

## Summaries

Uwe Hoering

The Market as Water Manager

Attempts by the World Bank to build a new water regime

After a flood of studies about water markets and tradable water rights in the 1990s, many of them sponsored by the World Bank, the Bank is now using her position as influential global „adviser“ on water sector reforms to create the legal, institutional, infrastructural and organisational preconditions for the management of water resources by market mechanisms. In the center of the ambition, to make water a marketable good, is the reorganisation of the existing systems of water user rights, many of them informal, customary and communal, into a new regime of secured, formalised and individualised de facto property rights, which could be traded between different water users.

Starting point for the article is a brief overview over the various existing water rights regimes, with the focus on countries, where tradable water rights and water markets have been introduced already, leading to a catalogue of preconditions for the establishment of functioning water markets as a mechanism for economic valuation and allocation of water. Against this background, the new water policy of the World Bank is analysed in as far it is contributing to the creation of those conditions. Concluding, there is an outlook on the impacts of these market mechanisms on water distribution and use within agriculture, regarding for example food security, as well as between agriculture and urban areas.

Hanns Wienold

The agricultural Frontier in Brazil:

Illegal Acquisition of Land, Valorisation and rural Violence

Today's agricultural expansion in Brazil transforms, year after year, huge tracks of Amazonian rainforest and cerrado in pasture and arable land. Beef and soybeans for national and international markets are booming sectors of national and transnational agribusiness in Brazil. Large landowners and enterprises, migrating peasants, Indian people, and „traditional“ populations like rubber and nuts collectors are locked in a bitter and bloody fight for access to land. The article argues that the origins of the present-day rural conflicts, violence and illegal acquisition of public land can be traced back to the „conservative modernization“ of Brazilian agriculture since the forties of the last century. Already in the past, the special Brazilian model of „primitive accumulation“ dominated the agricultural frontiers in the South and Centre-West of

Brazil. On the one hand, the monstrous concentration of private land and, on the other hand, the mass misery of mini-farmers are reproduced by the creation of modern latifundios in Amazonia. It is argued that social exclusion through private ownership of land which by no means can rationally be justified is not a solution, but the origin and permanent source of rural conflict and violence.

**Christiane Gerstetter & Gregor Kaiser**

**Defending the Public Domain together?!**

**Approaches to and Forms of Protesting against the Extension of Intellectual Property Rights on Plant Genetic Resources and Software**

In this article, the authors trace parallels between different areas in which IPR are currently in the process of being extended to what was before part of the public domain. The focus is on a particularly important form of IPR: patents. The issue areas compared are patents on plant genetic resources and software.

Firstly, two major current projects of extending patents are analysed, the negotiations of a Substantive Patent Law Treaty in the framework of the World Intellectual Property Organization (WIPO) and the (for the time being, failed) attempt to enact a software patent directive within the European Community. Secondly, parallels concerning the driving forces between the extension of patents in the different areas and their effects on the public domain are described. Special focus is put on the effects of stricter IPR protection on developing countries. The third and central part of the text is dedicated to strategies and approaches used by actors from the so called civil society in their struggle against the extension of IPR. Again, a comparative approach between the areas is taken. Major points of comparison are the main actors and their protest forms as well as goals in the respective areas.

**Joscha Wullweber**

**Nanotechnology – the construction of a myth**

Nanotechnology is widely accepted as the emerging future technology. This apparently marvellous technology becomes important for government technology policies in a lot of countries. A global nanotechnology race has started. However, nanotechnology represents more than a new technology. It is a myth that serves certain interests and strategies to reconstruct society. The governing of nanotechnology is in align with the reconstruction of a knowledge-based economy and fosters the creation of a competition state. Within this process the commodification of knowledge and nature is intensified with considerable impacts especially for the global south. The regulation of this process

is conflict-ridden and characterised by contradictions. And governments have to win the „perception wars“ to achieve acceptance for nanotechnology by the citizen.

Christian Zeller

### Intellectual Property Monopolies and the Extraction of Rents in the global Economy of Dispossession

The emergence of a finance-dominated accumulation is accompanied by an extension of processes of commodification and procedures of dispossession similar to forms of original accumulation. This is an answer of capital to the problem of over-accumulation. As an expression of dispossessing accumulation, the implementation and extension of intellectual property monopolies is of particular importance. In the context of an increasing socialization of labor, in particular of innovative activities, the private appropriation of knowledge in the shape of intellectual property monopolies and its commercial valorization has become a strategic goal of firms. Income based on such property titles has developed into a central form of the appropriation of resources in the finance-dominated accumulation regime.

The article applies the Marxian rent theory to the intellectual property monopolies. Findings from the pharmaceutical and biotechnology industries reveal the growing importance of appropriation mechanisms of knowledge by firms and the contradictory effects of intellectual property monopolies. Based on specific power relations the owners of property titles can appropriate resources and values. Rent extraction processes take place on different scales: they reach from the enforcement of property monopolies over gene sequences up to the role of the USA as a *rentier* state on a global scale. Hence, the global configuration of this regime of intellectual property monopolies is highly hierarchical.

Miriam Heigl

Private is beautiful?

### Some Remarks on the Conflicts over Property Rights in the Mexican Energy Sector

The article aims at contributing to discussions about privatisation processes. It is argued from a perspective referring to Poulantzas that privatisation processes – contrary to the assumptions of property-rights-theory – should be considered as *conflicts within society* over the property rights for public goods and services. In order to analyse these conflicts and their outcome, it is important to recognize the efforts of different actor coalitions to influence institutional decision-making processes as well as the

institutional configuration of the state apparatus and the ideological orientation of civil servants. The article focuses on the privatisation processes in the Mexican electricity and oil sector which have not yet been finished and therefore constitute a remarkable exception from the overall privatisation process that has taken place in Mexico from 1983 onwards. These exceptional cases are chosen in order to extend our understanding of the phenomenon of privatisation.

**Martina Krause**

**Old Prejudices and New Thinking**

**– Reproductive Health Programmes in Mexico**

The study focuses on the new paradigm of reproductive health as introduced at the UN Conference on Population and Development 1994, how it is implemented at the regional level of the National Programs of Mexico. The author asks if the programs do bring more self determination and better health conditions for women.

Within the efforts of modernization the health ministry of Mexico used the constructions of gender and ethnicity to face cuts in public budgets by focusing on more self initiatives and communal resources. At the same time it insisted on the goal of reducing population growth especially of the indigenous population. The author contrasts the popular thesis of the incapability of „ethnic“ and „modern“ with case studies of the reproductive and health related behaviour of indigenous men and women. She refers to social aspects as the patterns of interethnic relationships and the cultural concepts of body and health.