development continuum and of reducing risks and social vulnerability before, during, and after disasters. Building on this assertion and the discussions of the experiences of discriminations experienced by the subject "woman" in various disaster contexts, disaster mitigation is thus also about questioning and challenging inequalities and affirmation of women's rights against their marginalization through critical discursive practices. Disaster mitigation must be thus seen as social and discursive interventions that problematize discrimination and marginalization of the subject woman in every context and further women's equality before, during, and after disasters in this disaster-development continuum.

Disaster Mitigation: Gender Equality, Human Rights, and Women's Rights

What does it mean to further women's equality before, during, and after disasters? Disasters are not isolated events and need to be conceived as a part of the disaster-development continuum. This conception begs an engagement with the developmental discourse and interventions in critical ways. Development as an ethical political discourse must make social justice and distributive outcomes central to its undertaking (Seers, 1969; Sen, 1999, 2010). The UN Sustainable Development Goal (SDG) number 5 addresses gender equality and empowerment of girls and women. It aims to end all forms of discrimination, violence, and harmful practices against women and girls and affirm their participation, equal opportunities, and rights in developmental resources through enforceable policies and legislation. Implementation of several UN human rights and women's rights covenants, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) are also implicitly understood as a part of ensuring developmental goals of gender equality, which if implemented robustly should lead to the reduction of vulnerability and risk among girls and women in disasters. In other words, actions for women's rights and equality affirmation can act as transformative measures that further social justice and reduce disaster vulnerability. As emphasized by Robinson (2006) a "human rights framework gives us legal and normative grounds for empowering the poor [and women] to seek redress" (p. 3).

More generally, this also means rights discourse politicizes the meaning of development, disaster mitigation, and vulnerability reduction processes by addressing unequal power relations in the society (Akerkar, 2005; Gready & Ensor, 2005). Disaster mitigation and vulnerability reduction also emerge as dynamic rather than static processes that can be changed through critical developmental, social, economic, and legal interventions. Sen's (1983) argument that entitlement failures lead to famines can be extended to other disasters and leads to crucial questions of state responsibility and accountability when natural hazards lead to human suffering due to failure of entitlements of the affected women and men (Akerkar, 2005; Gready & Ensor, 2005). In other words, the rights discourse argues that women and other discriminated groups are made vulnerable and rightless by social, economic, and cultural laws, discourses, and practices before, during, and after disasters. Discrimination in civil and political engagement can lead to lack of participation and voice for women and other groups in disaster response and recovery processes.

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Key questions include whether pre- and post-disaster mitigation interventions enhance distributive outcomes by questioning discourses and practices of women's discrimination by enhancing women's agency (Akerkar, 2005, 2007; Akerkar & Devavaram, 2015). This in turn calls for rights-based approaches in the disaster-development continuum that are committed to furthering the rights of the subject "women" and other marginalized groups.

Rights-Based Approaches in the Disaster Development Continuum

The rights-based approach is often mobilized by nongovernmental organizations or social movements through the vocabulary of state-citizen social contract or relation, wherein the state as a duty bearer has the responsibility of upholding the rights of its citizens, the rights holders. This is reflected through a country's constitution, which enshrines the rights of its citizens and the principles of human rights to which the country is signatory. The universal human rights discourse gets its mandate through UN-led declarations, covenants, and resolutions on civil, political, social, economic, and cultural rights, as well as those dealing with specific constituencies, such as women's rights through the UN-led CEDAW. Countries ratify these UN resolutions and are obligated to deliver on them. These UN-led framings of rights and the constitutional rights inform the laws and the responsibilities that the state has toward its citizenship in a country. Although the rights-based approaches are applied in diverse ways by different nongovernmental organizations, such as through legal processes and grassroots mobilizations, the approach holds states accountable to their citizens (Gready & Ensor, 2005).

In the context of disasters and risk reduction, there are no current international laws or UN legal conventions governing these issues, although there have been policy processes set in motion by the UNISDR through the HFA 2005–2015 and SFA 2015–2030. The nation-states that have signed up to these frameworks report to the UNISDR on whether and to what extent they have met their agreed commitments. Several nation-states have developed institutional mechanisms, to implement their commitments, such as national disaster management authorities and allied laws and policies. Similarly, the UN SDGs 2015–2030 outline goals to be achieved by all nation-states, including goal number 5 about achieving gender equality. These policy processes and their achievements are monitored by UN agencies through country reports and thereby develop moral obligations for nation-states to meet them.

Various organizations have made innovative use of these policy frameworks and reoperationalized them from a rights-based perspective. Critical concepts have been operationalized through rights-based language and discourses. For example, in the early 21st century, the concept of resilience building was used in international policy as an integrating concept to link disaster risk reduction, development, and post-disaster recovery work and vision. Initial literature on resilience focused on systems or communities "bouncing back" after disasters, which led to criticism that the conception promoted the status quo rather than change (Twigg, 2009). Such criticism led to new conceptions of resilience, namely as capacities to bounce forward, with an emphasis on the role of change, adaptation, or transformation in social systems to develop resilience, suggesting that disasters should be treated as a potential opportunity for change (Folke, 2006; Manyena, 2006; Manyena et al., 2019; Pelling, 2011).

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While the conceptions of resilience are wide ranging, a few international development organizations have specifically incorporated rights-based perspectives and gender justice as central aspects of resilience discourse. For example, Oxfam defines resilience as the "ability of women, men, and children to realize their rights and improve their well-being despite shocks, stresses, and uncertainty" (Jennings & Mantulac, 2016, p. 5). Building resilience means improving people's well-being by enabling them to realize their rights despite shocks and stress (Jennings & Manlutac, 2016). Action Aid International (Singh et al., 2016) argues that emphasis on resilience cuts across development and humanitarian work and incorporates a rights-based approach and framework. Overcoming silos of risk reduction, development, and humanitarian work, building resilience emphasizes the need for transformations of power relations and gender relations such that marginalized groups are able to challenge the status quo, which requires institutional reform, cultural reform, and behavioral shifts across the society. Building on the transformative resilience literature, Action Aid defines resilience as

the ability of people to recognise, challenge and transform the unjust and unequal power relations that dictate their vulnerability, to adapt positively to changing circumstances, and to mitigate, prepare for and rapidly recover from shocks and stresses such that their wellbeing and enjoyment of human rights is safeguarded.

(Singh et al., 2016, p. 8)

Action Aid particularly argues that women's rights are disproportionately violated in disasters and supports women's leadership in resilience efforts (Singh et al., 2016). Rights-based approaches (RBAs) are thus used to mobilize women's agencies to lead resilience initiatives and challenge unequal power relations in their communities.

In this way, although not legally enforceable, nongovernmental and civil society organizations operationalize the UN-led policy agreements linking disasters and development to engage with inequalities within their societies or to pressure their governments to meet their commitments to the initiatives. This section has broadly discussed the contours of the use of RBA discourses in the disaster-development continuum. The next section develops critical assessment of the use of RBAs and their potential for promoting the emancipatory agenda of furthering women's rights.

Promoting the Emancipatory Agenda

What does it mean to affirm women's rights in disaster mitigation? This section reflects on the practical concerns related to incorporating RBAs in these efforts and analyzes the crucial areas of engagement. Effective women's RBAs (a) engage with humanitarian discourses; (b) make critical use of legal frameworks; (c) recognize the paradox of rights and the need to engage with the state; and (d) incorporate an understanding of "subaltern agency"; that is, subject "women" and marginalized social groups examining their experiences of rightlessness in the disaster–development continuum and developing a subaltern critical assessment and engagement with rights.

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Engaging With Humanitarian Discourses

Humanitarian principles affirm neutrality and nondiscrimination toward disaster-affected populations. These principles are also embedded in the Red Cross/Nongovernmental Organization (NGO) code of conduct signed by most international nongovernmental organizations (INGOs) (International Committee of the Red Cross [ICRC], 2015). Article 3 of the code of conduct addresses adherence to the principle of neutrality by intervening humanitarian organizations. Drawing attention to the controversy about using RBAs in humanitarian situations, Darcy (2004) noted that neutrality as a principle is "variously interpreted as not engaging in matters of political controversy" (p. 8). Traditional humanitarian action was based on need, whereas rights-based humanitarianism is ambitious in its approach and inevitably includes politics into the otherwise neutral and apolitical humanitarian response. Darcy (2004) argued that activism would inevitably lead to partisan politics and could threaten the very space within which humanitarian response and recovery works. The use of RBAs has been contentious in the work of INGO, particularly in conflict situations and contexts that see disasters in a protracted crisis and conflict (Slim & Bradley, 2013). Various INGOs take different positions on this issue, with some interpreting the use of these principles as aligning with other human rights principles of equality, nondiscrimination, and right to protection, suggesting that neutrality should not stop INGOs from furthering equality rights of discriminated people. Further, Article 2 of the Red Cross/NGO code of conduct relates to the principle of nondiscrimination and says that aid priorities are calculated on the basis of need alone. The needs approach from the rights perspective translates into analyzing vulnerabilities that arise from prior inequities and discriminations within a society before and during a disaster due to gender and other inequalities that exist in the society. Experiences from disaster and development contexts shows that, on the one hand, gender-unaware policies and practices not recognize a distinction between genders incorporate biases in favor of existing unequal gender relations and therefore tend to exclude women from disaster recovery and development processes (Akerkar, 2007; Kabeer & Subrahmanian, 1999). On the other hand, gender-redistributive discourses, policies, and practices seek to transform existing gender relations by more even distribution of resources, responsibilities, and power between women and men (Kabeer & Subrahmanian, 1999). It is in this larger context of existing discrimination against women within the society that a women's RBA should be wholly consistent with the humanitarian principles in disasters. In other words, INGOs need to develop a critical understanding of the humanitarian discourses and develop critical humanitarianism that embraces politics centered on women's rights.

Action Aid International for example specifically calls for "taking sides" with marginalized groups in disaster situations and calls for furthering women's rights. Currently, Action Aid and many other organizations are consciously developing awareness about rights of women in disaster settings. For example, after the 2015 earthquake in Nepal, Action Aid built

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permanent women and child friendly spaces that provide information and referrals relating to GBV [gender based violence] for earthquake affected women. These have enabled women to access information and begin to learn about their rights, as well as providing a much needed reprieve from the increased burden of unpaid work post-disaster.

(Higelin, n.d., p. 4)

Such women's rights-based engagements need to be affirmed by all humanitarian organizations as a part of critical humanitarianism.

Critical Use of Legal Frameworks

There are several international and national laws that affirm a woman's right to dignity. The CEDAW has been ratified by several governments and other human rights covenants affirm human rights as women's rights. Nation-states have developed laws to align their legal frameworks with their international obligations outlined in these laws.

While the state-led legal frameworks emphasize state accountability in affirmation of women's human rights, this can lead to an excessive dependence on legalistic interpretation of rights that may not be productive. For example, in many parts of the world, examples of entrenched poverty and feminization of poverty show that social and economic rights of women are routinely violated in societies by nonstate actors (Chandoke, 2003; Chatterjee, 2004). Women face cultural, social, and economic exclusions and exploitations, often working for low wages or not being allowed to work or own land due to cultural and societal norms (Agarwal, 1995). Hence, while women's human rights discourse may draw attention to discrimination and violation of rights, addressing these issues on the ground remains difficult. Alston (2017) argued that this may be because, "mainstream human rights advocacy addresses economic and social rights issues in a tokenistic manner at best, and the issue of inequality almost not at all" (p. 6). Many human rights groups focus on civil and political rights with an understanding that other social and economic rights will follow. However, this is far from truth when viewed through the prism of those who face the brunt of the social, economic, and other inequalities (Alston, 2017).

In addition to these limitations exposed by marginal affirmation of social, economic, and political rights of women, in reality, rights affirmation requires complex engagements with societal power structures by the rightless. Denial of rights is directly linked with unequal power relations that constrain voices of marginalized groups in crucial public and private spaces through which resources are owned and distributed. Participation and decision making in such spaces by women and other marginalized groups can lead to fundamental shifts in power relationships, but empowerment is necessary for such change (Chapman, 2005). Rights affirmation also requires engagement with the procedural systems of justice and rights as sometimes claims have to be made through local institutions and courts (Cleaver, 2009). To enable women and other marginalized groups to overcome these constraints, organizations working to promote the rights of women and others need to work with rightless individuals and groups, undertake critical context analysis with them, and build capacities for change by forming alliances (Hickey & Mitlin,

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2009). An analysis of the causes of inequalities and marginalization of women is necessary to further rights of women in that particular context. This means organizations intervening in disasters or reducing risks must reject viewing affected women as passive sites of need who require only supply-based relief or recovery and risk mitigation support, working with them as active agents with voices, choices, aspirations, and capacities to question discriminations.

Recognizing the Paradox of Rights

The rights-based discourse that is configured through the state-citizen relation also reveals a real paradox. Following Foucault's (1991) work, we know that the state and its laws are regulatory sites that regulate social relations and produce particular identities and subjectivities through their discourse of rights. As suggested by Brown (2002):

The regulatory dimension of identity-based rights emerges to the extent that rights are never deployed "freely," but always within a discursive, hence normative context in which "woman" (and any other identity category) is iterated and reiterated. The paradox, then, is that rights that entail some specification of our suffering, injury, or inequality lock us into the identity defined by our subordination, and rights that eschew this specificity not only sustain the invisibility of our subordination but potentially even enhance it. (pp. 422–423)

Brown (2002) further argued, taking the case of gender justice:

We appear not only in the law but in courts and public policy either as (undifferentiated) women, or as economically deprived. But never as the complex, compound, and internally diverse subjects that we are. This feature of rights discourse impedes the politically nuanced, socially inclusive project to which feminism has aspired in the past decade. (pp. 428–429)

For example, in Aceh, Indonesia, after the 2004 tsunami international development organizations focused solely on addressing women's issues in relation to those of men and omitted other social inequalities and rights of women in their work (Jauhola, 2013). Also, states' discourses on human rights can have regulative effects on women, locking them in a particular state-prescribed identity-linked experience that excludes their other experiences of subordination, violence, and suffering. Often, statist discourse of rights can further marginalize and lead to discrimination of women. For example, governments often provide disaster relief compensation and recovery assistance in respect to loss of life, death, injury, shelter, or livelihoods. The entitlements are often given to the household head, who in most cases is a male. INGOS following RBAs often support households to access such entitlement and compensation from the state. However, while doing so, they also invariably reconstruct a particular kind of post-disaster gendered identity politics that devalues women's position in the society. Femaleheaded households often find it difficult to access compensation from the state in such cases and are deprived of their rights (Akerkar, 2007; Akerkar & Devavaram, 2015). More generally, it can be argued that RBAs in disaster situations, when followed in uncritical ways, can reconstruct

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dominant ideologies of a woman's role in the household and affirm her subordination, which contributes to women's continued displacement from resources and participation in recovery processes. This calls for a critical assessment of construction of rights by state and nonstate actors and the regulating and discriminating effects they have on women and marginalized groups. Baxi (2006) made a crucial distinction in human rights politics by referring to the regulative construction of rights by the state a "politics of rights" that should be questioned by progressive social movements and groups and reconfigured as a "politics *for* rights. This means that instead of the statist politics *of* rights in a disaster-development continuum, what is needed is progressive politics *for* rights.

Toward the Politics for Rights

One issue related to the state- centric RBA is that it fails to appreciate and engage with other wider social processes that influence the affirmation of women's rights. In several countries, not only the state but also wider social actors affect the extent to which women's rights are recognized and respected (Kabeer, 2002). As Kabeer argued,

The state, in its various manifestations, is clearly central in determining which needs and priorities are given the status of rights in their operationalization. However, beyond the state, a wider range of institutions, including those of the market and civil society, also contribute to the process through their recognition and respect for these rights.

(Kabeer, 2002, p. 21)

In other words, an overtly state-centric rights approach has its limitations; it is not able to uncover or engage with the social field of everyday practice that constrains or authorizes women to exercise agency and claim rights. Recognizing that agency is embedded in the field of social relations means that the RBA needs to develop strategies that expand the freedom and the capability of the women's agency to act in ways that protects and promotes its emancipatory interests. Challenging structures of power embedded in entrenched social relations needs a rights discourse that moves beyond "state" as the only site of redress and claim affirmation. This in turn also means RBA should be based on an understanding of how women experience their agency in disaster contexts (Akerkar & Devavaram, 2015).

Given that the subjective experiences and subjectivities of the agency are produced through everyday practice, a rights-based agenda needs to be reflexive, responding to the emerging issues of inequalities and discriminations experienced by women in developmental and disaster response processes rather than working with a state-led model of abstract rights vested in an individual.

Disaster response is often led by the "tyranny of the urgent," and the organizational work is commonly driven by the need to respond to overt subject and sectoral needs, namely, through supply-based strategies (Bridge, 1996). For example, Sphere Standards (2018) outlined minimum standards of response, as agreed by major international development organizations. And while it

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includes the discourse of right to assistance, it enumerates technical standards to be achieved in different sectors, such as food, water, and housing, and as such highlights the supply-driven nature of any strategic response. The moot question that is rarely understood and answered in disaster response is: How can emerging subjectivities of disaster-affected persons be understood and tapped into as a necessary resource to develop an ethical and critical disaster response? From a women's rights-based perspective, this calls for processes that understand and engage with the emerging subjecthood and subjectivities of the disaster survivors, in order that solidarity and support can be extended to women and marginalized groups in their struggle for dignified recovery and rights.

In the context of disasters, states often, shape women's vulnerabilities through their regulating policies and practices and further patriarchal practices in their disaster responses. Such practices lead to entrenching of "official patriarchy" in disaster responses, which leads to exacerbation of already existing gender inequalities (Walker, 1994). Studies have highlighted the empirical instances of such official patriarchy and discriminations and violations or women's rights by state and nonstate actors in disasters:

- Access to relief and recovery resources by female-headed households and widowed women can

be highly discriminatory due to social and customary practices as well as state institutionalized notions of households, which consider men to be the heads of households. Single and widowed women faced discrimination in getting housing titles of their rebuilt houses in their own names after the 2004 tsunami in India, Sri Lanka, and Thailand (Akerkar, 2007; Akerkar & Devavaram, 2015). Similarly, single and widowed women were not able to access housing and other recovery supports after the 2015 earthquake in Nepal as they were not able to produce citizenship certificates, which are generally given via male heads—namely father or husband. The institutionalized discrimination against women in giving citizenship certificates in Nepal led to systemic discrimination after the earthquake (Yadav et al., 2021).

Low income-generation projects, such as those by single women-headed households, were overlooked after Hurricane Mitch in Honduras and Nicaragua, with investments made in major infrastructure and economic projects, thereby discriminating against women's rights to livelihoods after disasters (Delaney & Shrader, 2000). After the tsunami of 2004, fisherwomen's informal livelihoods, such as head loading, petty trading, informal labor, and net making and selling in India, Sri Lanka, Thailand, and Somalia, were not as well supported compared to the investments and supports made to men's livelihoods, which included replacement of boats affected by the tsunami (Akerkar, 2007).

Women's and girls' right to protection and freedom from violence are routinely violated after the disasters. An increase in incidents of domestic violence against women has been observed and reported in the following situations: after the Canterbury, New Zealand, earthquakes in 2010 and 2011; in Louisiana after the British Petroleum oil spill in 2010; in Haiti after the 2010 earthquake; in the Philippines after Typhoon Haiyan in 2013; in the Pakistan floods in 2011; in Japan after the tsunami and Fukushima disaster in 2011; in Sri Lanka after the 2004 tsunami; and in the United States after Hurricane Katrina in 2005 (Anastario et al., 2009; Bookey, 2010; Fisher, 2009; Houghton, 2010; Masson et al., 2016; Morena–Walton & Koenig, 2016; Nguyen, 2019; Saito, 2014; Shah, 2012; Sohrabizadeh, 2016).

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- Women's right to life has been violated in disasters. Lack of healthcare has impacted women's sexual and reproductive health needs and has led to their preventable mortalities after disasters (United Nations Population Fund, 2015).

- Women's right to participation has been violated in disasters and in disaster risk reduction strategies. The International Federation of Red Cross (IFRC) and United Nations Development Programme's (UNDP's) review of 31 countries and their disaster management laws; institutions, such as national disaster management authorities; and policies showed that by and large women's inclusion in disaster response was largely an aspirational statement and did not include specific mechanisms to further their participation in practice (IFRC & UNDP, 2014). Women have often been excluded from community consultations due to cultural practices in recovery processes, leading to skewed recovery measures (Saito, 2014). The lack of consultation has also led to women's shelter needs being ignored in the designing of the shelters after the Pakistan floods of 2011 (Shah, 2012).

These instances of routine violation of women's rights in disasters show the limitations of working and invoking statist notions of rights. Although invoking statist notions of rights may enable organizations to assist survivors in receiving compensation or assistance from the state, it often does so by building on identities regulated by the state's discourse on *who* can access resources, which in turn creates its own problems, such as excluding some groups of women. Excessive reliance on statist approaches to rights devoid of engagement with societal contexts may lead to routine violations of women's rights to life, health, participation, and freedom from violence. Further, a statist approach is driven by working with the rights of an individual abstracted from the social relations, thus ignoring the role that subjecthood and subjectivities may play in shaping agencies, societal constraints, and possibilities for undertaking progressive or critical politics *for* rights.

A critical rights-based practice therefore demands engagement in a critique of discourse of rights as a part of its practice. This in turn requires a notion of subjects who consciously engage with the social world around them; that is, an *agency* that is able to develop such a critique of discourse of rights. A concept of subaltern agency is therefore invoked here, namely as a subject with a critical agency, which can undertake a critique of rights by interrogating the rights discourse and the sociopolitical structures that simultaneously enable and disenfranchise them in exercising their agency and affirming their dignity. Subaltern agency represents an "agency of change" (Spivak, 1988b, p. 3) and is "a name for the general attribute of subordination... whether this is expressed in terms of class, caste, age, gender or in any other way" (Guha, 1988, p. 35). This means that, although subordinated, the subaltern groups actively construct their worlds, are politicized, and construct critiques of the world around them. This concept of subaltern groups is contextually sensitive and not ascribed, and it denotes the active voice of the *excluded* groups and depends on their marginal positionality in the social relations at stake. It denotes the vital voice of the socially excluded groups who aspire to social inclusion as socially embedded beings rather than as autonomous or isolated unitary individuals (Santos & Rodriguez-Garavito, 2005). Butler (2016) also draws attention to how gender is performed by marginalized groups through a dual process; that is, simultaneously through the play between the prior existing hegemonic social norms and the alternative counterhegemonic meaning-giving configurations. This means a complex play of identities is at work that may lead to a complex analysis of rights issues by women that defy a

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one-dimensional way of framing a rights-based response. Women widowed in disasters may find themselves in situations where intimate relations within the family and the extended community that provide them with protection and belongingness also simultaneously become spaces that exclude them from participation in family and community affairs due to entrenched social practices that stigmatize widowhood (Akerkar & Devavaram, 2015). Subaltern women's agencies have to navigate through complex experiences as they aspire to a dignified recovery, and a critical rights-based perspective must be responsive to this. Uvin (2004) argued that RBAs are about "promoting human dignity through the development of claims that seek to empower excluded groups and that seek to create socially guaranteed improvements in policy, including but not limiting to legal frameworks" (p. 163). Excluded from the hegemonic discourse of rights, the voices of subaltern women represent the marginalized other, which cannot be grasped easily by organizations working in disaster contexts without being self-critical of their own or legal formulations of rights. To advance a subaltern women's perspective, a critical RBA must go beyond standard practice and attend to marginal voices (Maggio, 2007; Spivak, 1988a, 1988b). The alternative visions of rights by subaltern women may act as sites of contestation, thus suggesting that their embedded social relations of vulnerability can also act as sites of their emancipatory action (Marino & Faas, 2020). This in turn means attending to the lived experiences of women and discriminated groups and their experiences of rightlessness, showing solidarity with them in their struggle to live dignified lives after disasters. It is this radical engagement with subaltern voices that can further the politics for rights of women and other marginalized groups as opposed to the statist and patriarchal societal formulation of rights.

Enabling Disaster Mitigation and Furthering Women's Rights

This article has argued for a persuasion of a radical politics for rights that emphasizes the subaltern women's voice and agency in disaster mitigation processes before, during, and after disasters to overcome the disaster-development divide. This subaltern "woman" is not a "universal woman," but is an articulation of the contextual experiences of discriminations and marginalization that contests the dominant or hegemonic framing of her rights. As a discourse of power, gender organizes the category "woman" and her experiences of subordination and marginalization in myriad ways that relate to other contextual markers of class, race, ethnicity, marital status, and so on. As a discourse of power, the role of gendered discourses in organizing and perpetuating discrimination needs to be unpacked in every context by intervening organizations. A few corollaries follow this assertion:

- Critical humanitarianism cannot be neutral or impartial but needs to further politics *for* rights of women.
- State-authored or dominant patriarchal societal framing of rights needs to be contested through subaltern women's evaluation of those rights in order to further the politics *for* women's rights.
- Rights-based social vulnerability approaches call for attention to the agency and capacities of subaltern women's groups and treat social vulnerability as a dynamic process that can change.

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- Women's rights-based disaster response and vulnerability reduction practices are linked with other developmental goals and rights; namely, women's right to freedom, participation, and dignified living; access to resources; and social equality.
- Discourses on disaster response and risk reduction normalize women's marginalization and exclusion, and therefore persisting inequalities should be critically evaluated and questioned before, during, and after disasters.
- Women's experiences as agents of change should replace stereotypes of women as victims. Transformation in social relations needs consciousness raising, development of women's leadership capacity, advocacy networks, and coalitions (Horton, 2012; Wakefield, 2017).
- Support for women's organizations, voices, agency, and leadership in their struggle against localized forms and manifestations of patriarchal social relations before, during, and after disasters (Moreno & Shaw, 2018).
- INGOs and civil society groups must show solidarity with the subaltern women's agency in their struggle for their rights and social change. Social change comes as a result of long-term and sustained engagement over years. The current practice of INGOs is to engage in relief and recovery over short periods of time and leave. However, politics *for* women's rights requires a commitment to longer-term engagements for inclusive and equitable recovery and development work.
- Politics *for* women's rights needs to be reflexive and ready to engage with the emerging issues of suffering and experiences of rightlessness of women in different contexts.

Conclusion

The interpretation of disasters has come a long way since the dominant natural hazards approach, challenged by other critical social vulnerability approaches and particularly feminist gender and disaster perspectives. This article reframes the meaning of disaster mitigation to take into account the reality of the disaster-development continuum and particularly the effects of rightlessness of women in those disasters. The current practices of many NGOs entail supply-based humanitarian response and uncritical use of state- and society-authored patriarchal discourse rights, which only goes on to consolidate the oppressive power structures experienced by women in those contexts. Radical politics for change that works with women's agency to further their rights should underlie all disaster mitigation practices embarked upon in the disaster-development continuum. This makes the relation between the two—disaster mitigation and furthering women's rights—a virtuous cycle. Disaster mitigation interpreted and undertaken as a dynamic process of discursive, policy, and practical intervention in the disaster-development continuum and furthers women's rights and gender equality can only reduce disaster risks to women and enable dignified recoveries of women affected by the disasters in that society.

This emphasis on a virtuous cycle calls for synergic responses by country programs in delivering the UN-led SFA targets and the SDGs. The SFA aims to increase capacities of countries to respond to disasters through improved national and local disaster relief and reduction plans and strategies, which can only work when these countries' plans and strategies also align with the

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SDGs related to furthering women's equality. It is this synergy of vision for a socially just and equal society that must inform the relation between disaster mitigation and furthering women's rights.

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