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**Famine: What’s in a Name?**

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Never in recent history has the word ‘famine’ carried such weight. The power of this single word (English language word) is such that governments and (some) international agencies engage in all manner of manipulations and concealments to avoid using it.

It’s important because, after decades in which famines were declining in numbers and in lethality—and indeed it was reasonable to assume that they could be eliminated entirely in the near future—they have made a dreadful comeback.

For two generations we have hardly, if at all, seen mass mortality events—‘great famines’ in which hundreds of thousands perish from hunger and disease in a year or so. But a famine of this magnitude seems inescapable in Sudan today. And I fear that the threats elsewhere are increasing, even while the humanitarian system as a whole is creaking, through lack of resources and, perhaps more disturbingly, a collapse of what appeared to be a moral consensus that mass starvation isn’t acceptable.

The power of the word ‘famine’ today is partly a testament to the impact of the metrics of the Integrated food security Phase Classification (IPC) and its definition of ‘famine’, adopted some twenty years ago. Forty or fifty years ago, we diagnosed famines by rule of thumb. Like fires and floods, they were unmistakeable when seen.

The IPC definition of famine is precise. That’s a strength. Demonstrating with the required degree of confidence that a famine is occurring requires a process that is at once rigorous and demands of those making the assessment, a judgement call based on professional discretion.

But it’s a backhanded compliment. The precision can be a liability. The IPC (and FewsNet) do their jobs well. Political leaders, in countries afflicted by famine, and in allied and donor governments, try to hide behind the wrinkles in the system to escape having to respond to need, or desist from perpetrating starvation.

The IPC definition takes its frame as a geographical area, within which 20 percent or more of the population suffers from:

* extreme lack of food;
* a global acute malnutrition prevalence exceeding 30 percent;
* mortality (crude death rate) of 2 people per 10,000 per day or higher.

Moreover—and this will be the focus of my presentation—the IPC definition leads us to a conceptualization of famine that is both extreme and narrow. The broader processes of generating famine may fall out of focus, and so too the disruptive and lethal impacts of those processes, including cases that don’t meet the criteria for IPC 5 Famine.

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Historians of law will recognize similarities here with how the broad, socio-political conceptualization of ‘genocide’ in the writings of Raphael Lemkin was winnowed down to a much narrower legalistic definition in the Genocide Convention.

They will also hear echoes of how ‘genocide’ came to be recognized, in popular conception if not in law, as the ‘crime of crimes’, with the implication that (for example) crimes against humanity are of lesser concern. And as cases of genocide come before the courts, the question of whether an atrocity qualifies as genocide hinges on matters of law—specifically proving intent—that seem to the layperson, and the survivor, to be technicalities or trivia.

We shouldn’t blame the lawyers for the shortcomings of international criminal law, but neither should we fetishize successful prosecutions of the crime.

Bringing a charge of genocide to court is a high stakes exercise. However reprehensible the accused, getting a conviction is hard.

There is a danger that an individual, or a state, is found *not guilty* of genocide as such. Let us say that person or government is found responsible for international crimes that, in law, are no less grave, but the genocide charge doesn’t stick. The accused and their supporters will celebrate the acquittal, the survivors and campaigners will be dismayed.

So too with famine and IPC 5 Famine. Thousands may die a needless, painful and humiliating death, but if it’s not ‘famine’ it doesn’t seem to matter so much, or at all.

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Our language is ill-suited to the deepest human harms. We have no category for children who die of fright. We have no word for what it means for a survivor of rape who has lost her sense of self and her future.

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More mundanely, problems with operationalizing a word such as ‘famine’ or ‘genocide’ is related to the wider problem in public policy that as soon as a particular indicator is adopted as a benchmark, that indicator’s meaning changes.

And the propensity of those in positions of power who want to avoid facing a difficult reality, and who don’t want to make a difficult political decision, to hide behind technocratic details.

The IPC and FewsNet do their job. But their political masters don’t want to do theirs.

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Let me look at the background to the development of the IPC.

It was created because humanitarian agencies needed standardized food insecurity metrics so as to standardize programming responses. They needed this to make coherent justifications to donors.

No less important was explaining aid targeting decisions to recipients and, specifically, non-recipients. In countries such as Somalia, where communities were clamouring for assistance, humanitarian agencies found it very helpful to be able to give a clear and accessible rationale for why certain communities were receiving less than others, to make it clear that the reason was not favoritism based on clan identity or political sentiments.

The IPC arose from a prototype famine scale developed by Paul Howe and Stephen Devereux. This had three dimensions:

* magnitude
  + (the total numbers stricken—thus a ‘great famine’ is one with 100,000 or more excess deaths)
* intensity
  + (the severity of suffering in a particular locale)
* duration
  + (how long it goes on – something I won’t discuss today, but I think we need to be very disturbed by how many populations are facing permanent emergency or systemic precarity)

The reason for focusing on intensity is simple. Magnitude requires an assessment of impact and is by definition too late; intensity allows for finer-tuned timely warning.

The prototype had 6 phases… zero was normal and phases 1-4 resemble, more or less, those of the IPC.

The term ‘famine’ made its entry at the prototype phase 3, more-or-less IPC 4 Emergency, with a CMR of 1/10,000/day and global acute malnutrition of 20%.

The prototype scale phase 4 was ‘severe’ famine conditions and phase 5 was ‘extreme’ famine conditions, with CMRs of 5 and 15/10,000/day respectively (depths plumbed only in the most atrocious camp situations).

The reasoning was:

* at this level, mortality rates are already high;
* famine is not an event, but a process, and at this stage it is underway
* spurring early action is essential, and senior policymakers tend not to act until the word ‘famine’ is used.

In the event, the IPC restricted ‘famine’ to phase 5, in situations in which all three indicators were demonstrably at the identified level, otherwise it being ‘merely’ catastrophe.

This has led to a situation in which widespread and protracted Phase 4 emergencies can generate levels of excess deaths that qualify as ‘great’ famines according to the magnitude scale.

In South Sudan, an estimated 98.5 percent of excess deaths in 2014-2018 occurred in IPC Phases 3 and 4, a small minority in the two counties that descended into IPC 5, when they were in that phase.

In Yemen, excess deaths are in the hundreds of thousands, without any places identified as being in IPC 5.

The requirements for determining IPC 5 Famine also generates incentives for governments and indeed international agencies to find ways of not gathering evidence.

A case in point is Tigray in Ethiopia. In July 2021, the IPC famine review committee reported, that famine was likely in a worst-case scenario of continued conflict and lack of humanitarian assistance.

That scenario unfolded. The Ethiopian government permitted no additional data to be gathered. The government—and to its undying shame, the World Food Programme country office—interpreted lack of evidence for famine to be evidence for lack of famine. The crime of mass starvation was perpetrated with impunity. We don’t have an accurate figure for mortality but the lowest estimates are in well above 100,000.

The IPC did its job.

Just as lawyers tell the public that crimes against humanity and war crimes are no less egregious than genocide, so too those who work with the IPC insist that there is no binary famine/non-famine, and the absence of a famine declaration is no reason for complacency. But nonetheless, the message conveyed by journalists and understood by politicians and the public is that a famine prevented is a good thing, a success, even if it still qualifies as a ‘great famine’ by the numbers of dead.

And I worry that the incentives for suppressing information are increasing. Perhaps what is surprising about Gaza is that information, albeit limited, remains available, and that Israel has not challenges the IPC findings. That may be an indication of the Israeli government’s sense of impunity, that it does not even try to deny the harms it is inflicting.

This debate all concerns the measurement of *intensity* or *gravity*, with a basic metric of the numbers of dead.

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There’s another issue here, which is the breadth of the definition. We are losing sight of the holistic nature of famine.

The title I gave to first book on famine, a reworked version of my doctoral dissertation, was ‘famine that kills.’ This was drawn from the indigenous famine scale used by people in Darfur, where I did my fieldwork in 1985 and 1986. The point being that there were also famines that *didn’t* kill.

The main thing I wanted to do with my book was to show that the people who endured famine had a more profound understanding of what it entailed than outsiders. The book was structured around chapters that dealt with hunger, death, and destitution.

The first and second are relatively straightforward. The third was about livelihood coping strategies and preserving social capital. I described the central goal of those coping or survival strategies as trying to sustain a *way of life*.

My subsequent research and writing focused on those who perpetrate famine, for political, economic and military reasons. My later fieldwork has been a kind of elite ethnography, hanging out with the war criminals, as part of initiatives to end conflicts and to sharpen the criminalization of starvation.

It’s only more recently, as famines have made a comeback, that I have returned to the question of how people who survive famine give meaning to that experience. My entry point was transitional justice after mass starvation: how these episodes are memorialized, with the aim of restoring dignity to the survivors.

One of the striking things I found is how rarely famines are publicly memorialized. The exceptions prove the rule: Ireland and Ukraine, where famines inflicted with indifference or deliberation by outsiders came to become part of nationalist narratives, but only after two or more generations.

Most famines are remembered privately. In ways that are personal, intimate, and pervasive. Once you know what to look for, the imprint of past famines can be felt very widely.

And the abiding memories are those of shame, indignity, humiliation.

Research into how starvation is remembered reveals how people recall the events in quotidien ways. Ways such as hiding little stores of food from neighbours and cousins, turning away hungry children from their doors, stealing food or fighting over scraps.

Famine is a social experience. Or to be precise, an experience in which social values are strained and even broken.

The Russian sociologist Pitrim Sorokin who experienced famine in the 1920s only felt able to write about hunger some fifty years later. He memorably described starvation as stripping the social garments from human beings, leaving them as naked animals on the bare earth.

One of my own memories of my early research into famine was staying at the encampment of a nomadic sheikh in Darfur in 1985, who described to me how his customary way of life was coming to an end, with the world being turned upside down. The norms, values, social relationships that had guided him throughout his life were being torn apart.

Twenty years later his son became head of the Janjaweed, the Darfur militia notorious for war crimes, accused of genocide and forced starvation.

And a further twenty years on, an irregular militia, denigrated as an outcast rabble, has developed into the governing order of Darfur, and was indeed on the brink of ruling Sudan as a whole.

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Which brings me to the question of famine perpetrators, or more broadly the beneficiaries of famine, which has been a focus of my work over the last ten years.

The war crime of starvation is defined in the Rome Statute of the ICC (article 8(2)(b)(xxv)) as

‘intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions’

It is worth noting that ‘starvation’ in law is broader than hunger. Objects indispensable to survival include medicine, clean water, sanitation, shelter, fuel for cooking and heating, and (I would argue) maternal care for young children. Because no prosecutions have been brought, there is no case law, so we don’t know how broadly this term would be interpreted by a court. It might, for example, include access to information, or ability to move freely.

Starvation is also prohibited in other bodies of international law including the Rome Statute’s crime of extermination, the Genocide Convention, and international humanitarian law.

Collectively, we can call these prohibitions on ‘starvation crimes’.

The Genocide Convention prohibits starvation in the following terms (article 2(c)):

‘Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.’

This differs from the other starvation crimes in that the Genocide Convention enables states to bring cases against other states at the International Court of Justice, as well as prosecutors to charge individuals.

And the ICJ may, probably without knowing what it was doing, have brought famine into jurisprudence.

Nowhere in law is there a definition of famine as such. Rather, what we have are specific prohibitions on actions. Certainly, famine would provide an indication of severity of outcome, but it is neither necessary nor sufficient for determining that a starvation crime has been committed.

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In March, in the case against Israel brought by South Africa, the International Court of Justice found that the imminence of famine in Gaza, according to the IPC famine review committee, was material grounds for issuing a new instruction to Israel to ensure the immediate and effective provision of humanitarian assistance. Having accepted jurisdiction on the case because there is a low bar for deeming that genocide is plausible, the Court is ruling on matters that do not require a determination of genocide. The judges cannot rule, because it might not be genocide, other crimes are permissible. So they were instructing Israel not to violate international humanitarian law.

This is the first time, to my knowledge, that a famine determination has been used in a legal process in this way.

The implications are intriguing.

Regardless of the merits of the genocide claim, the Court has nonetheless issued immediate provisional orders to Israel.

The most significant of these was issued on March 28. Citing ‘the spread of famine and starvation’, the World Court demanded that Israel should:

(and let me emphasize the words to make clear their weight)

Take all necessary and effective measures to ensure, without delay, in full co-operation with the United Nations, the unhindered provision at scale by all concerned of urgently needed basic services and humanitarian assistance, including food, water, electricity, fuel, shelter, clothing, hygiene and sanitation requirements, as well as medical supplies and medical care to Palestinians throughout Gaza...

Justice Aharon Barak, former President of the Supreme Court of Israel, nominated by his country to sit on the ICJ, voted in favor, making this decision unanimous. He explained in his separate opinion that he was voting with his humanitarian conscience and in recognition of ‘Israel’s obligations under international humanitarian law’.

Judge Barak did not vote with the majority on a closely related provision, which makes Israel’s compliance with this instruction a matter of complying with the genocide convention.

In his dissenting opinion, Judge Barak wrote,

The Court fails to explain why the provision of basic services and humanitarian assistance is linked to any of the rights found to be plausible under the Genocide Convention. It presumes a link that is nowhere to be found in the text of the Convention.

Along with the other 14 judges who voted the other way—several of them dissenting from the consensus opinion in support of stronger measures—I beg to disagree.

In my 2018 book, *Mass Starvation: The history and future of famine*, I coined a term ‘counter-humanitarianism.’ The context of this coinage was addressing the question of why famines persisted in the contemporary world, despite the fact that all the material preconditions for abolishing famine were in place. The reason was that all contemporary famines are what I called ‘atrocity famines,’ a term that is, I think, self-explanatory.

Atrocity famines come about through the commission of starvation crimes—the war crime of starvation, the war crime of extermination through starvation, or genocidal starvation—compounded by the obstruction of humanitarian relief.

That obstruction could occur through indifference to human life, through the reckless pursuit of a military objective without regard to its humanitarian consequences, or through a determination to kill through starvation.

‘Counter-humanitarianism’ referred to the latter: a principled denial of essential relief to a starving population. I struggled to find clear instances—ISIS in Syria was one—but I had the intuition that it might lurk elsewhere, so I included this term for an as-yet-unrealized phenomenon.

Regrettably, my intuition has been borne out.

It was on the basis of obstructing humanitarian assistance that Aryeh Neier, who among many remarkable achievements in a long career was the founder of Human Rights Watch, concluded that it was correct to characterize Israel’s actions in Gaza as an instance of genocide.

I think we have within reach, though perhaps not yet within grasp, a legal obligation to prevent famine as such.

I welcome this, and also welcome the increased attention to starvation crimes, and pressure for them to be prohibited, exposed and punished.

At present that doesn’t seem to be deterring Israel.

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However, my point is that the focus on starvation crimes is *also* narrow. It points us to individual actions (and in the case of genocidal starvation, state actions) that can be prosecuted. By extension, it may also lead us to the issue of how restitution and compensation may be sought. And it implicitly opens up the hitherto neglected field of transitional justice for famine, including truth telling and memorialization.

But the law’s focus on ‘survival’ brings us back to the metric of threat to life, not ways of life.

Also the focus on criminal conduct obscures the wider economic and political processes that may generate famine. Many deprivations that cause starvation are not in themselves criminal, and indeed economic policy decisions, however reprehensible or reckless, are not usually considered to be criminal.

Wider political accountability is needed.

This requires public awareness, and especially awareness of the political nature of famine. I have called this an ‘anti-famine political contract.’

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Let me conclude by gathering these threads together.

Our challenge is a definition that serves two purposes.

One is to focus on the extremity: mass starvation. The narrow definition of IPC 5 Famine serves a vital purpose. And it is one that will become more important than ever as the more mass mortality events loom, in Gaza, in Sudan, and I fear elsewhere.

But the second is no less important, which is to keep sight of the broader social processes and impacts of famine; the broader range of harms encompassed within food crisis, emergency and famine; how it is the damaging or destruction of ways of life; which itself has profound implications for health and survival.

But I also want to emphasize that today’s food crisis early warning systems are good for purpose. They have flaws, but they overall do a tremendous job of alerting us to the scale and trajectories of major food crises.

The problem is not the warnings. The problem lies with those who don’t want to hear them.