

# TRIPS AND PHARMACEUTICAL PATENTS IN DJIBOUTI: AN ANT ANALYSIS OF SOCIO-LEGAL OBJECTS

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## ABSTRACT

This article discusses the complexity inherent in the relationship between written law and social action. It uses actor-network theory ('ANT') to amplify this complexity and considers its value both in understanding socio-legal objects and, more broadly, to socio-legal studies itself. The article uses a case study of the role of the Trade Related Intellectual Property agreement ('TRIPS') regarding pharmaceutical patents in a 'least developed country', Djibouti. The study uses this pharmaceutical example to argue the insights offered by ANT, conceptualizing socio-legal objects, beyond comparable approaches such as implementation studies. It also offers a different, more compelling set of understandings than that which appears in the more standard texts on TRIPS.

## KEY WORDS

actor-network theory; development; methodology; pharmaceutical patents; TRIPS

## INTRODUCTION

**T**HIS ARTICLE PRESENTS an empirical case study of the impact of the Trade Related Intellectual Property agreement (TRIPS) and pharmaceutical patents on health. This study, carried out in the Republic of Djibouti during 2004, also illustrates the potential relevance and limits of actor-network theory (ANT) as a method to study the action of socio-legal objects – understood as objects with a legal origin/dimension studied in their social action, through networks and connections, as exemplified throughout the article.<sup>1</sup>