

**GMOs and public policy in Portugal
or how not to put GMOs into politics**

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EXECUTIVE SUMMARY

The GMO issue in Portugal appears as an exemplary instance of how to keep a controversial issue out of the national political agenda. Some largely unsuccessful attempts were made of opening up a national public debate and of ensuring that the matter would get media coverage. Most of the initiatives in this field were bounded in time and the failure in articulating the various actors involved was often visible. On the other hand, this process should be understood in the light of developments at the European scale and of the transatlantic debate on GMOs. It should be noticed, however, and taking into account the aims of the analysis offered here, that questions related to transparency, dialogue, control, shared power and public consultation would emerge as central throughout the process.

This paper proposes a reading of the process, on the basis of the issues mentioned above, on the one hand, and, on the other, on a recognition of the specificities of Portuguese society which we believe to have had a structuring effect on the way the process was conducted.

TABLE OF CONTENTS

1. Introduction
 2. General framework
 3. Main events
 4. Public protest
 5. The parliamentary debates
 6. An entry point to public accountability: the public debates and the CNADS report
 7. GMOs and the media
 8. Preliminary discussion of comparative issues
- References

1. Introduction

In Portugal, and with some rare exceptions, issues related to GMOs have not had significant public resonance. It is true, however, that the way both public entities and other actors involved have engaged themselves with the subject raises questions of particular interest to debates on public accountability. The positions of the Portuguese government regarding GMOs seem to have been aimed at preventing the latter from becoming a politically relevant subject. Some of the features of the processes dealt with here should be understood in the light of developments at the European scale and of the transatlantic debate on GMOs. From the point of view of this project, the salience of issues related to transparency, dialogue, responsibility, control, the sharing of power and public consultation was visible. Public expressions of concern with these issues has emerged in three different spheres: public protest, parliamentary debates and debates involving different types of actors. Articulations between these three spheres, however, are often difficult. Many of the initiatives are bounded in time, they have no sequence and no links are created among them. Another area where issues relevant for the current debate have arisen is media coverage. It should be noticed, however, that most of the latter is linked to processes in other countries, with little coverage of situations in Portugal. Any treatment of issues related to GMOs in Portugal will have to take into account the specificities of Portuguese society and political culture.

We shall focus on two transversal dimensions relevant to the current project: is there – and if yes, why – a discrepancy between a normative and legislative matrix and the field of practices? And why has civil society displayed greater proactivity than the State in promoting information and public debate in order to increase both the visibility of GMO-related issues and their public debate, mainly through a greater involvement of actors such as NGOs, as well as

broader publics? This will provide crucial information on emerging practices of public accountability which point towards changes in political culture in Portugal.

We shall also explore the ways in which social movements display a tendency to become public interest groups, trying to insert themselves into institutionalized forms of interaction with the formal political system on the basis of processes of negotiation, evaluation, fora, committees for inquiry and other forms of collaboration with State agencies. There may be a tradeoff between influence gained through institutional integration and dialogue and a narrowing of the pluralism of perspectives on the issues and of the diversity of forms of mobilization and participation. A further line of reflection deals with the reciprocal influence of a variety of dimensions related to public accountability and public participation, and the weakness of the latter as a means for citizens to give a voice to their claims and opinions.

We shall start with a general outline of the features of Portuguese society which appear as most relevant to the case at hand, and follow with the identification of the main actors and moments of the process. This will allow a characterization of the latter along the four themes of public protest, parliamentary debates, public debates - with a focus on the debate which arose from a report drafted by the National Council for Environmental and Sustainable Development (CNADS) - and media coverage. We shall conclude with some suggestions for comparative analysis, both across cases within Portugal and across countries.

Methodology

The methodological strategy adopted for this case study consisted in re-analysis and re-interpretation, in the light of the Public Accountability dimension grid, data and results of previous projects which have dealt with GMOs and public debate in Portugal, namely *Assessing Debate and Participatory Technology Assessment – ADAPTA* (Jesuino, J. et al., 1999) and *Life Sciences in European Societies – LSES* (Jesuino, J., et al., 2001). We draw as well on exploratory conversations and interviews, specifically oriented to this research project, as well as on documentary analysis and selective readings, in order to outline an analytical model appropriate to the Portuguese context.. We have also analysed official documents and the laws concerning GMO policies. Besides, we have made specific interviews with some of the most relevant actors and a detailed analysis of media articles, ‘public debates’ on GMOs and parliamentary debates.

2. General framework

In Portugal, both scientific advice linked to policy-making and public debate are weakly institutionalised. The possibilities for citizens to express their political opinions is restricted to political parties and, to a limited extent, the media. More recently, stakeholder organizations or public pressure groups in several areas, as well as some citizen movements with a local or national expression, are contributing to a widening of the resources for citizen action.

Several recent crises, related in one way or another to the social impacts of the development of science and technology on the environment, public health and security, including BSE, contaminated blood, effects of use of chemical products in agriculture or GMOs, as they were brought to public attention, contributed to highlight, in the public sphere, the hazards and fears associated with scientific and technological development, and how the political system was managing (or

failing to manage) these problems. The demand for more accountable approaches to these problems is, in this light, understandable.

In the case of GMOs, where the issues discussed were related not just to the scientific dimension, but also to socio-political dimensions, such as individual and collective risks, and where the intervening actors appealed to the precautionary principle and discussed questions related to labelling, the price of products and public health, a tension emerged between the citizen as consumer and the citizen as a political actor.

Considering the absence of conditions for a dialogue and communication among scientists, publics and decision makers – an absence which features prominently in political cultures like the one we find in Portugal – it is important to focus on some initiatives arising from civil society, namely from the several interest groups and stakeholders who played a prominent role in the GMO case, such as scientists, environmentalists, bio-farmers, and consumer NGOs, how they interacted, promoted informal public debates (most of them in academic settings) and thus tried to publicly legitimise their own activities, directly or indirectly related to GMOs .

The interest in GMO issues is very recent in Portuguese society. In fact, date from the early 90's, but during this early phase the debate was promoted only among the scientific community. Just after the mid-90s, and especially after a Quercus and Greenpeace demonstration, the number of actors involved have increased and other dimensions of the GMO case have been clarified.

From the point of view of the political system, dealing with GMOs involves the Ministry for Towns, Territorial Planning and Environment (former Ministry of Environment) and the Ministry of Agriculture, Rural Development and Fisheries. The first is in charge of the authorization and monitoring of experimental cultures, and the second is in charge of the commercialisation of the seeds through their inclusion in the national catalogue of seeds available to

farmers. The other two institutions responsible for GMO policies are the General Direction of Food Quality Supervision and Control, which checks the quality of seeds, and the General Direction for the Protection of Crops, which registers the seeds in the national catalogue. Both answer to the Ministry of Agriculture, Rural Development and Fisheries.

Besides these institutions, several other actors are involved in the GMO process in Portugal, particularly in the process of introducing and monitoring these organizations. Some of the most relevant are:

- Environmental associations: **QUERCUS**, GEOTA and LPN;
- Trans-environmental associations group: CPADA (National confederation of environmental associations) and SPECO (Portuguese ecological society);
- Consumers: Consumer Institute (governmental institute) and DECO (national consumers' association);
- Farmers: CAP (Portuguese agricultural confederation) and the organic farmers' associations BIOCOOP and AGROBIO;
- Scientists: Science Museum, Botanical Museum, and the institutes IBET, IBMC and ITQB;
- GMOs' Working Group (including representatives of some NGOs more directly involved with the subject);
- Other Ministries: Ministry of Health and Ministry of Science and Technology;
- Inter-ministerial Group of Experts (constituted with representatives of the Ministry of Environment, the Ministry of Agriculture, the Ministry of Health and the Ministry of Science and Technology);
- The NGO Platform 'Transgénicos fora do prato'.

3. Main events

A identificação e sistematização dos principais acontecimentos verificados ao longo deste processo ajudar-nos-á a compreender melhor o caso português. Neste sentido, apresentamos uma breve cronologia dos principais acontecimentos seguida de uma breve descrição das principais fases do ‘debate’ em torno dos OGMs em Portugal.

Table 1

Chronology of the main events of GMOs’ debate in Portugal

1992	Transposition of Directive 90/220/EC on the deliberate release into the environment of genetically modified organisms Release into the environment of twelve GMOs for research purposes
1997	Quercus and Greenpeace demonstration in Lisbon harbour against unloading of genetically modified corn.
1998	Creation of the interministerial group of experts - contributed to advise the Government on issues related to GMO. Parliamentary debate on Genetics and the new paths to new food resources
1999	Two varieties of transgenic corn authorised (February) ‘Public debates’ organised by the Science Museum (June), SPECO, Order of Biologists, and even by bio farmers (June, July) Creation of the NGO platform (November) Parliamentary debate on Seattle’s WTO Conference (November) Suspension of the sales authorisation (December)
2000	Portugal assumes the EU presidency (January) Parliamentary debate on Montreal Biodiversity Protocol and on two projects of law: one on commercialisation, importation, and production

	<p>with commercial purposes (Green Party) and another on the precautionary principle as applied to GMO (Left Block). (February)</p> <p>Parliamentary debate on a project of law on labelling foodstuff for human or animal consumption (Green Party) (June)</p> <p>CNADS/CES report on GMOs.</p>
2001	Public discussion of the CNADS/CES report on GMOs.
2003	<p>Parliamentary political declaration by Green Party on a New Scientist article about GMOs. (February)</p> <p>Parliamentary debate on nitrofurans with reference to the continuation of the EU moratorium on GMOs. (February)</p> <p>Petition promoted by the Platform 'Transgénicos fora do prato'.</p>

Through the analysis of these main events we were able to identify four main phases of this process:

3.1. First phase: Scientific discussion and the acknowledgement of the GMO problem (1992-1997)

In 1992, after the transposition to domestic law of the Council Directive 90/220/EC (on the deliberate release into the environment of genetically modified organisms), a group of scientists working mainly in molecular biology decided to organize a number of meetings gathering academic researchers and other actors interested in the subject – such as environmental associations and the Portuguese Association of Biologists, the only collective entity involved at this stage. A plenary session was also organized, with exclusive attendance of scientists and academics.

Several informal discussions and workshops were organized by the Science Museum in Lisbon (an exhibition, public debates, electronic discussion, and media popularisation) or by the Universities (e.g. on National Science Day, or on Earth Day), and by SPECO and the Biologists' Association. Bio-farmers, gathered in cooperative organizations such as BIOCOOP and AGROBIO were also active in promoting this kind of public meetings. The aims of all those debates were public information on science and technology by the experts on several areas related to GMOs (safety, usefulness, technical and socio-economic aspects) and the interaction amongst experts, politicians, industry, environmentalists, NGO's and lay people. These debates provided a space for the confrontation of ideas and for informal attempts at a broader public discussion. They made room for the display of a variety of positions on genetically modified organisms at various levels: scientific and technical, ethical and moral, social, economic and political. One of the most debated issues was precisely the conspicuous absence of public debate on these issues in Portugal. Another important question that emerged on these occasions was the awareness of the need for broader and better information and active participation of all actors and perspectives involved in the GMO debate, in order for public opinion to emerge and for the conditions for debate and deliberation involving the public to be created. According to participants, this would be the adequate path towards the avoidance of both public indifference and outright rejection of GMOs based on ignorance or fear. In short, these debates were a way of claiming an improvement in the amount and quality of available information, in order to allow citizens to make informed and responsible decisions and choices regarding issues likely to affect the health of consumers and of animals, as well as agricultural products, plants and the ecosystem and the environment.

The need to identify risks, to ensure adequate labelling of products with genetically modified components, to develop rules for research and

commercialisation emerged as central concerns in these events. The main message was that there should be a virtuous circle of scientifically accurate information and concern for the health and well-being of citizens and consumers. Labelling in particular was seen as a crucial means for the public to be able to exercise their right to choose. This would improve confidence in public control over potentially hazardous products. The climate of suspicion towards the biotech and agrotech multinationals pointed towards the need to create and enforce appropriate frameworks for control and surveillance of both research and commercialization of GM entities and products, based on precaution and sound risk assessment. In order for this to be accomplished, the need was also stressed for controversial positions among scientists regarding GMOs and their likely possibilities of development to be brought under public scrutiny.

Scientists tried to assert the difference between scientific assessment through the privileged means of experimentation and political strategies based on other logics. According to their view, experimentation would provide the soundest way of assessing risks and ensuring the safest possible practices in the fields of research, development and dissemination of GMOs. This amounted to a defence of the separation of scientific research and assessment and political decision. Scientists thus developed a self-presentation as the bearers of knowledge that could and should be used for political decision-making, but without allowing any confusion between the two spheres and their respective competences and responsibilities. Ultimately, decisions on the social use of biotechnology and of its products should rest upon appropriate means of public consultation and decision-making and not follow automatically from scientific assessment. The whole process was to be, in fact, overdetermined by the political field.

The formal political system, however, seemed to ignore these concerns and initiatives. The European and transatlantic debates on GMOs raging since 1996

had virtually no resonance in Portuguese society beyond the sectors mentioned above. It certainly did not push the Government or the major political parties into an active role in promoting debate or discussing a strategy for dealing with the many issues raised by GMOs. Margarida Silva, a biologist, leader of Quercus, the largest environmental association in Portugal and an initiator of the Platform "Transgénicos fora do prato" (Transgenics out of our plates") suggest a number of reasons for this state of affairs. First, the Government has persistently aligned itself with the positions of industry and, as a consequence *"(...) how can we expect anything from the Government if the very people in Government who have the specific role of controlling the authorization and circulation of transgenics and everything related to labelling are the people who are completely aligned, even nested within a perspective of those who are selling?"* Secondly, in Portugal, biotechnology does not appear as something you should regulate, but rather as something you should promote: *"(...) the position, of course, will not be different! It won't be one of concern with the justification (...) of safety, or the absence of environmental impacts or, say, the income of farmers! (...) The starting point is promotion, and from that point on, apparently, everything is justified!"* (Interview)

The interaction between the economic and political fields is often tacit and lacking in public visibility, and scientific arguments hardly have a role in it. This, in turn, is an outcome of a subordination of any national strategy to an European strategy on the future of GMOs:

"Portugal is dragging its feet in relation to the rest of Europe; there is no public indignation. I think what will happen in Portugal is that GMOs are not a priority in terms of food content for the population and people will say that if scientists say there is no harm – they should know. Are we going to have losses in biodiversity? OK! But who cares about biodiversity, we just want to eat cheaply!". If public opinion goes on acting upon this basis of good, attractive and cheap food, the government will always have room to manoeuvre to say that there is no reason to oppose the commercialisation of the

products." (Mário Beja Santos, Consumer Institute, European Association of Consumers).

"This government's point of view is that the consumer has every right to know, to have labels, to reject, even to make mistakes rejecting. (...) Those who want to promote and believe that genetically modified products are good should have ways of convincing the consumer. So it's clear that Portugal has an active line on pro-labelling, in the line both with public opinion and the consumer." (Humberto Rosa, biologist, former advisor on environmental affairs to the Portuguese prime-minister).

The lack of a coordinate strategy of biotechnology firms in Portugal and their weak presence in the country explains the fact that even the governmental measure of withdrawing GM seeds from the National Catalogue (a top-down initiative) did not appear as disruptive of any strategic orientation.

Biotechnology firms, in turn, believe in an inevitably bright future for biotechnology, praising its virtues and minimising its risks. A feature of the biotechnology industry in Portugal is its discretion and lack of aggressive campaigns, perhaps due to the fact of Portugal being a very small market. Monsanto, Agrevo and Novartis do not seem to have an active strategy for promoting their products and their research in Portugal. They declare their intention to make issues involving GMOs accountable in the public sphere, but in terms of action they display a conspicuous passivity.

NGOs have carried out a number of initiatives. The latter, however, have always been bounded in time, and no attempts were made to define a national strategy for dealing with GMOs. One of the reasons for this deficit in strategy is the absence of a convergence of environmentalist associations: *"(...) people show up once, then they never show up again."* (Margarida Silva). For many of these associations, on the other hand, this issue is certainly not defined as a priority. Whenever initiatives arise to endow the GMO issue with some visibility and to promote transparency in dealing with it, the lack of adequate resources to be

able to engage in serious and consistent action is obvious. *“Those who have the money are not interested in engaging in certain kinds of analyses and those who are interested in them do not have the money to carry them out”* (Margarida Silva).

The role of biological farmers stands out as a crucial one, in so far as they have tried to link positions against GMOs with the strategic aims of defending biological farming against extensive agriculture and, more generally, to intervene in debates on the future of European agriculture and the specificities of Portuguese agriculture.

The attempts at widening the debate in order to engage a broader public have been looked upon with some scepticism by some actors linked both to Government and to NGOs.:

“(...) the idea of public debate in formal circumstances is a good idea, but the participation of the public would be low because they are not aware of this kind of situation” (Humberto Rosa);

“I don’t see ways of mobilising public opinion about something that is not a priority at the moment for them. It is easier to have articles by opinion makers in the papers calling the people who defend GMO monstrous, but that’s all, nothing else! (...) Even the environmentalists aren’t very visible, perhaps they are better known by secondary school students, but that’s all! The GMO question in Portugal is not a priority! We still don’t have the necessary infrastructures and this is not associated to cultural habits. It is important in a large forum, but there are no natural dynamics which force this kind of exercise. This will go on being a game of political and economic decision makers. Have no illusions! The forum is one thing, the general public is another!” (Beja Santos).

3.2. Second phase: the ‘awakening’ of civil society

(1997-1999)

After the “spectacular” intervention of Quercus and Greenpeace – that shed light on the controversies that were blooming in the public sphere of other

European nations –, the Portuguese government reacted in February 1998, constituting an inter-ministerial council of experts with representatives from four Ministries (Agriculture, Environment, Health, and Science and Technology). This council, however, had only advisory functions. The status and functions of this inter-ministerial expert council have been criticized, namely by actors such as the environmental NGO or the farmers, who had no opportunity of expressing their views at a formal level.

This period was characterized by a new protagonism from civil society. The environmental associations betted on a more explicit strategy, forming an alliance with organic farmers to criticize government policies. Sixty-five NGOs – the Portuguese Confederation of Environmental Associations – signed two declarations, one on Genetically Modified Seeds and the other on Genetically Modified Food, related to the issues of the suspension of marketing, GMOs releases and labelling laws, in order to reduce the risks to consumers. This pressure group took a leading role in endowing these issues with greater public visibility.

Lay people, however, were "invisible" actors in this play, lacking in information and motivation, but always present in the public discourse of other actors. In fact, there has not been a debate in Portugal where "common" citizens spoke out on these issues. There are certainly historical features of Portuguese society and a tradition of authoritarian relationships between State and citizens which may account for most of this situation. Seeing themselves as acting on behalf of the community of citizens, the State and its agents often dismiss the need to open up spaces of consultation and debate.

Other actors who play a crucial role, mostly through their failure to promote information and debate on the Portuguese situation, are the media. They usually limit themselves to echoing what happens in other European countries and in the USA concerning GMO, with the occasional addition of comments by Portuguese scientists or environmental and consumer activists.

3.3. Third phase: The Parliament steps in

(December 1999 – January 2001)

The government made contradictory decisions concerning the permission to import GM seeds, without defining any clear position towards the issue. In 1999, Portugal joined other EU countries in subscribing to a precautionary policy towards GMOs and GM food. This, however, never gave rise to clear political statements to the Portuguese public.

On December 28th 1999, a press release from the Ministry of Agriculture stated that the two seed varieties whose marketing was authorized would be withdrawn from the national catalogue; the law was suspended for one year. The justification for this measure, according to the State Secretary of the Environment in statements published by a daily newspaper, was based on the recognition of risks to the environment. In fact, this reversal of position was justified in the name of science, of risk and of the likelihood of accidents. The main reason for it, however, seems to have been the defence of the interests of the prevalent model of agriculture in Portugal, taking the structural limitations of the country into account, as well as a national strategy which would not be contradictory with that of the rest of the EU. As Figueiredo Marques (IBET) refers: "The question of agriculture is a political problem. As a country, are we interested in stressing extension, getting rid of the models of medium and small farms? When we accept a technology which brings great economic advantages and implies alterations in the productive structure, I am inferring a problem of a political nature." Within this frame, political power sees scientists as agents of legitimation of decisions made on the name of democracy: "the scientists will also have a word to say and public opinion pays special attention to the world of science" (H. Rosa).

As long as scientists fail to seriously engage in public debate technoscience will tend to be mobilized as a resource for legitimizing dominant political options, on the one hand, and as a vehicle of reductionist approaches to GMOs and their impacts. The risk is there of an erosion of credibility of scientists, to which many of them seem to be less than sensitive.

The NGOs proposed that the Government abolish the inter-ministerial expert council and set up a biodiversity committee with the following characteristics: more openness and transparency; a broader inclusion of the opinions of a larger number of actors and perspectives; a greater power to monitor cultivations,

whether it be for sale or for experimentation. They also insisted that structures be set up to enforce the labelling laws as was being practiced elsewhere in Europe.

The crucial feature of this moment was the emergence of Parliament as an actor in the GMO debate. In fact, all the parliamentary debates on GMOs took place until early 2001. It should be noticed that with the exception of the broader discussion of the CNADS/CES report, these debates were always requested by small parliamentary parties - the Greens and the Left Block. The last debate hosted by Parliament - although it was not a parliamentary debate - on GMOs was the one on the CNADS/CES report. As we shall see further on, the public presentation and discussion of this report was a high point of the whole process.

3.4. Fourth phase: The sound of silence

(February 2001 – onwards)

The debate on GMOs has hardly known any development after the discussion of the CNADS/CES report. This period was marked by the fall of the socialist government in power since 1995 and by the election of a centre-right majority (PSD-PP) which formed a conservative coalition government. The new Government persists in ignoring the GMO debate, and silence has fallen again over these issues.

In early 2003, however, a number of initiatives should be mentioned. First, a political declaration by the Green Party on an article published in *New Scientist*; a reference to possible hazards related to OGMs during a parliamentary debate on the most recent food scare, caused by the contamination of several types of meat (chicken, turkey, pork) with nitrofurans; and finally, a petition launched by the Platform 'Transgénicos fora do prato', which is still circulating and whose impact will be assessed after its delivery to Parliament.

According to Margarida Silva, this continuing absence of public debate is easily understandable: *“But why would the Government take the trouble of promoting a public debate if there is no contestation that has to be calmed down?”*. In fact, if the general public seems not to have a notion of the possible hazards associated with GMOs, the Government will try to avoid raising the issue. A public debate promoted or sponsored by the Government would amount to endowing with visibility a theme which the Government itself is interested in keeping out of the public sphere and generating doubts and apprehensions where they allegedly do not exist. Scientists and environmental associations could, of course, come forward and take the initiative of launching the debate. But, as we have seen, there is a lot of division and lack of expertise among these associations. Unlike Greenpeace, for instance, Portuguese environmentalist associations rest upon voluntary work and do not have the resources to promote and organize actions with strong public impact. On the other hand, the relatively low levels of literacy of the Portuguese population make any campaign of information and debate an extremely time-consuming and expensive endeavour, requiring a lot of personal, local involvement of campaigners. As for the scientists, their intervention also meets with several obstacles. According to Margarida Silva, the first of these is the lack of funding and implementation of studies on the impacts of GMOs: *“Why is it that after more than ten years since the first directive on the release of transgenics in the environment we still lack epidemiological studies on the consequences of consuming transgenics?”* According to her, if transgenics are harmless to human populations, as some argue, then they should carry out studies providing evidence for that assertion. But scientists tend to follow the examples they meet with abroad, where there is a tendency to undermine the credibility of studies which do not align themselves with the dominant pro-GMO establishment. As a consequence, scientists themselves turn away from those studies and carry out studies likely to be published in mainstream scientific journals. And even

the small number of studies carried out in Portugal have little scientific value or credibility“ (...) *we are talking about maize which will be used for rations and they test it in chickens? (...) We are talking of things such as tests with a duration of five days.*”

5. Public protest

As stated before, GMOs only became a “case” in Portugal in 1997 through the protest actions organized by Quercus and Greenpeace at Lisbon harbour to denounce the presence of a ship carrying transgenic corn. Until then, the issue had virtually no public resonance. The Quercus/Greenpeace action had, at least, the merit of awakening the public to a problem that so far had been dealt with only by the scientists and officials directly concerned.

Greenpeace activists and those of other environmental protection organizations, as well as small farmers, have voiced their opposition, in particular, to the large enterprises responsible for GMO development, production and marketing. They have tried to draw attention to the unpredictability of the consequences of GMOs for the environment and for human health and to the possible threats to biodiversity associated with them.

Even at this level, however, the GMO issue was hardly seen a priority by government, Parliament or public agencies.

The case is a clear instance of how central action by the State work as a trigger or as a catalyser to public concerns and public action in Portuguese society. The triggering event was a decision by a Government department of allowing the commercialisation and cultivation of genetically modified seeds, without any parliamentary discussion or, for that matter, of public discussion. The decision was justified on the basis of the democratic legitimacy of officials who had been elected or nominated to office. At the end of 1999, a new law was issued forbidding the cultivation and commercialisation of transgenics. This law, rather than emerging from open political discussion and deliberation, appears in the wake of similar positions taken by other European governments who

opposed US policies in this field, as well as being a consequence of the protests of environmentalists and consumer associations. Precautionary approaches are officially taken from that point on, justified by the potential threats of GMOs to agriculture, environment and public health.

Throughout this process, actors associated with the State acted on the basis of secrecy and lack of initiatives for public information and debate. Even now, with the new EU directive which compels the Government to promote consultations with citizens and to keep public records of all experimental and commercial cultivations, the Government displays the same passivity as before, apparently waiting to see how other member-States act and, eventually, follow (or not) in their steps. At the time of writing, we still lack a website of Government and of the Ministry of the Environment making available relevant and detailed information. “ (...) *there is practically no information. Now they have put there information on the new law transposing the directive, but before that they had only one paragraph. All they had on GMOs was one paragraph.* (Margarida Silva). Besides, the little information available is in English, which, in a country like Portugal, discourages many people from participating in any debate or consultation, “*but that may well be the purpose of it!*” (Margarida Silva). Lastly,, under the new directive, and for the period of one month, it is possible for whoever wants to send in his or her opinion to do it through the internet. But in order for this consultation to be possible, the Government should have already some kind of proposal or technical report, since “*it will be very difficult, in the future, to make any political decision if no argument is put forward now, during the appropriate phase of consultation.*” (Margarida Silva). According to the Government, the lack of this information was due to the person in charge being ill...

From the onset of the process, practically the same set of actors were involved. Scientists and academics were prominent among them. Discussion tended to

develop among these actors, and little progress was made towards involving "lay" citizens or to build bridges with the political arena.

Even the organization of informal public discussions by environmental associations was based on the initiative of a number of individuals rather than on any deliberate strategy of NGOs to promote debate at the national level.

The weakness or, at least, the very discrete presence of the biotechnology industry in Portugal, in turn, means that unlike what happens in some other countries, there is no visible target for public protest and, from the point of view of the Government, no need to make it a matter of public discussion. Any subject related to GMOs will be dealt with behind the scenes, through informal contacts between experts and decision-makers.

The emergence of an incipient public controversy was, to a large part, diluted into a campaign lead by actors who pursued their own strategic interests and had more access to power and more visibility.

The process came to an end the same way it started, through a decision by government, without any effective processes of public consultation and participation, with little transparency, visibility, access to information, clearly defined procedures or assumption of responsibility by the State. Well-known features of the authoritarian mode of State-citizen relationships – described in detail in the National Profile –, some of them apparently a common characteristic to other countries belonging to the called 'latin cluster' (Jesuino, 2002) were clearly displayed in this instance.

In spite of these features, the case does point towards some attempts, even if incipient and informal, to promote some form of public accountability. They deserve to be examined in detail, since they arise from actions by civil society, attempting to promote public information and visibility on the issues related to GMOs.

6. The parliamentary debates

Since 1998, several parliamentary debates were held dealing with issues related to GMOs, namely:

- Genetics and the new paths to new food resources (VII Legislature, 1998)
- Participation of Portugal in the Conference of the World Trade Organization in Seattle, namely on matters of food safety and environmental protection. Parliamentary interpellation of the Government regarding its policy towards imports and its position in relation to the USA/EU divergences (VIII Legislature, 1999).
- The effectiveness of artificially manipulated organisms; the limited knowledge of risks related to genetic manipulation to health and biological diversity; economic implications of genetic research; power relations in genetic research; transgenic cultures, the use of sterile seeds and the choice of specimens and varieties; transgenic manipulation as a process of genetic alteration (VIII Legislature, 2000).
- On the labelling of food for human or animal consumption containing genetically modified organisms (VIII Legislature, 2000).
- On an article published in *New Scientist* on the campaign for persuading public opinion of the need for GMOs (IX Legislature, 2003).
- On a study by DECO (a consumer NGO) on food safety (IX Legislature, 2003).

The first parliamentary initiative focusing on GMOs was not a debate proper, but a joint parliamentary audition held, in 1997, by the Committees on Agriculture, Rural Development and Fisheries and Territorial Administration, Local Government, Social Equipment and Environment. This allowed a number of bodies and experts to be auditioned, ranging from the scientific community

to NGOs and agents of public administration directly engaged in the subject. The audition was promoted by the Green Party with the aim of identifying problems, doubts, risks and other implications of GMOs. According to Isabel Castro, a Member of Parliament for the Green Party, the audition tried to bring to the fore the confrontation between *“a genetically modified globalization, through biotechnological dependency, and, on the other side, an emerging opinion movement which, in different latitudes, is increasingly contesting these attempts at appropriation and domination”*. This initiative proceeded apace with the creation of a platform of NGOs which, in spite of its initially reduced visibility, started some pressure to force the Portuguese Government to discuss the problem and take positions.

This intense lobbying by the NGO platform (with considerable media coverage) only ended in parliament. Moreover, the legal context post-December 28th had a provisional character, and a new legal framework was to be developed. One week after the signature of the Biodiversity Protocol in Montreal, in February 2000, one of the most important debates on GMOs took place in parliament, during which three bills were presented: one by the Socialist Party, stating that there was no need of a new law, maintaining the suspension while following the revision of the Council Directive 90/200/CE and waiting until the Biosecurity Protocol was implemented; another by the Green Party/Communist Party alliance, a new law was proposed, defining a 5 year moratorium (until 2004), independent of the revision of the Council Directive 90/200/CE; and another one by the Left Block, proposing basically the same as the Greens. Once again, the Government had no position, accepting a moratory imposed by Parliament at a time when Portugal was about to take over the Presidency of the EU, which had the effect of pressing for a decision. In the domestic arena, the position of the Government was to sail with the wind and try to avoid getting this issue into the national political agenda.

As stated above, there were other debates which, however, had no visible results. It should be noticed, nevertheless, that some of the central issues in these debate focused on the action of the Government, namely in relation to transparency, dialogue, responsibility, control, the sharing of power and public consultation. The Government was repeatedly charged with a lack of willingness to engage with civil society, namely with farmers', enviornmental and consumer associations. In a matter involving so many uncertainties, the opposition parties showed some convergence in charging the Government with the undesirable consequences of keeping civil society out of the debate. An exemplary instance of this was a statement by the Green party MP Isabel Castro during one of the debates: "Transgenics are still on the run, and as far as their control is concerned, the Government is still "undocumented" (...) it is unacceptable for Portuguese citizens to be deprived of information, excluded form decisions which, for all practical purposes, have consequences for them and their health and on which they should be consulted and called upon to state their views. (...) A country where labelling is still "in books", where control and monitoring hardly exists, where the capacity to carry out laboratory assessments of toxicity is non-existent and where consumers are deprived of any information, kept in a defenceless and unprotected position, with no right to choose, no option in a process in which they have a stake."

7. An entry point to public accountability: The public debates and the CNADS report

The 2000 CNADS-CES (National Council for the Environment and Sustainable Development – Economic and Social Council)¹ Report on GMOs is undoubtedly a landmark in the struggle for more accountable public policies in the field of

¹ CNADS is an independent advisory body.

GMO research, release and marketing. This report was drafted following a fax sent by the NGO Platform requesting a position on GMOs from the Council, and not, as would be expected, from a request by Government.. It includes a systematic review of the GMO debate, with reference to the actors involved and their respective responsibilities. The Report calls for the establishment of a legal framework for the regulation of an 'uncertain' reality; the production of reliable scientific evidence; an independent, transparent and adequate public information. This was based on a careful and thorough review of available scientific evidence, on current controversies and on policy initiatives. Scientists, experts in agriculture, food safety and health, economics, law and public policy and other actors concerned were consulted. The report made detailed recommendations for a comprehensive policy towards research and regulation of GMOs and GM food. After its publication, a public discussion with all the actors concerned was organized at Parliament.

The Report was discussed at that public session held in Parliament, in early 2001, gathering the whole range of actors involved with GMOs. A number of recommendations were made, based on the principles of precaution, responsibility, balance, access to information, participation and assessment of environmental impacts. The aim of promoting more transparency in politics was explicitly stated, and monitoring of the GMO field by an interdisciplinary and inter-institutional commission including representatives of civil society was called for.

This was the first comprehensive attempt at dealing with the GM issue, and at providing detailed information on benefits and hazards, on scientific and policy controversies. It also made a number of recommendations to launch a campaign of public information and public debate and to create the conditions for open and reasoned policy-making in this field. The challenge, however, was taken up neither by government nor by Parliament, and the GM issue was kept outside

the agenda of public discussion in Portugal. Once again, an initiative aimed at providing information to citizens on issues of relevance to the environment, economy, food safety and health failed to cross the boundaries of a limited circle of “knowledgeable” insiders. The case provides a clear example of how the active involvement and commitment of government or parliament is a necessary condition for making an issue accountable in a country where the centrality of the state in public life makes it a crucial actor in endowing an issue with the legitimacy and seriousness of a public problem.

This report should be seen as an attempt by CNADS to promote a more transparent and participatory approach to issues of obvious public relevance. The report contained specific proposals for the institutionalization and co-construction by the Government, the scientific community, stakeholders and citizens of a framework for public policy on GMOs, taking into account its need to articulate a national strategy with EU policies. Information, transparency, responsibility, participation and precaution were key concepts in the report.

Once more, however, the whole exercise seems to have met with the resistance of the formal political system to engage in such a process, on the one hand, and, on the other, with the lack of capacity of civil society and, in particular, of GMOs to act in a coherent and sustained way towards these aims.

Table 2. CNADS Report / GMO

Description	
AREA	GMOs, environment, public health, food safety
ISSUE(S)	Responsibility, transparency, right to information
ACTORS INVOLVED	Parliament, Advisory Committee for Environment and Sustainable development, environmental associations, researchers, experts
PROCESS	GMOs entered Portugal as a problem in 1997. By 1999, Portugal aligned itself with other EU countries in adopting a precautionary policy towards GMOs and GM food. An advisory committee elaborated a detailed report on the controversy around GMOs, and made some recommendations for a comprehensive policy towards research and regulation of GMOs and GM food. The report was published and a public discussion with all the actors concerned was organized at Parliament.
PUBLIC ACCOUNTABILITY RELEVANCE	This was the first comprehensive attempt at dealing with the GM issue, and of providing detailed information on benefits and hazards, on scientific and policy controversies.
PUBLIC ACCOUNTABILITY PROCEDURES	Report prepared through extensive collection of available information and consultation with scientists, experts in agriculture, food safety and health, economics, law and public policy and other actors concerned. The report was published and public discussion was organized in Parliament. Recommendations were made to the government for initiatives in the fields of information and public debate.
OUTCOMES/LESSONS LEARNT	This case provides a clear example of how the active involvement and commitment of government or parliament is a necessary condition for making an issue accountable in a country where the centrality of the state in public life makes it a crucial actor in endowing an issue with legitimacy.

Source: Portuguese National Profile, August 2002.

8. GMOs in the media

Only in 1997 did protests against GMOs appear with some prominence in the media in Portugal. Until then, news on the subject were usually little more than transcripts or abstracts of the news coming from northern European countries. They usually focused on basic scientific-technical information, the national and the international legal, political and economic context of the debates on GMOs and on the risks and benefits associated with the new technology.

After years of scant attention to the GMO issue, a debate finally emerged in the media. This debate is of considerable interest for this project, since it displayed some innovative features in the Portuguese context. The press, and two of the most important daily newspapers in particular, became an arena for discussion, as conflicting positions on the threats and promises of GMOs were presented and debated. In late January 2000, in the pages of “Diário de Notícias”, the director of the Calouste Gulbenkian Science Institute, António Coutinho, called the December 1999 suspension of the law “an antiportuguese decision”. Shortly after, Helena Freitas, a biologist and chairperson of the League for Nature (one of the leading associations of the NGO platform), wrote a response with the title “A Portuguese Decision”. In the pages of “Público”, Margarida Silva, a biologist and member of QUERCUS, the largest environmentalist association in Portugal, responded to a strong defense of GMOs published a few days earlier by Pedro Fevereiro, the chairman of the Biologists’ Professional Association.

The debate on these issues is still on, but with little resonance beyond specialist arenas. An example is the pair of interviews with prominent scientists involved in the debate, Margarida Silva e Alexandre Quintanilha, published in the journal “Revista Forum Ambiente”. The GMO’s debate is increasingly confined to environmental issues. Other controversial issues, such as labelling, risks to

public health and the costs of GMO products are not central to the public agenda. The need to (re)launch the debate in the media and for opening up the latter to the expression of the opinion of citizens and stakeholders on the range of issues GMOs are still raising, such as their consequences for our diet and food safety, thus seems more pressing than ever. This, however, does not seem to be the path taken by the media.

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9. Preliminary discussion of comparative issues

Some of the specific features of the Portuguese political system may help to explain the limited though real attempts at opening up a public debate on issues related to GMOs. Among these features, one should mention, first, the composition of parliament arising from the proportional electoral system and, in particular, the presence of smaller political parties, generally on the Left of the political spectrum. These are, indeed, the formal political actors who bring these issues to Parliament, thus challenging the tendency towards pushing the GMO problem into the background which seems to be shared by the two parties which have rotated in power over the last twenty years. To this, one could add the complete withdrawal of government from any attempt at defining an explicit policy towards biotechnology and GMOs. Unlike other European countries, Portugal has maintained a very low profile on these matters. It is still far from clear whether this has been a deliberate strategic move to avoid opening up an additional front of political struggle where pressure from other actors is close to nonexistent.

A second relevant feature of the Portuguese case is the absence of a biotechnology industry based in the country or of any significant interest linked to this domain apart from the interest of scientists and scientific institutions engaged in research and development in this area.

Thirdly, the central protagonism of consumer and environmental associations in promoting awareness of the problems related to health, environment, labelling and consequences for agriculture and consumers should be underlined. The most important initiatives towards a broadening of the debate beyond the scientific community and the Parliament actually had their origin on these collective actors.

A fourth aspect is the way in which the European dimension and the transatlantic debate on the problem were “filtered” within the domestic space through the simple device of just sticking to the European-wide moratorium.

Finally, the reversibility of the initiatives for launching and broadening the public debate on GMOs bears witness to the need for any debate to be backed by Government and Parliament in order for the issues related with GMOs to be recognised as legitimate public and political concerns.

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