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Famine, violence, and the intentional politics of letting die

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Early in his essay Alex de Waal (2017) acknowledges the “deep connections between the politics of persecution, dictatorship, conquest and genocide, and the occurrence of mass starvation.” These connections relate directly to de Waal’s guiding question, namely that efforts to reduce or eliminate famine have not only stalled, but that progress toward the elimination of mass starvation has reversed.

de Waal argues that famine mortality has in recent years declined and identifies several possible causes for a decline in famines. To begin, increases in agricultural productivity have lessened the specter of famine, although this holds only if people have access to improved food production. Consequently, de Waal highlights several factors that mediate food availability, including income inequality, functioning food markets, public health, and climate change. When considered in their totality, de Waal writes, famines are multi-causal and exceptional events; and that most require a combination of political, economic, and social factors, with mortality driven in part by the public health environment and humanitarian action.

de Waal’s argument is intriguing but not without its problems. The central claim forwarded by de Waal is that “famines are a form of political crime: committed by governments and other political authorities that regard human lives as without value, or to be subordinated to other ends.” And to this end, de Waal concludes that “there is nothing inevitable about these calamities. What politicians have created, politicians ... can remedy.” As ‘exceptional’ events, de Waal asserts that over the last 150 years *proximate causes* have become more important than the aforementioned structural causes. Notable in this regard is de Waal’s statement that among political factors, there is a changing balance between political sins

of omission and sins of commission. Previous famines, de Waal suggests, were often associated with ‘minor political errors’ and ‘lack of administrative capacity’; conversely, modern famines are more directly related to ‘extreme political events’. In other words, modern famines are more apt to reflect *intentionality*, i.e. political sins of commission, as opposed to *unintentional* effects of political, economic, or social factors, i.e., political sins of omission.

Here, I want to push de Waal to consider more thoroughly the apparent dichotomy of political sins of omission and commission. More precisely, I want to reposition de Waal’s deployment of intentionality within a broader philosophical context of violence and criminal justice. In recent years I have grappled with the apparent dichotomy of killing and letting die (Tyner, 2014, 2016; see also Rachels, 1979; Young, 1979; Steinbock and Norcross 1994). The act of killing, for many bioethicists and philosophers, is considered to be morally worse than letting die. Such a presumption hinges on our understanding of agency: to ‘kill’ is considered an action whereas ‘letting die’ is perceived as an omission, or lack of action. This moral partition is premised also on a distinction between ‘negative’ and ‘positive’ duties, that is, certain actions and behaviors that are prohibited; and other duties, responsibilities, or obligations that must be performed. de Waal briefly touches on this distinction—one that I believe warrants significantly more attention.

The apparent dichotomy between ‘positive’ and ‘negative’ duties and of ‘killing’ and ‘letting die’ greatly inform international law and, specifically, the prosecution of individuals for human rights abuses, including so-called genocidal famines. Simply put, international tribunals and war-crime trials focus attention on forms of direct, physical violence (i.e. extrajudicial executions, war-rape, and torture); these are actions for which a case can be made that an ‘individual’ *intentionally* harmed others and thus may be found guilty. However, the failure to provide positive duties, such as

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adequate medical care or even food, is generally not viewed as a crime against humanity; this holds even if those ‘inactions’ lead to the death of hundreds of thousands of people.

Let us now resituate our understanding of genocide, famine, or genocidal famine in the context of violence. The most prevalent abstraction of violence pivots on the apparent distinction between direct and structural violence. For Galtung (1969) direct violence occurs when there is an *identifiable* actor who commits an act of violence. Those Nazi officials responsible to the implementation and use of the gas chambers at Auschwitz engaged in direct violence; so too the perpetrators of purges throughout Cambodia. Structural violence, conversely, occurs when no such actor is identifiable. Galtung (1969, 170–71) elaborates that “whereas in the first case [direct violence] these consequences can be traced back to concrete persons or actors, in the second case this is *no longer meaningful*. There may not be any person who directly harms another person in the structure. The violence is built into the structure and shows up as unequal power and consequently unequal life chances” (emphasis added). However, lurking beneath a focus on unequal structures is a more difficult question: What role does ‘intentionality’ play in structural violence? This question has an immediate bearing on de Waal’s forwarding of genocidal famine and is one that has been addressed in the context of both the Holocaust and the Cambodian genocide (DeFalco, 2011, 2013a,b, 2014; Gerhard, 2015; Tyner & Rice, 2016a, 2016b; Tyner, 2017).

As we have seen, direct violence is characterized by intentionality of an identifiable actor while structural violence appears as a ‘crime without a criminal’ (Gupta, 2012, p. 21). Intentionality, however, is a slippery concept for two reasons. First, to argue, morally, that a failure to act is intentional, one must satisfy three conditions: ability, opportunity, and awareness. Following Green (1980, p. 196), to fail to act involves not performing an action but having the ability to perform the action. Posed as a question, is an individual in a position to prevent a harm (or death) but, through his or her inaction, fails to do so? Second, there is the condition of opportunity. Does any particular individual have the opportunity to prevent harm? Last, there is the condition of awareness. Is one aware of the conditions that contribute to harm befalling another person? Applying these three conditions, let us return to the concept of ‘structural’ violence. As commonly employed, this concept is premised on the argument that certain inequalities are systemic; in other words, there is no individual to blame. However, when we recast structural violence within the context of letting die, we readily see that many individuals, such as politicians, in reverse order, (1) are aware of harmful policies and practices that might disallow life; (2) have the opportunity to stop or remedy these policies and practices; and (3) have the financial—or political—ability to prevent harm.

How does this, in the end, relate to de Waal’s overall thesis? de Waal draws on a four-fold typology of ‘famine crimes’: Category I crimes are inflicted with the deliberate intent to exterminate people; Category II crimes includes those instances where famine is inflicted in pursuit of other objectives; Category III crimes are those in which governments are indifferent; and Category IV crimes occur when governments lack the capacity to respond. Notably, de Waal

suggests that Category III crimes—ostensibly those resulting from a political sin of omission—were common in the nineteenth-century but have been decreasing in recent years; and Category IV crimes have “become vanishingly rare over the last century.”

As my brief excursion into the philosophical basis of letting die illustrates, the stark dichotomy between omission and commission is decidedly blurred. The imposition of structural factors that create conditions of inequality must be considered as acts of commission; if it becomes known that these conditions result in suffering, and no attempt is made to remedy those conditions by those who have the ability and opportunity, these acts of omission must be reconsidered as intentional acts of letting die. Moreover, this responsibility to protect has to extend beyond the immediate government in question. If North Korea is determined to be guilty of committing a Category I famine crime—and the international community does nothing—then the latter is equally guilty. For every modern famine that may be classified as Category I or Category II, the inability or indifference of the international community to respond constitutes a Category III or Category IV crime. de Waal maintains that “starvation is transitive: it is something that people do to one another.” It is equally true however that starvation has been, and continues to be, something that other people do not do.

Conflict of interests

None.

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