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**Patents, Pills, the Press and the Poor:
Discourse and Hegemony in News Coverage of
the Global 'Access to Medicines' Dispute,
1997-2003**

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Abstract

In the mid-1990s a transnational civil society campaign emerged to advocate greater essential medicines access for the majority world. The campaign mobilised on a variety of fronts, but in particular around the argument that intellectual property protection was the central impediment to equitable medicines access. The campaign argued that strong patent protection created artificially high medicine prices, and that, in the case of global HIV/AIDS, such prices prohibited medicines access for the vast majority of those in need of it. The major pharmaceutical companies disagreed, arguing instead that absolute patent protection was essential for new medicine development. When a coalition of pharmaceutical companies sued the South African government over generic medicines access in 1998, the dispute became crystallised into a dramatic mediatised conflict.

This thesis examines press coverage of the medicines access dispute in key United States, British and South African news outlets over the years 1997 to 2003. Adopting Laclau and Mouffe's discourse theory as a macro-theoretical guide, the thesis conceptualises the media space as a field of contestation between opposed political projects seeking to hegemonically articulate their particular discourse. Prior commentary on the medicines access dispute has suggested media coverage was a key driver in publicising the civil society campaign's message. This thesis contributes previously missing empirical data to such claims, addressing the questions: did the news media discourse on HIV/AIDS medicines transform to better reflect the civil society campaign's arguments over those of the major pharmaceutical companies? If so, what were the principal factors influencing this transformation?

Through corpus-assisted discourse analysis of a sample of a 1,113 newspaper articles, and consideration of personal testimonies from key journalists and activists, the thesis argues the media discourse did indeed transform in favour of the civil society campaign. However, while the campaign was successful in promoting a patent-based definition of the crisis, the solution most widely adopted was one that increased aid funding and decreased medicines prices, but which left the intellectual property infrastructure largely intact. In this way, the thesis documents both the successful articulation of a counter-hegemonic discourse within the news media, as well as the process by which this challenge was reabsorbed into pre-existing power structures.

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List of Abbreviations and Acronyms

3TC	lamivudine
ABIA	Associação Brasileira Interdisciplinar de AIDS
ACTPN	United States President's Advisory Committee for Trade Policy and Negotiations
ACT UP	AIDS Coalition to Unleash Power
AGOA	Africa Growth & Opportunity Act
AIDS	Acquired Immune Deficiency Syndrome
ARV	antiretroviral
AZT	zidovudine
CADS	corpus-assisted discourse studies
CBO	United States Congressional Budget Office
CDA	critical discourse analysis
CL	corpus linguistics
CPTech	Consumer Project on Technology
CSO	civil society organisation
d4T	stavudine
Doha Declaration	World Trade Organisation Declaration on TRIPS and Public Health
DTA	discourse theoretical analysis
EDL	Essential Drugs List
FDA	United States Food & Drug Administration
FTA	free trade agreement
EU	European Union
G8	Group of Eight
GAO	United States Government Accountability Office
GATT	General Agreement on Tariffs and Trade
GDP	gross domestic product
GIV	Grupo de Incentivo à Vida
Global Fund	The Global Fund to Fight AIDS, Tuberculosis and Malaria
GSK	GlaxoSmithKline

GSP	Generalised System of Preferences
HAART	highly active antiretroviral treatment
HAI	Health Action International
HIV	human immunodeficiency virus
IFPMA	International Federation of Pharmaceutical Manufacturers & Associations
IIPA	International Intellectual Property Alliance
IMF	International Monetary Fund
IP	intellectual property
IPC	Intellectual Property Committee
IPR	intellectual property right
KEI	Knowledge Ecology International (formerly CPTech)
LDC	Least Developed Country
Medicines Act	Medicines and Related Substances Control Amendment Act of South Africa
MSF	Médecins Sans Frontières
NAFTA	North American Free Trade Agreement
NGO	non-governmental organisation
NIH	United States National Institute of Health
NME	new molecular entity
NWICO	New World Information & Communication Order
PEPFAR	United States President's Emergency Plan for AIDS Relief
PhRMA	Pharmaceutical Research & Manufacturers Association of America
PMA	South African Pharmaceutical Manufacturers Association
QUNO	Quaker United Nations Office
R&D	research and development
REBRIP	Rede Brasileira pela Integração dos Povos
SAPA	South African Press Association
TAC	Treatment Action Campaign
TRIPS	Agreement on Trade-Related Aspects of Intellectual Property Rights
TWN	Third World Network

UK	United Kingdom
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNICE	European Union of Industrial and Employers’ Confederations
UNICEF	United Nations Children’s Fund
US	United States
USAID	United States Agency for International Development
USD	United States Dollars
USTR	United States Trade Representative
WHA	World Health Assembly
WHO	World Health Organisation
WIPO	World Intellectual Property Organisation
WTO	World Trade Organisation