

# HEALTH, DEVELOPMENT & HUMAN RIGHTS

## The Politics of Access to Essential Medicines

### Instructions

When doing the reading for this class, there are the two basic kinds of information you need to understand:

1. What are the main points or conclusions that an author accepts with respect to a particular issue?
2. What are the reasons, important considerations, and evidence that lead the author to accept that conclusion?

For our purposes, it is *information of the second sort that will be our primary concern* since our most basic task is to *evaluate the reasons and evidence* that are offered to support accepting one possible position on an issue, rather than another.

### Reading

Barnard, D. (2002, June). In the High Court of South Africa, Case No. 4138/98: The Global Politics of Access to Low-Cost AIDS Drugs in Poor Countries. *Kennedy Institute of Ethics Journal*, 12(2), 159–174.

### Questions

1. According to David Barnard, why is HIV/AIDS so bad in South Africa?
2. How did the 1997 Medicines and Related Substances Control Act propose to reduce the prices of AIDS drugs in South Africa? What reasons did the Pharmaceutical Manufacturers Association of South Africa (PMA) and other international drug companies give for rejecting this act? Why is this reasoning not legally compelling according to Barnard?
3. What happened after this lawsuit was filed to cause the PMA and other companies to subsequently withdraw their case? How did the government of South Africa respond to that?
4. Barnard says there are two interpretive frames that have dominated discussion of these events.  
What are these interpretations, and why does Barnard believe that they both are misleading?
5. In the end, what is Barnard's positive solution for this situation?

To answer these questions you will have to reflect critically on what you have read and possibly re-read important passages.

Although I strongly suggest that you write out brief answers to these questions, you do not have to turn in written responses. You do, however, need to be prepared to speak intelligently about these issues at our next class meeting.