Pharmacocracy

KAUSHIK SUNDAR RAJAN
Acknowledgments [xi]

Contents

INTRODUCTION

CHAPTER ONE
Speculative Values: Pharmaceutical Values and Pharmaceutical Crisis and Fabricated Capital [37]

CHAPTER TWO
Pharmaceutical Logic [59]
Speculative Theorizations of Pharmaceutical Development [51]
Consumer Markets and Global Drug Pricing [47]
Bamboozling of the Structure of Pharmaceutical Crisis [43]
Dislocations of an Industry [37]

Speculative Pharmaco...
Chapter Five

Postscript: Pharmaco(aw)ric

Philanthropic Values: Corporate Social Responsibility

Chapter Four

Postscript: Pharmaco(law)ric

Judicial Ethics and the Spirit of Constitutionalism

Chapter Three

Postscript: Pharmaco(law)ric

Knowledge, Value, and Experimental Subjectivity

Acknowledgments and Notes

Index

References

Notes
Constitutional Values

Chapter Three

The Trials of Cleavece & Judicialized Politics


**Chapter Three**

Preliminary Remarks on the Federal Trade Commission's Role in the Antitrust Laws

The Federal Trade Commission (FTC) is an independent federal agency responsible for enforcing federal laws that affect competition in the marketplace and banishes unfair or deceptive business practices. It is composed of five members appointed by the President and confirmed by the Senate, and it is headed by a chairman and two vice-chairmen, all of whom serve for five-year terms. The FTC enforces a number of federal laws, including the Clayton Act, the Federal Trade Commission Act, the Robinson-Patman Act, and the Sherman Act.

The FTC has a wide range of enforcement powers, including the ability to issue cease-and-desist orders, impose civil penalties, and refer cases to the Department of Justice for criminal prosecution.

The FTC's role in antitrust enforcement is unique in that it can challenge both horizontal and vertical mergers and acquisitions, as well as joint ventures and other vertical arrangements. The FTC is also responsible for enforcing the antitrust laws on behalf of the federal government in international trade and investment transactions.

The FTC is an important regulatory agency in its own right, and its role in antitrust enforcement is critical to maintaining a competitive marketplace and protecting consumers from unfair business practices.

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**Table 3.1: Two Timelines—Glance and Indian Famine Law**

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>1580</td>
<td>Edward VI grants the English East India Company a monopoly on the trade with the East Indies.</td>
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<tr>
<td>1816</td>
<td>The Indian Famine of 1816 begins, leading to widespread suffering and death.</td>
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<tr>
<td>1823</td>
<td>Lord Bentinck, Governor-General of India, establishes the Indian Famine Commission to investigate the causes of the famine.</td>
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<td>1826</td>
<td>The Indian Famine of 1826 begins, leading to widespread suffering and death.</td>
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<td>1851</td>
<td>The Indian Famine of 1851 begins, leading to widespread suffering and death.</td>
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<td>1857</td>
<td>The Indian Rebellion begins, leading to widespread suffering and death.</td>
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<tr>
<td>1858</td>
<td>The Indian Rebellion ends, leading to widespread suffering and death.</td>
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<tr>
<td>1860</td>
<td>The Indian Famine of 1860 begins, leading to widespread suffering and death.</td>
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<td>1867</td>
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<td>2016</td>
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<td>2020</td>
<td>The Indian Famine of 2020 begins, leading to widespread suffering and death.</td>
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**Chapter Four**

The Antitrust Laws and the Federal Trade Commission

The antitrust laws are a set of federal statutes designed to promote competition in the marketplace and prevent monopolistic practices. The primary antitrust laws are the Sherman Act, the Clayton Act, the Federal Trade Commission Act, and the Robinson-Patman Act.

The Sherman Act is the oldest federal antitrust law, enacted in 1890. It prohibits "every contract, combination in the nature of a trust or conspiracy, in restraint of trade..." and requires the government to prove that a defendant's conduct violates the intent of the statute.

The Clayton Act is a 1914 amendment to the Sherman Act, which makes it easier for plaintiffs to bring antitrust lawsuits and provides additional remedies for defendants found liable.

The Federal Trade Commission Act is a 1914 law that created the FTC and gave it broad authority to investigate and prevent unfair or deceptive business practices. The FTC is responsible for enforcing the antitrust laws and investigating allegations of anticompetitive behavior.

The Robinson-Patman Act is a 1936 law that prohibits unfair price discrimination between customers that are not in direct competition with each other. The act is intended to prevent companies from using price discrimination to stifle competition and drive out smaller competitors.

The FTC's role in antitrust enforcement is unique in that it can challenge both horizontal and vertical mergers and acquisitions, as well as joint ventures and other vertical arrangements. The FTC is also responsible for enforcing the antitrust laws on behalf of the federal government in international trade and investment transactions.

The FTC is an important regulatory agency in its own right, and its role in antitrust enforcement is critical to maintaining a competitive marketplace and protecting consumers from unfair business practices.
Subsistence of the measure of a known process machine or apparatus

The measure of a known process machine or apparatus for a known property of new use for a known product in the discovery of a new form of a known substance which does not result in the enhancement of the known machine or apparatus of that substance.

This was amended in the 20th Act to read as follows:

A novel feature

such that known process results in a new product of new use for a known substance of the measure of a known process machine or apparatus for a known property of new use for a known product in the discovery of a new form of a known substance which does not result in the enhancement of the known machine or apparatus of that substance.

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A classic matter of adjudication.

The question of the enhancement of the measure, therefore became another door to a Patent on a new form of a known substance unless they differ significantly in properties with regard to efficacy.
Chapter Three

Patient training in this regard...
provide access to the citizens of this country to life-saving drugs and vaccines, and development of new treatments that have a crucial impact on public health. The Constitution of India guarantees the right to life and personal liberty to all citizens. The Indian Constitution also guarantees the right to the highest attainable standard of health and the protection of health and safety to all citizens. These provisions provide a framework for the government to ensure access to essential services and medicines to all citizens.

Constitutional values [15]

The first crucial point to consider is the high standards of protection provided to patents and other intellectual property rights in India. The Indian Constitution guarantees the right to property and the protection of intellectual property rights to citizens. The Indian Supreme Court has interpreted these provisions to ensure that patents and other intellectual property rights are protected to the fullest extent.

The second crucial point to consider is the legal and institutional framework for the protection of patents in India. The Indian Patent Act, 1970 provides for the protection of patents and ensures that the rights of inventors are protected. The Indian Patent Office is responsible for examining and granting patents to inventors.

The third crucial point to consider is the public interest in health and the need for access to essential medicines. The Indian Constitution guarantees the right to health care and the protection of health and safety to all citizens. These provisions provide a framework for the government to ensure access to essential services and medicines to all citizens.

Constitutional values [16]

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The Supreme Court, however, issued a different kind of reading of the same text.
Chapter Three

In essence, the history of Indian law is often perceived as the narrative of a legal heritage that was passed down through generations, with each succeeding generation building upon the foundation laid by those who came before. This is not to say that the law of the land was devoid of change or evolution; rather, it is the story of how a legal system has been shaped and redefined over time, often in response to the needs and circumstances of the communities that it served.

One of the key developments in the history of Indian law was the emergence of the concept of 'interpretation.' This notion, which is at the heart of the legal system, involves the process of understanding and applying legal principles to specific situations. In essence, interpretation is the means by which the law is brought to life, allowing it to adapt to the ever-changing conditions of society.

The role of interpretation became increasingly important as the legal system evolved. As new challenges arose, the need for a flexible approach to the law became apparent. The concept of 'interpretation' allowed judges and other legal experts to adapt to these changes, ensuring that the law remained relevant and effective.

In recent years, the role of interpretation has been further emphasized by the demands of globalization. As India has become more connected with the rest of the world, the need for a legal system that can adapt to international norms and standards has become paramount. This has led to a greater emphasis on the principles of 'interpretation,' as the law is seen as a dynamic and evolving entity, rather than a static set of rules.

The significance of interpretation is not limited to the courtroom. It is also evident in the way in which the law is perceived by the public. A system that is perceived as fair and just is more likely to be respected and upheld, thereby contributing to the overall stability and prosperity of society.

In conclusion, the history of Indian law is a story of adaptation, evolution, and the continuous refinement of the legal system. It is a narrative that is shaped by the needs and circumstances of the times, and it is one that continues to evolve as society changes. The concept of 'interpretation' is central to this evolution, allowing the law to remain relevant and effective in the face of a rapidly changing world.
The patient's health is central to the interpretation of constitutional law. In the case of the Patient Privacy Act, the Supreme Court of Canada ruled that the Act was unconstitutional, as it interfered with the right to personal autonomy and the right to privacy. The Court held that the Act was overly broad and failed to provide adequate protection for the patient's personal information. The Act was struck down, and the government was ordered to provide a new law that would better protect patient privacy.
Chapter Three

Where one sees in the courts problematic strategies in the coordination of the coordination of product patent in medicine may be valuable (Supreme Court, 1993) to apply the facts of the Opposition measures concerning the expression of a coordinate again suggesting that this was the patent that covered the drug. The coordinate again suggesting that this was the patent that covered the drug.

The court used this instance on a legal definition of invention that re-
CHAPTER THREE

[Text continues here]
CHAPTER THREE

The Supreme Court's decisions are heavily influenced by the practical and technological considerations that shape the legal landscape. In addressing the specific application of Section 3(j), the Court considers the balance between the competing interests at stake. The decision whether to grant a patent or to invalidate an existing patent depends on a careful examination of the evidence presented by the applicant and the patentee.

The Court has consistently emphasized the importance of encouraging innovation and economic development. In recent years, this has led to a series of decisions that have effectively expanded the scope of patent protection, particularly in the areas of software, biotechnology, and medical devices.

The Court's recent ruling in the case of (p) (2010) is illustrative of this approach. In that case, the Court held that the patent was invalid because the invention claimed in the patent was obvious in light of the prior art. The Court's decision rested on a careful consideration of the prior art and the factual record, demonstrating the importance of a thorough and methodical examination of the evidence.

The case of (p) (2012), on the other hand, illustrates the Court's willingness to expand patent protection in certain circumstances. In that case, the Court held that the patent was valid because the invention claimed in the patent was not obvious in light of the prior art. The Court's decision was based on a careful analysis of the evidence and a determination that the invention was non-obvious.

These decisions underscore the Court's commitment to maintaining a balance between the public interest and the rights of inventors. The Court's role in this context is to ensure that patents are granted or refused in a manner that promotes innovation while also safeguarding the public interest.

In conclusion, the Supreme Court's approach to the application of Section 3(j) is characterized by a careful and nuanced consideration of the evidence and the underlying principles of patent law. The Court's decisions reflect a commitment to striking the appropriate balance between the interests of inventors and the public, and to ensuring that patents are granted or refused in a manner that promotes innovation and economic development.
The legal right to free speech in the U.S. is protected by the Constitution. The assumption was that people could freely express their opinions without interference. The court found that any suggestions that speech was being regulated were unfounded. A clear breach occurred when the court decided that certain laws were not supported by the Constitution. The laws which were found to be unconstitutional did not allow for free speech. The court ruled that these laws were a violation of the First Amendment to the Constitution. In the case of Gannett v. DePasquale, the court held that the government could not restrict freedom of expression.

To answer this, the court referenced two different statutes on freedom of speech.

Section 100(a) would appear in a situation where the efficacy of the constitutional acts is in question. The section deals with the specific aspects which were mentioned in the U.S. Constitution. The section on freedom of speech was discussed in the Supreme Court case, and the court held that freedom was protected by the Constitution. The court ruled that the government could not restrict freedom of speech.

However, the question arises: How can the courts decide if the laws are constitutional? The court pointed at the idea of "clear and present danger."

A breach occurs over the right of assembly if it is a "clear and present danger."
of cancer patient actions for access to medicines and putting pressure on a second common thread in the two historic concerns, the importance of patient advocacy in informing the research landscape and the role of the patient in the healthcare system.

This chapter builds on the arguments made in the previous chapters, emphasizing the importance of patient advocacy in informing the research landscape and the role of the patient in the healthcare system. The chapter explores the role of patient advocacy in informing the research landscape and the role of the patient in the healthcare system.

In conclusion, the importance of patient advocacy in informing the research landscape and the role of the patient in the healthcare system cannot be overstated. Patient advocacy plays a crucial role in informing the research landscape and the role of the patient in the healthcare system. The chapter concludes by highlighting the importance of patient advocacy in informing the research landscape and the role of the patient in the healthcare system.

The Science and Policies of Cleavage

The Science and Policies of Cleavage

The Science and Policies of Cleavage
This set the stage for the discovery of cyclins, which regulated cell cycle transitions. The identification of molecules that regulate cell cycle transitions has led to the development of inhibitors and the inhibition of cell proliferation is now a therapeutic target. This has led to the development of new drugs that target these molecules.

The discovery of a cyclin-dependent kinase inhibitor (CDK inhibitor) was a major breakthrough in understanding the regulation of cell cycle progression. CDK inhibitors have been shown to be effective in the treatment of cancer and are currently being developed as therapeutic agents.

The development of these drugs has highlighted the importance of understanding the regulation of cell cycle transitions. This has led to the development of new models and methodologies to study cell cycle regulation and has provided new insights into the mechanisms that control cell cycle progression.

The discovery of CDK inhibitors has also led to the development of new approaches to treat cancer. These drugs are targeted at specific molecules that regulate cell cycle progression and have shown promising results in clinical trials. This has opened up new possibilities for the treatment of cancer and has provided hope for patients with this disease.
Chapter Three

(496) To the most ambitious, an “incredible” problem is too easy a phrase.

(497) Harry's friends would see a student — and only one student. No, it wasn't the teachers.

(498) "I have been confronted by the actual interpretation of legal authority by the means to which it is applied in the making of a decision. When I was still a research student, I found it

(499) He has been the subject of an extensive study of the effects of the law on the behavior of judges. He has been confronted by the actual interpretation of legal authority by the means to which it is applied in the making of a decision. When I was still a research student, I found it

(500) We have been confronted by the actual interpretation of legal authority by the means to which it is applied in the making of a decision. When I was still a research student, I found it

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Dialogue and Autonomy of the State

The means to which it is applied in the making of a decision. When I was still a research student, I found it
open to unpreventable delay. I believe that the issue was not that the government was not informed of the impending legislation, but that the government was not able to prevent its passage.

The point is, however, that this is the core of the problem. If the government is not informed, it cannot act to prevent legislation. If the government is informed, but unable to prevent its passage, it is effectively powerless.

This is why I think that the current system is flawed. It needs to be reformed so that the government has more power to prevent legislation that it disagrees with.


data:image/png;base64,iVBORw0KGgoAAAANSUhEUgAADXMAAAoOWAAAIxP6nNAAAAAElFTQ1Q4OnwAAAABJRU5ErkJggg==
sought to 3(d). While the extent of distance between the positions of the two parties was not made public at the time, the Left made clear in closed-door negotiations that their continued support for the government would depend upon 3(d) being incorporated into the legislation along with other proposed flexibilities. Hence, the letter and spirit of 3(d) was upheld by the state, through a judicial act that read legislative intent. But this was in spite of executive ambivalence that continued to be on display years after the passage of the amendments in the 2005 Act.

I have described the intricacies of Gleevec’s legal trajectory in India in part because it is so central to the interpretation of TRIPS-mandated product patent regimes in India. But it is also important in showing how the logics of capital interact with, and can potentially be tempered by, the dialogic ways in which the state is constituted, which is itself in part a function of civil society organization. The clinical trials situation was driven in contrast by logics of capital that were unfettered for a significantly longer period of time, until the trials became the subject of scandal (see chapter 2). At stake here are questions of relationships between technoscience and representative politics. The state functions as a critical transacting agent that both serves the interests of capital and can potentially be held accountable to public interest.

This is perhaps more generally true of the southern world. For instance, access to Gleevec was a contentious issue in South Korea even before it had become politicized in India. A Korean professor of mechanical engineering contracted CML in 2000, and found out about the clinical trials being conducted on Gleevec in the United States. He was able to organize other leukemia patients in Korea to petition the government to allow Novartis to expand its experimental access program for the drug in Korea. Thus, Korean patients became enrolled as trial subjects even as they started to politically organize to ensure broader access to Gleevec in Korea after its market approval. This was particularly important because, as in India, Novartis priced Gleevec in Korea at the same price point as in the United States and Europe.

The first salvo in the postmarket politics around Gleevec was an attempt by leukemia patient groups to get the Korean government to issue a compulsory license on the drug in 2002. This failed, leading to two other fronts being opened. The first involved approaching generics companies in India for the drug. This was facilitated by meetings with activists for Indian patients and access to medicines at the World Social Forum in Bombay in 2004, who connected Korean activists with companies that were manufacturing generic versions such as Cipla and Natco. The second involved a longer-term engagement with both Novartis and the Korean government regarding the pricing of the drug in Korea.

In contrast to India, drug prices in Korea are regulated through price control mechanisms rather than intellectual property laws. Korea had harmonized its patent regime to a product patent regime in 1986, but has a monopsonistic system of national health insurance, with the state as the major buyer for drugs it deems essential to public health. The locus of contestation therefore concerned whether the Korean government could impose price controls on the drug. The government attempted to set a ceiling price on the drug of U.S. $15 per 100 mg capsule, but Novartis refused to accept the price and demanded a 24 percent increase. The basis for Novartis’s price point was that this was set in seven advanced industrial nations (the so-called A-7 group of countries)—the United States, United Kingdom, Canada, France, Germany, Switzerland, and Italy. Bilateral trade agreements between the United States and Korea stipulated that Korea would adhere to A-7 pricing of pharmaceutical products, even though it was not formally part of the group of A-7 countries. Eventually, a negotiated settlement was reached between Novartis and the Korean government, whereby the government agreed not to restrict the price of Gleevec, while Novartis donated toward the cost of the drug. In this way, the amount that patients themselves had to pay was only 10 percent of the price of the drug (the rest being paid for by national health insurance and Novartis together), but the price of the drug remained the same as it was in the United States.

The pricing of Gleevec was a contentious issue in other developing country contexts as well. For instance, the Brazilian government was able to negotiate with Novartis and brought the price down from U.S. $19 to $13 per 100 mg capsule. Hence, the politics surrounding Gleevec in India reflect a much broader constellation of southern politics around access to medicines that call into question the assumptions and paradigms of innovation in relation to drug development as they operate in Euro-America. These are histories that play out through law and advocacy that are differently coupled (or not coupled at all) to R&D than is the case in Europe and the United States. They are also histories with their own comparative intricacies, for instance around different structures of health care access (nationalized health insurance in Korea as opposed to free market competition in generics in India); different loci around which drug prices come to be internationally contentious (the patent in India, price controls in Korea); different global relationships around which this contention materializes (bilateral trade agreements with the United States in Korea’s case; conformity with TRIPS in India’s); different
Judicial Ethics and the Spirit of Constituitionism

This chapter has explored judicialization as an emergent form of space and politics. In the context of an economy that sees the expansion of multinational corporate ownership, undertakings of innovation and consolidation of corporate power, it is also necessary to understand the diminished stature of the courts and legal reasoning itself. 

Novartis' opposition seemed to possess in ample measure. Therefore, the courts and legal reasoning at face value, and yet there are important factors for ethical attention to the articulations of value politics of Novartis. I have focused on the importance of legal reasoning and its alternative path to global pharmaceutical access. This is not just about the legal positions of the patents and the role of judges and political advocacy in the multinational pharmaceutical industry. Who are the people of the South and the West, their opposition to the multinational pharmaceutical industry? What are the reasons Novartis is kept out in India? Are there some of the most famous lawyers in the country who have a big name but do not necessarily have that virtue when it came to the strategic interpretation of patent law and its relationship to scientific development? These are questions that lawyers for Novartis, keeping its cases in mind, were employed in the decision-making process.

In this chapter, I wish to acknowledge the role of judicial impetus in subsequent deliberations of intellectual property rights. I wish to acknowledge the role of judicial impetus in subsequent deliberations of intellectual property rights in India. The stakes of the GlaxoSmithKline (GSK) verdict are obviously high in terms of allowing access to potentially life-saving antiretroviral treatments for people who need them. Activists fighting against the GSK patent have pointed to the stakes - up to fifty-fold differentials in price between Novartis patented antiretroviral drugs and generic versions on the Indian market. These new drug and generic versions only have adverse consequences for drug access in the long term. The multinational pharmaceutical lobby has widely argued that ventures such as those seen in India will lose out in the competition for market share in the emerging global market. Nevertheless, the image of India as a cheap manufacturing hub, potentially to be undermined by local production, is a persistent and misleading one. India continues to lead the world in generic drug manufacturing, with a market share of over 70% in the world market. The Indian government has a strong record of protecting intellectual property rights, and there are strong legal mechanisms in place to ensure that drug patents are enforced. These include a patent enforcement body, the Indian Patent and Trademark Office, which is responsible for enforcing patent laws and ensuring that patents are not infringed. The Indian government has also signed treaties and agreements that protect intellectual property rights, such as the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). These agreements require countries to enforce intellectual property rules and provide for penalties for infringement. India has also been a strong advocate for the World Intellectual Property Organization (WIPO), which is the United Nations agency responsible for managing international intellectual property agreements.

Constitutional Values (45)
CHAPTER THREE

The Indian Constitution, our nation’s fundamental law, is a product of a democratic process that began in 1947. It was drafted by a Constituent Assembly that represented the will of the people of India. The Constitution is divided into three parts: Preamble, Constitution, and schedule. It guarantees fundamental rights, freedoms, and Directive Principles that shape the direction of the nation’s development.

The Preamble sets the tone, emphasizing the sovereignty, socialism, secularism, fraternity, and equality. The Fundamental Rights (Part III) protect individual liberties, while Directive Principles (Part IV) aim to create conditions for the economic development of the country and promote social justice. The Constitution also includes a Directive Principle on the right to education, aiming to ensure that every child has access to basic education.

Chapter Two focuses on the principles of democratic governance, separation of powers, and the role of the judiciary. It explores how these principles are implemented in practice, highlighting the challenges and successes of the Indian legal system.

In conclusion, the Indian Constitution is a living document, constantly evolving to meet the needs of a growing and dynamic society. It serves as a guiding light that reflects the aspirations and realities of India, ensuring that democratic principles are upheld and social justice is pursued.
Weighing the structure of prudentialist decisions, the confident manner by which we approach the topic is also the one that we embrace as part of our decisional framework. The decision is not just about who makes the decision, but also about how it is made. When making decisions, we consider the interests of the individual and the collective. The Constitution of the political system is designed to ensure that decisions are made in a way that respects the interests of all people. This is why we place such importance on the Constitution, which serves as a guide for making decisions. The Constitution is a document that outlines the principles and values that govern our society. It is the foundation upon which our democratic institutions are built. The Constitution is not just a document, but a living document that guides us in making decisions that are fair and just.

In making decisions, we must always consider the impact of our actions on others. This is why we take into account the views of experts and the public. We also consider the impact of our decisions on the environment and the future generations. The Constitution is a document that outlines the principles and values that govern our society. It is the foundation upon which our democratic institutions are built. The Constitution is not just a document, but a living document that guides us in making decisions that are fair and just.
in relation to the Gleevec case is thus coproduced with the situating of cancer in India (or Korea, or Brazil) in different ways than those seen in Euro-America. Chapters 4 and 5 elaborate upon such politics by situating it in terms of the materialization of logics of capital in/as different capitalisms, resulting in a competition between the monopoly capitalism of the Euro-American R&D-driven pharmaceutical industry and the postcolonial nationalist free market capitalism of the Indian generic industry that itself comes to be less and less viable in post-trips global market environments.

POSTSCRIPT: PHARMACO(LAW)GIC

The Indian Supreme Court verdict on Gleevec has provided a significant precedent for limiting the practice of pharmaceutical evergreening, one that certainly establishes interpretive room for maneuver within India's product patent regime, which could also have implications that extend beyond India. But there is more at stake in this verdict than simply policy precedent. It is worth thinking about the court itself as an institutional site of democratic articulation. The particular mechanisms of such articulation—the very texture of legal argumentation that was employed, and the modes of interpretation of the patent (literal versus hermeneutic) that brought the different assumptions underlying invention to the fore—are worth paying attention to. And institutions such as the Supreme Court have their own aura, lending a certain kind of authority to verdicts, a gravitas borne of a self-conscious sense of justice being dispensed. It was clear for instance that the judges hearing the Gleevec case were aware of the precedent power that was vested within them. The length, detail, and explanatory reasoning of the verdict, and the insistence on wiping the slate clean and adjudicating all aspects of the issue (concerning both Sections 2(i)(f) and 3(d)) suggest that the justices knew that they were hearing a landmark case whose consequences would be felt over the long term and well beyond access to a single drug.

Is this form of judicialization, one that orients pharmaceutical politics toward socially just possibilities, in principle democratic? It is easy to be swept away by romanticism while considering a judicial intervention such as this. The emergence of the Indian Supreme Court as a bulwark against corporate capital is in stark contrast to recent decisions of the American Supreme Court such as Citizens United, which provide corporations with First Amendment rights to free speech as if they were people. More generally, the Indian Supreme Court has taken on an activist role on a host of social justice issues, ranging from corruption to food distribution to women's rights, demanding that the state act to fulfill its representative obligations to its citizens. It is important to acknowledge the radical potential of such judicial intervention.

But it is equally important to think through its limits. At one level, these are the conceptual limits of the law itself, as the question of justice always exceeds formal legal adjudication and can never be entirely contained within it (Derrida 1992). But at another level, there are pragmatic, institutional, and political limits. Scholars have recognized that judicialization constitutes a complex terrain and site for politics and does not necessarily result in socially progressive outcomes. João Biehl and Adriana Petryna (2011) have shown, for instance, how the judicialization of pharmaceutical politics in Brazil serves as an instrument of pharmaceuticalization, whereby individual citizens make demands upon the state (in the context of nationalized health care) for drugs as a matter of entitlement. This puts burdens on the health system even as it often bypasses the authority of evidence-based medicine; the right to health operates as consumer demand upon the state, which then becomes the broker in procuring drugs for an ever more demanding citizenry that also emerges as a market for pharmaceutical companies. Jean and John Comaroff have pointed to the hyperlegal sphere of postcolonial politics that comes to operate in the judicialized context of South Africa, with consequences not just for promises of justice but also for state conceptions of crime and policing (Comaroff and Comaroff 2006). And Gautam Bhan (2009) has shown how the public interest litigation has served as an instrument to enforce evictions in Delhi, thereby serving simultaneously to uphold tenancy as a right even as it has acted in certain situations to displace people from their homes.

Hence if the emancipatory potential of judicialized pharmaceutical politics comes to be obvious in situations such as the Gleevec case, then its democratic potential is more tenuous. At an empirical historical level, the story of the Indian judiciary is marked by failures as much as by stunning successes. The structure of judicial politics in India today sees the operation of activist higher courts that intervene substantially in the making of policy alongside virtually nonfunctional middle and lower courts that are often mired in corruption and inefficiency. In terms of political horizons, it is possible to imagine a judiciary that is not invested in the ideals of social justice, as witnessed in rulings such as the criminalization of homosexuality through the upholding of Section 377 of the Indian Penal Code, an article of the law that traces back to a colonial British statute enacted in 1860 that defines homosexuality as an "unnatural offense." The judiciary as an instrument of social justice is also a historically and generationally specific institution, reflective of a turn in this direction that occurred after the lifting of Indira Gandhi's state-imposed Emergency in the late 1970s.
CHAPTER FOUR

Philanthropic Values

Corporate Social Responsibility & Monopoly in the Pharmaceutical Industry

We are aware that the question of access to medicines is a global concern. However, the pharmaceutical industry, through its philanthropic efforts, has taken steps to address this issue. Organizations like the Global Fund to Fight AIDS, Tuberculosis and Malaria, and the United Nations Children's Fund (UNICEF) are working to ensure that children in developing countries have access to essential medicines.

In India, the All India Council for Technical Education (AICTE) has been instrumental in promoting research and development in the pharmaceutical sector. The Indian Council of Medical Research (ICMR) has also played a crucial role in the development of new drugs and vaccines.

In addition to these initiatives, the government of India has taken steps to regulate the pharmaceutical industry. The Drugs and Cosmetics Act, 1940, provides a framework for the regulation of the industry, ensuring that the medicines produced are safe and effective.

Despite these efforts, challenges remain. Access to medicines remains a challenge in many parts of the world. The high cost of medicines, particularly in developing countries, is a significant barrier to accessing essential medicines.

The role of the pharmaceutical industry is crucial in addressing these challenges. Through philanthropic efforts and regulatory frameworks, the industry can play a significant role in ensuring that all individuals have access to essential medicines.

The challenge now is to ensure that these efforts are sustainable and that the benefits of these initiatives are felt by all.

In conclusion, the pharmaceutical industry has a significant role to play in ensuring access to medicines. Through philanthropic efforts and regulatory frameworks, the industry can contribute to addressing this global challenge.

The Future of Medicine: A Global Perspective

As we look towards the future, the role of the pharmaceutical industry in addressing global health challenges will become even more critical. The industry will need to continue to innovate and invest in research and development to ensure that we have access to the medicines we need.

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NOTES TO CHAPTER 2

1. The term "economic determinants" refers to the factors that influence the economic conditions of a country, such as inflation, unemployment, and interest rates. These factors can have a significant impact on public health outcomes, as they affect the availability and affordability of health care services.

2. The social determinants of health are the conditions in which people live and work, such as their income, education, social norms, and the policies that affect their lives. These factors can have a significant impact on health outcomes, and addressing them is crucial to improving health equity.

3. The concept of "ecological economics" is based on the idea that human well-being is closely intertwined with the functioning of ecosystems. It advocates for economic policies and practices that promote sustainability and social justice.

4. The term "environmental" refers to the natural world and the relationships between living beings and their environment. Environmental health is concerned with the impact of environmental factors on human health.

5. The concept of "health equity" refers to the fair and just distribution of health resources and opportunities. It aims to reduce health disparities and ensure that everyone has the opportunity to achieve their highest level of health.

6. The "Triple Helix” model of innovation is a framework that describes the interaction between academia, industry, and government. It emphasizes the importance of collaboration among these sectors to drive innovation and economic development.

7. The "sustainable development" paradigm is based on the idea that economic growth should be balanced with environmental and social considerations. It advocates for policies and practices that promote long-term well-being and sustainability.

8. The "health literacy" is the degree to which individuals have the information and skills needed to make appropriate health-related decisions. It is crucial for improving health outcomes and reducing health disparities.

9. The "social determinants of health" are factors that influence health outcomes, such as income, education, and employment. Addressing these factors is crucial for improving health equity and reducing health disparities.

10. The "health care system" is the network of organizations and providers that deliver health care services. It includes hospitals, clinics, doctors, and other health care providers.

11. The "community health" approach recognizes the role of communities in shaping health outcomes. It emphasizes the importance of involving community members in decision-making and planning.

12. The "global health" is the study of health and disease in a global context. It recognizes the interconnectedness of health systems and the need for international collaboration to address global health challenges.

13. The "health promotion" is the process of enabling people to increase control over, and improve, their health. It includes actions that promote healthy lifestyles, prevent diseases, and reduce health disparities.

14. The "health care workforce" refers to the professionals and workers who provide health care services. Strengthening the health care workforce is crucial for improving health outcomes.

15. The "health IT" is the use of information and communication technologies to improve health care. It includes electronic health records, telemedicine, and other technologies that enhance health care delivery.

16. The "patient safety" is the mitigation of harm to patients from the processes of care provided to them. It is a critical component of high-quality health care.

17. The "health care system" is the network of organizations and providers that deliver health care services. It includes hospitals, clinics, doctors, and other health care providers.

18. The "health policy" is the formulation and implementation of policies that affect health care and health outcomes. It includes decisions about funding, regulations, and other policies that impact health care delivery.

19. The "health data" is information that describes the health status of individuals and populations. It is crucial for improving health outcomes and informing policy decisions.

20. The "health care access" refers to the extent to which individuals have access to health care services. It is a critical factor in determining health outcomes.

21. The "health equity" refers to the fair and just distribution of health resources and opportunities. It aims to reduce health disparities and ensure that everyone has the opportunity to achieve their highest level of health.

22. The "health care quality" refers to the degree to which health care services meet the needs of patients and deliver high-quality care. It is a critical component of effective health care delivery.

23. The "health care cost" refers to the financial burden of health care services. Controlling health care costs is crucial for sustaining health care systems.

24. The "health care outcomes" refer to the results of health care services, such as survival rates, disease prevalence, and health status improvements. Measuring and improving health care outcomes is crucial for evaluating the effectiveness of health care services.

25. The "health care technology" is the use of technology to improve health care delivery. It includes electronic health records, telemedicine, and other technologies that enhance health care delivery.

26. The "health care research" is the systematic investigation of health care issues. It includes studies that evaluate the effectiveness and safety of health care interventions.

27. The "health care education" is the process of preparing health care providers with the knowledge and skills needed to deliver high-quality care. It includes professional development and continuing education programs.

28. The "health care regulation" refers to the rules and guidelines that govern health care services. It is crucial for ensuring the quality and safety of health care services.

29. The "health care financing" refers to the mechanisms that provide funding for health care services. It includes public and private funding sources.

30. The "health care advocacy" is the process of advocating for changes in health care policies and practices. It includes efforts to promote health care reform and improve health care delivery.

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Small Business Administration

Following an appeal by the Department of Defense and the Department of Agriculture, the court reversed the small business administration's determination that the respondent was eligible for small business status, and remanded the case for further proceedings.

Section 198(a) of the Small Business Act of 1953 (15 U.S.C. § 635) provides that the Small Business Administration (SBA) shall make available to eligible businesses a portion of the government's procurement funds. The SBA is responsible for determining whether a business is eligible for small business status, and in the case at bar, the SBA had determined that the respondent was eligible.

The court found that the SBA had failed to establish a clear and specific standard for determining small business eligibility. The court remanded the case for the SBA to establish such a standard and to determine whether the respondent was eligible for small business status.

Section 198(b) of the Small Business Act of 1953 (15 U.S.C. § 635) provides that the SBA shall make available to eligible businesses a portion of the government's procurement funds. The SBA is responsible for determining whether a business is eligible for small business status, and in the case at bar, the SBA had determined that the respondent was eligible.

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The history of the great invention in Brazil Western Patent Law...

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CHAPTER FOUR: PHILOSOPHICAL VALUES

The expansion of therapeutic perspectives is a key element in the context of therapeutic values, which are central to the development of therapeutic practices. These values are not only philosophical but also practical, guiding the formulation of therapeutic frameworks and the development of therapeutic methods.

Therapeutic values are grounded in the philosophical foundations of therapeutic perspectives, which themselves are rooted in the history of philosophy. The development of therapeutic practices is an ongoing process, reflecting the evolution of philosophical thought over time.

The development of therapeutic practices is influenced by various philosophical schools, each offering distinct perspectives on the nature of therapeutic values. These schools include, but are not limited to, the philosophical traditions of Western thought, Eastern philosophy, and contemporary postmodern philosophy.

The importance of therapeutic values lies in their role in shaping the therapeutic process, influencing the way in which therapeutic interventions are conducted and the outcomes they produce. Therapeutic values are essential in guiding the development of therapeutic frameworks, informing the creation of therapeutic practices, and influencing the ethical considerations that underpin therapeutic interventions.

In conclusion, therapeutic values are a critical component of therapeutic perspectives, reflecting the philosophical underpinnings of therapeutic practices. Understanding these values is crucial for the development of effective therapeutic interventions, as they provide the foundation for the formulation of therapeutic frameworks and the design of therapeutic methods.

REFERENCES


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