

Health Consequences of Global Trade in Pharmaceuticals

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Course Description

Multinational pharmaceutical companies remain the primary developers of new drug regimens. The health effects of drug research and development, however, vary markedly from one region of the world to another. This course explores the political economy of the global pharmaceutical industry, analyzing the geopolitical distribution of burdens and benefits. It examines ethical issues such as clinical trials on populations in the Global South, continuing sales of drugs across the Global South after they have been banned in the North, disproportionate investment in drugs for minor health problems while serious diseases affecting the poor remain insufficiently studied; inadequate vaccine development and manufacture; restrictions on the distribution of life-saving generic drugs in third world countries; overuse of antibiotics and the emergence of antibiotic-resistant bacteria, and the role of pharmaceutical lobby in influencing healthcare within particular nations.

Course Requirements

Students are required to complete all assigned readings for the course and actively participate in the online discussion board. The class participation grade will be based on the number, volume, and quality of student comments, which will engage reading materials, films, and lectures (given by the professor and uploaded to the online lecture delivery system). Sustained, astute, and critically engaged class participation is crucial for a successful and productive online classroom experience, and such participation depends largely upon students completing the reading assignments at length. Class discussion will stay closely aligned with the reading assignments for each week. To facilitate candid discussions, it is important that each student manifest respect for the opinions of their classmates. Hostile, intolerant, and insensitive remarks will not be tolerated and will be removed from the online discussion board. **Class participation as described herein will count toward 20 percent of the final grade.**

Each student is required to complete two short projects, the requirements for which are outlined in the syllabus under “Course Structure.” **Each short project counts toward 30 percent of the final grade; short projects count, in total, toward 60 percent of the final grade.**

There will be a final examination. Students will be given their examination a week prior to its due date and may utilize all course materials (but *only* assigned course materials) to complete the exam. **The final exam counts toward 20 percent of the final grade.**

Plagiarism in any form will not be tolerated and will result in serious consequences. If students are ever unclear about the meaning of plagiarism or whether or not their work may be plagiarizing, the student must discuss the issue directly with me. Again, failure to do so may, and most likely will, result in severe punishment. You may also address your inquiries online at <http://teachx.rutgers.edu/integrity/policy.html>.

Reading Materials

The following books are required for this class. They are available for purchase at the Rutgers University Bookstore (One Penn Plaza, Ferren Mall, New Brunswick, NJ 08901). I have included ISBN numbers if you would prefer to order these books online.

Marcia Angell. 2005. *The Truth about the Drug Companies: How They Deceive Us and What to Do about It*. New York: Random House. (ISBN-10: 0375760946; ISBN-13: 978-0375760945)

João Biehl. 2009. *Will to Live: AIDS Therapies and the Politics of Survival*. Princeton, NJ: Princeton University Press. (ISBN-10: 0691143854; ISBN-13: 978-0691143859)

Jill A. Fisher. 2009. *Medical Research for Hire: The Political Economy of Pharmaceutical Clinical Trials*. New Brunswick, NJ: Rutgers University Press. (ISBN-10: 7887207916; ISBN-13: 978-0813544106)

Merrill Goozner. 2005. *The \$800 Million Pill: The Truth behind the Cost of New Drugs*. Berkeley: University of California Press. (ISBN-10: 0520246705; ISBN-13: 978-0520246706)

Frank Herbert. 2007. *The White Plague*. New York: Tor Books. (ISBN-10: 0765317737; ISBN-13: 978-0765317735)

Nancy Langston. 2011. *Toxic Bodies: Hormone Disruptions and the Legacy of DES*. New Haven, CT: Yale University Press. (ISBN-10: 0300171374; ISBN-13: 978-0300171372)

Sherry S. Marcellin. 2010. *The Political Economy of Pharmaceutical Patents*. Burlington, VT: Ashgate. (ISBN-10: 1409412148; ISBN-13: 978-1409412144)

Vandana Shiva. 2002. *Protect or Plunder? Understanding Intellectual Property Rights*. New York: Zed Books. (ISBN-10: 1842771094; ISBN-13: 978-1842771099)

Other readings are drawn from these books, which are not required for this class.

Linda Alcoff, and Elizabeth Potter, eds. 1992. *Feminist Epistemologies*. New York: Routledge.

Chantel Blouin, Jody Heymann, and Nick Drager, eds. 2008. *Trade and Health: Seeking Common Ground*. Québec: McGill-Queens University Press.

Daniel Callahan, and Angela A. Wasunna. 2006. *Medicine and the Market: Equity vs. Choice*. Baltimore: Johns Hopkins University Press.

Guy Clifton. 2009. *Flatlined: Resuscitating American Medicine*. New Brunswick, NJ: Rutgers University Press.

Anne-Christine D'Adesky. 2004. *Moving Mountains: The Race to Treat Global AIDS*. New York: Verso.

Mike Davis. 2005. *The Monster at Our Door: The Global Threat of Avian Flu*. New York: Henry Holt and Company.

Rebecca Dingo, and J. Blake Scott, eds. 2012. *The Megarhetorics of Global Development*. Pittsburgh, PA: University of Pittsburgh Press.

Dagmar Herzog. 2008. *Sex in Crisis: The New Sexual Revolution and the Future of American Politics*. New York: Basic Books.

Ichiro Kawachi, and Sarah Wamala, eds. 2007. *Globalization and Health*. New York: Oxford University Press.

Justin Malbon, and Charles Lawson, eds. 2008. *Interpreting and Implementing the TRIPS Agreement: Is It Fair?* Northampton, MA: Edward Elgar Publishing.

Adriana Petryna, Andrew Lakoff, and Arthur Kleinman, eds. 2006. *Global Pharmaceuticals: Ethics, Markets, Practices*. Durham, NC: Duke University Press.

Pedro Roffe, Geoff Tansey, and David Vivas-Eugui, eds. 2005. *Negotiating Health: Intellectual Property and Access to Medicines*. New York: Routledge.

Susan K. Sell. 2003. *Private Power, Public Law: The Globalization of Intellectual Property Rights*. Cambridge: Cambridge University Press.

Meredeth Turshen. 2007. *Women's Health Movements: A Global Force for Change*. New York: Palgrave Macmillan.

Simon J. Williams, Jonathan Gabe, and Peter Davis. 2009. *Pharmaceuticals and Society: Critical Discourses and Debates*. New York: Wiley-Blackwell.

Course Structure

Week # 1: Biopolitics Meets Necropolitics: Getting Personal

Week of Tuesday, September 4th

Will to Live: AIDS Therapies and the Politics of Survival (Biehl)

Week # 2: Introducing the Multinational Pharmaceutical Industry (Big Pharma) in the United States, Part I

Week of Monday, September 10th

The Truth about the Drug Companies: How They Deceive Us and What to Do about It (Angell)

Global Pharmaceuticals: Ethics, Markets, Practices (Petryna, Lakoff, and Kleinman, eds.): “The Pharmaceutical Nexus” (Petryna and Kleinman), 1–32.

Week # 3: Big Pharma in the United States, Part II

Week of Monday, September 17th

The \$800 Million Pill: The Truth Behind the Cost of New Drugs (Goozner)

Week # 4: Is There Such a Thing as a Philosophy of Pharmaceutical Science?

Week of Monday, September 24th

Medical Research for Hire: The Political Economy of Pharmaceutical Clinical Trials (Fisher)

Week # 5: Bringing Feminist Epistemologies to Bear on Big Pharma

Week of Monday, October 1st

Feminist Epistemologies (Alcoff and Potter, eds.): “Introduction: When Feminisms Intersect Epistemology” (Alcoff and Potter), 1–14; “Taking Subjectivity into Account” (Code), 15–48; “Subjects, Power and Knowledge: Description and Prescription in Feminist Philosophies of Science” (Longino), 101–120; “Bodies and Knowledges: Feminism and the Crisis of Reason” (Grosz), 187–216; “Are ‘Old Wives’ Tales’ Justified?” (Dalmiya and Alcoff), 217–244.

Week # 6: Are American Women Unwittingly Participating in One of the World’s Most Dangerous Public Health Experiments?

Week of Monday, October 8th

Toxic Bodies: Hormone Disruptors and the Legacy of DES (Langston)

Week # 7: The Pharmaceuticalization of Daily Life

Week of Monday, October 15th

Sex in Crisis: The New Sexual Revolution and the Future of American Politics (Herzog): Chapter 1, “Anxiety Nation,” 1–30.

Pharmaceuticals and Society: Critical Discourses and Debates (Williams, Gabe, and Davis, eds.): “Pharma in the Bedroom...and the Kitchen...the Pharmaceuticalization of Daily Life” (Fox and Ward), 41–53.

Film: *Orgasm Inc.* (2009)

Week # 8: Project Week—A Feminist Critique of a Pharmaceutical Philosophy of Science

Week of Monday, October 22nd

Project # 1 due 11:59 pm, Friday, October 26th

Write a 2000-word paper. Begin by characterizing a pharmaceutical philosophy of science based on your understanding of Fisher's *Medical Research for Hire*. Use the readings assigned for weeks 4, 5, and 6 to develop a feminist critique of a pharmaceutical philosophy of science. Further paper guidelines will be included in a separate document.

Week # 9: Pharmaceutical Patents, IPRs, and TRIPS

Week of Monday, October 29th

Private Power, Public Law: The Globalization of Intellectual Property Rights (Sell)
"Introduction," 1–29.

The Political Economy of Pharmaceutical Patents (Marcellin)

Week # 10: Understanding TRIPS: The WTO Trade Agreement with the Biggest Impact on Global Health

Week of Monday, November 5th

Interpreting and Implementing the TRIPS Agreement: Is It Fair? (Malbon and Lawson, eds.):
"TRIPS as Competitive and Cooperative Interpretation" (Arup), 6–30; "Knowledge and Diplomacy and the New Intellectual Property Fundamentalism" (Dutfield), 31–45; "Last Chance? Multilateralism, TRIPS and Developing Countries" (Yi-Chong), 46–70; "The Development-Balance of the TRIPS Agreement and Enforcement of Intellectual Property Rights" (Biadgleng), 97–130; "TRIPS-Plus Treaty Terms: Dealing with Coercion" (Malbon), 159–184.

Trade and Health: Seeking Common Ground (Heymann and Drager, eds.): "Public Health and the Implementation of the TRIPS Agreement in Latin America" (Correa), 11–40.

Moving Mountains: The Race to Treat Global AIDS (D'Adesky): "Tipping the Scales: India and Generic Drugs," 45–69; "HIV Medicines Come to Rural Haiti," 93–121.

The Megarhetorics of Global Development (Dingo and Scott, eds.): "Tracking 'Transglobal' Risks in Pharmaceutical Development: Novartis's Challenge of Indian Patent Law" (Scott), 29–53.

Week # 11: How Big Pharma Uses TRIPS to Call the Tune of Global Health

Week of Monday, November 12th

Flatlined: Resuscitating American Medicine (Clifton): “Pharmaceuticals: Remarkable Innovation, Shameless Puffery,” 157–169.

Medicine and the Market: Equity versus Choice (Callahan and Wasunna): “The Market Wild Card: Pharmaceuticals,” 163–202.

Globalization and Health (Kawachi and Wamala, eds.): “Health Policy and the World Trade Organization” (Bloche and Jungman), 250–267.

Negotiating Health: Intellectual Property and Access to Medicines (Roffe, Tansey, and Vivas-Eugui, eds.): “Role, Perspective and Challenges of the Generic Pharmaceutical Industry in Latin America” (Levis), 55–64; “Market Concentration of the Transnational Pharmaceutical Industry and the Generic Industries: Trends on Mergers, Acquisitions and Other Transactions” (Rosenburg), 65–80; “Product Development Partnerships on ‘Neglected Diseases’: Intellectual Property and Improving Access to Pharmaceuticals for HIV/AIDS, Tuberculosis, and Malaria” (Widdus), 205–226; “Creating and Promoting Domestic Drug Manufacturing Capacities: A Solution for Developing Countries?” (Rovira), 227–240.

Week # 12: Is A Post-TRIPS World Possible?

Week of Monday, November 19th

Global Pharmaceuticals: Ethics, Markets, Practices (Petryna, Lakoff, and Kleinman, eds.): “Pharmaceutical Governance” (Biehl), 206–239.

João Biehl. 2004. “The Activist State: Global Pharmaceuticals, AIDS, and Citizenship in Brazil.” *Social Text* 22(3):105–132.

Negotiating Health: Intellectual Property and Access to Medicines (Roffe, Tansey, and Vivas-Eugui, eds.): “Ensuring Access to Medicines in 2005 and Beyond” (Timmermans), 41–54.

Trade and Health: Seeking Common Ground (Heymann and Drager, eds.): “Creating Healthy Trade” (Blouin, Hegmann, and Drager), 3–8; “A New Generation of Regional and Bilateral Trade Agreements: Lessons from US-CAFTA-DR Agreement” (Roffe, Von Braun, and Vivas-Eugui), 41–90; “Achieving Coherence in Anarchy: Foreign Policy, Trade, and Health” (Fidler), 294–324; “Negotiating across Boundaries: Promoting Health in a Globalized World” (Chigas, Fairman, McClintock, and Najam), 325–346.

Women’s Health Movements: A Global Force for Change (Turshen): “Fighting for Good Health Services, Struggling with the Pharmaceutical Industry,” 91—119.

Week # 13: TRIPS as Globalized Biopiracy

Week of Monday, November 26th

Protect or Plunder?: Understanding Intellectual Property Rights (Shiva)

Signs: Journal of Women in Culture and Society. 32(2). Comparative Perspectives Symposium: Bioprospecting/Biopiracy: “Bioprospecting as Sophisticated Biopiracy” (Shiva), 307–313; “Land, Bodies, and Knowledge: Biocolonialism of Plants, Indigenous Peoples, Women, and People with Disabilities” (Hawthorne), 314–323; “An Ecofeminist Perspective on Biopiracy in Latin America” (Isla), 323–332; “Is Biopiracy an Issue for Feminists in the Philippines?” (Tauli-Corpuz), 332–337; “Kinship Theory, Property, and the Politics of Inclusion: From Lesbian Families to Bioprospecting in a Few Short Steps” (Hayden), 337–345.

Week # 14: The White Plague

Week of Monday, December 3rd

The White Plague (Herbert)

The Monster at Our Door: The Global Threat of the Avian Flu (Davis): “Plague and Profit,” 97–114; “Homeland Insecurity,” 127–138; “The Titanic Paradigm,” 151–164.

Pharmaceuticals and Society: Critical Discourses and Debates (Williams, Gabe, and Davis, eds.): “The Sociology of Pharmaceuticals: Progress and Prospects,” 1–11.

Week # 15: Project Week—Exploring Article 31 of TRIPS

Week of Monday, December 10th

Project # 2 due 11:59pm, Wednesday, December 12th

Article 31 of TRIPS is known as the Compulsory Licensing Clause of the Doha Declaration. It allows countries to develop generics of drugs in national health emergencies. South Africa and Thailand have appealed to Article 31 in response to AIDS crises in both countries and have been threatened by more powerful countries with WTO trade sanctions. As a result, Thailand no longer appeals to Article 31 to produce generic drugs in national health emergencies. Imagine that you are head of a women’s health INGO. You firmly believe that the WTO’s response to Article 31 jeopardizes global health. What do you get your NGO to do about it? Write a 2000 word response. Further paper guidelines will be provided in a separate document closer to the due date.

The final examination is open book and will appear online by 11:59pm Wednesday, December 12th. The exam is due on or before 11:59pm Thursday, December 20th.