

Declaration before the Tribunal of Agen

by René Riesel¹

Illness has long been an individual destiny or a social misfortune, the possible relief of which depended upon medical knowledge and private charity gradually provided by public authorities. Public health is now an economic affair, indeed, doubly so. On the one hand, because the market economy – through its victory over the long-standing natural conditions that have since disappeared everywhere – now *stricto sensu* produces the life and death of modern man, this economy reveals itself to be, in a certain way, a health problem and even a problem for health. In our latitudes, no one is unaware that what is eaten, drunk and breathed – in sum, the general conditions of everyday life, about which the individual can do nothing – constitute a menace to his or her “health capital,” to use the poetic expression of the time; and at every moment it is recommended that we improve of our management of everyday life by renouncing this or that old habit that has become harmful and whose harmfulness can be figured into the general accounts of the nation. On the other hand, more directly and bluntly, public health has become an economic affair by acceding to the dimensions and qualities of an industry; France, for example, devotes to public health more than eight percent its gross national product, which is a considerable and rapidly growing sum, double that of military expenditures. As in any industry, the unique concern is to conquer markets by meeting existing needs and by creating new ones in the essential domains of medical engineering and chemistry, thanks to all the resources of *marketing*² and corruption. – Jacques Philipponneau, *Relation de l’empoisonnement perpétré en Espagne et camouflé sous le nom de syndrome de l’huile toxique*,³ Editions Encyclopédie des Nuisances,⁴ Paris, 1994.

Madame President of the Tribunal, Sirs:

These lines are extracted from an excellent short work published in 1994 and devoted to a remarkable manipulation that was undertaken, not without success, by the Spanish State, the experts and the justice system – in direct contact with Bayer, the agro-chemical multinational corporation – so as to conceal under the name “toxic oil syndrome” the prosaic responsibility of an organophosphate, Namacur #10, made by the Bayer company and used in the treatment of

¹ On the occasion of Riesel’s court appearance with José Bové and Francis Roux, two of his comrades from the Peasants’ Confederation, who on 8 January 1998 – along with 120 other people – mixed non-modified corn in with Novartis’ genetically modified corn and humidified it. Translated by Bill Brown and uploaded to the *NOT BORED!* website (notbored.org) in 2007.

² English in original.

³ “*Account of the poisoning perpetrated in Spain and camouflaged under the name of toxic oil syndrome.*” In May 1981, a syndrome of so-called atypical pneumonia affected 25,000 people and caused more than 1,200 deaths. It was officially attributed to toxic rapeseed oil, but actually caused by the agricultural use of an organophosphate produced by Bayer.

⁴ The Encyclopedia of Nuisances was founded in 1984 by Jaime Semprun and the ex-situationist Christian Sébastiani. In 1999, René Riesel would join the group that directed this journal, and in 2000 it would publish a book by him (*Declarations sur L’Agriculture Transgénique et Ceux Qui Pretendent S’y Opposer*).

tomatoes, in the deaths of more than one thousand people and the sickness or infirmity (blindness, muscular atrophy, permanent paralysis) of tens of thousands of others between 1981 and 1982.

In different times, such a book would no doubt have been printed in Geneva or Amsterdam. But we can now publish anything here, no matter what. Such is the incomparable progress of what we today do not fear to call “democracy,” which – so as to maintain the diverse impostures that ultimately refer back to the central decoy that we have dressed up in this beautiful name – prefers, whenever it is still possible, to cover up the music of the truth with the sound-system of the spectacle. Thus, this book was published, in sum, under the table, but it has nevertheless found its readers.

If I mention this book, it is not only because its subject matter has a lot to do with what concerns us in this trial, but also because the techniques of domination evolve so quickly – even more quickly than the unemployment rate or the gains in productivity – that they require all those who are not on the right side of the stick to respond rapidly to the question that it implicitly asked only four years ago: is it still possible to make the truth heard and understood when so many powers, the State and money, join forces to conceal it? When one is on the side of the muffled, the voiceless, how can we obstruct the machinations that the marketers and their clerks hatch in broad daylight in an insolent certitude in which they are not necessarily right but are not in any danger of being contradicted? How can we achieve this in an emergency?

Acting against Novartis’ transgenic corn and the revolting complacency with which the French government saw fit to authorize the cultivation and marketing of this product – which it did by lying about the opinion rendered by the Committee of Prevention and Precaution, to which the government had appointed peasants (those strange beings who imagine themselves more qualified to feed humanity than the pharmaceutical and chemical industries) – my comrades from the Peasants’ Confederation have, in any case, considered that it was urgent to stand up against those who wanted to impose this product as a *fait accompli*.

By traveling to Nérac on 8 January 1998 to denature Novartis’ transgenic corn, thereby rendering it unsuitable for marketing and sale, my comrades have no doubt given to the important questions that I just raised a response that I am not far from finding exemplary. I pride myself on having participated. I am honored to have, since then, utilized, as a free man, the means that have appeared to me to be useful in making known the meaning of what we accomplished on 8 January to the greatest number of people.

I did not do this alone. In addition to my comrades in the Peasants’ Confederation and the European Peasants’ Coordination Committee, a number of honest and brave people all over the planet have devoted the last three weeks to this task with the meager means at their disposal. You will agree that we have not proven unworthy: the several thousand children, women and men who have made us – José Bové, Francis Roux and myself – into a kind of Honor Guard before this tribunal; the hundreds of testimonies of solidarity and encouragement – French, European and international – that we have received, and your Tribunal as well, I fear; thousands of petitions of support that have been signed in such a short period of time – all this testifies to the fact that we have worked well, that we have been understood.

I wish to make myself clearly understood here, too, even if this declaration was prepared hastily, somewhat sacrificed to the other preparations for this trial, and thus it is not as rigorous as it should have been. I would like to point out how great my thanks are for the witnesses that we have solicited for having agreed to state their convictions here. I acknowledge that this in no

way implies that they do or do not approve of the method that we have chosen to create the conditions for this debate.

I share the views laid out here by these brilliant witnesses about the risks and dangers posed to human health, the health of animals, the natural world, water resources and biodiversity by the cultivation and consumption of plants derived from genetic engineering, such as they are offered today by various companies. There is not one of them for whom mercenary research has had any other goal (such as the improvement of nutritional, dietary or any other qualities) than to develop a profitable and easy-to-sell commodity on the pretext – most often specious – that it will result in productivity gains! One will understand, I think, that this is not what agriculture and the peasants need, neither in the so-called developed countries nor elsewhere.

We have also heard the witnesses emphasize the use the French government has made of the Precautionary Principle,⁵ which one can imagine is imposed on those in government due to political prudence, rather than moral sense.

I want to believe that we will have retained what many of them said about the meaning that should be given to the offensive launched by the pharmaceutical and chemical multinationals so as to impose and then conquer the market in transgenic seeds, and how this touches so closely upon the right of the people to alimentary autonomy when the final objective of these merchants of poison has been achieved: the patentability of the living, which would abolish the timeless practice of the peasants (reproducing their seeds themselves) to the profit of the stockholders of the multinationals.

I will add one more comment. If, as we wish, the French government reverses its decision and institutes a general moratorium on the use of genetically modified organisms in agriculture until real experiments (which presuppose confinement and not open-air experimentation, which certain Dr. Strangeloves, including so-called public research facilities in this country, do not fear to think of as a godsend) can verify – over a sufficient period of time, one GMO after another GMO – their safety and the real advantages that can be expected from them; and if, after that has been done, the European Union as a whole adopts a position of responsibility in the face of pressure from the United States and the World Trade Organization, there would still be the risk of an uncontrollable dissemination of vegetable GMOs, especially in the most vulnerable countries, in other words, in those countries one shamelessly calls “developing.” The techniques of genetic engineering do not come from heavy industry. In many countries, competent researchers (if one dares to use the word “competent”) who work in the laboratories that have been very adequately endowed by the International Monetary Fund or the World Bank in fact work without any oversight. What desert storm will be necessary to exterminate the monsters that they are hatching? How many poor beggars will it be necessary to take hostage? Who should be judged?

Beyond the involuntary derision – as beautiful as the chance meeting of a unionized worker from Novartis and a committee of unemployed people in the agora of a democratic city⁶ – that one could find in having to deal with such a subject before a criminal tribunal, I want to speak to those who would have been shocked by the relevance that I found in the specifically Versailles accent of Mr. Assistant-Prosecutor at the time of our appearance on 9 January [1998]

⁵ The idea that, in the absence of scientific consensus that an action or policy will not cause serious harm to the general public, the burden of proof of the safety of such an action or policy falls upon those who advocate taking or enacting it.

⁶ A détournement of André Breton’s famous motto “as beautiful as the chance meeting on a dissecting-table of a sewing-machine and an umbrella.”

in what used to be called *une audience de flagrant délit*.⁷ Not being a specialist in legal oratory, I was deeply impressed by the vigor of his remarks, which denounced our will to disturb public order and attack private property, at the very moment when, all over the country, there have re-emerged (in the form of committees of unemployed workers) the dangerous classes, from which one no longer expected to see sudden eruptions. It is also necessary to repeat that we were arrested thanks to a brief cessation of solidarity in front of the ASSEDIC⁸ in Agen, which was surrounded by the CRS.⁹

Everything has been said. I will nevertheless add this: someone asked me several days ago what I thought of the Canuts.¹⁰ I think that this person wanted me to say that it was in vain that they were opposed to the irresistible march of progress. The Canuts broke the looms that had replaced people, and we slightly denatured – finally, too little, I am sorry to say – Novartis' transgenic corn, because this industrial product, if it were to be distributed, would, among other things, contribute to the continued elimination of peasants. What's the difference? I do not see any, except perhaps that our gesture ended up giving the Canuts the reasons that they could not completely conceive back then.

A message of support that was sent to us appears to me to lucidly summarize all this. It says that, “in the henceforth suicidal version of capitalism, each step taken in the direction of ‘progress’ is only a step towards catastrophe. The scale of the disaster and the threat of its worsening put into question, in a vital way, the very nature of a society dominated by market relations.” It comes from a general assembly of unemployed workers held at Jussieu on 21 January [1998]. This should give food for thought.

In addition to wanting to take part with us in the first public trial of a transgenic plant, what else did this joyful and resolved crowd, the murmuring of which reached us this afternoon, say, other than the fact that they are putting on trial a social order that no longer fears to announce that it is willing to assume the risk of poisoning all of humanity and the planet in the name of financial equilibrium and the free circulation of commodities?

I have said many times that I take responsibility for my actions. I will repeat it again. What we did in Nérac on 8 January was perfectly legitimate. I will continue to act according to what appears to me to be legitimate, even when the laws are slow admit it. Other trials, some not so long ago, others not far from here, somewhere else soon enough, will prove that different conceptions about this subject are radically opposed. My conception is clear. Your judgment will enunciate yours.¹¹

René Riesel

⁷ A hearing for those caught in the act.

⁸ The French Unemployment Insurance Agency.

⁹ The French riot police.

¹⁰ The Canuts were silk workers in Lyon who revolted in 1831 and 1834.

¹¹ On 18 February 1998, the Tribunal voted to convict the defendants and impose large fines upon them.