

*Globalisation, Information and Libraries: The implications of the World Trade Organisation's GATS and TRIPS Agreements*, by Ruth Rikowski. Oxford: Chandos Publishing, 2005.

*Reviewed by Samuel E. Trosow*

Based on her earlier works published in *Information for Social Change*, this book presents a thorough introduction to the complexities of the General Agreement on Trade in Services (GATS) and Trade Related Aspects of Intellectual Property (TRIPS) Agreements and their implications for public information services. Despite the sometimes-technical nature of the subject matter, the materials are presented in an accessible manner, and the author is able to sort through the various agreements in a coherent way. The work is well documented and the chapters are well organized making the book a useful reference that remains timely even though the international trade environment is rapidly changing.

Two factors especially contribute to the ongoing usefulness of the work. First, the author pays close attention to the historical development of these agreements. And second, a solid theoretical foundation is offered in the last section of the book. By viewing GATS and TRIPS through the lens of critical political economy, Rikowski avoids the trap that afflicts many writers on the subject of international trade, which is a formalist/legalistic approach that fails to place the emergence of the Agreements in some historical context and within a wider theoretical framework. The theme that runs throughout the work is that GATS and TRIPS are interrelated with each other and are part of a larger process of globalization.

To briefly outline the organization of the book, it is divided into four parts; the first provides an overview of the World Trade Organization (WTO). Here the author weaves together an organizational and structural analysis of the WTO and its processes with an historical analysis of how and why this institution came about at the time that it did. This overview is important before jumping into the details of GATS or TRIPS as both of these agreements are Annexes to the WTO Agreement and are governed by the same set of institutional rules and procedures, especially those relating to the dispute settlement process. At the outset, Rikowski links these Agreements to the process of globalization, a point she will return to in the final part with some greater refinement.

Part two turns to the details of the GATS, emphasizing the effects the Agreement could have on public services. The general concern about GATS is that its driving logic, the progressive liberalization of measures affecting trade in services, is at odds with the public goods nature of many public services. Libraries present an excellent case study of how this tension arises and plays out, as libraries are not only publicly provided services, but they are delivered by those with a very strong public service

ethic. Perhaps more than other government services, libraries have traditionally provided an important space outside of the private market. The social ethics driving library services are fundamentally at odds with the drive towards privatizing public services and transforming them into a site for the accumulation of private capital. The various GATS disciplines all work together to accomplish this shift, albeit in a subtle matter that is not always clear on the surface.

This part of the book explains how library services are “measures” within the meaning of the Agreement and how the classification of services works. The text of GATS itself, as complicated as it appears, is only a framework document, and the details of the coverage of the Agreement are worked out in a continuing series of negotiations between members concerning which service sectors and sub-sectors are listed in a country’s schedule of commitments. The important point is stressed that while library services generally fall under sub-sector 10C (which covers libraries, archives, museums and other cultural services), many aspects of library services can also come under other sectors (such as telecommunications, educational, or R&D services) as well. Thus, while it is important to carefully note which countries have made commitments under sub-sector 10C (that is, they have “listed” them on their schedule of commitments), it is important to understand that the changing nature of library services widens the potential for a GATS challenge under various sectors. While certain GATS rules apply across the Board, many of the most significant restrictions only apply to services that have been listed by a country. Part 2 includes sections on various countries and concludes with an analysis of the positions taken by various library associations and organizations.

The TRIPS Agreement is the focus of part three, beginning with an overview of the Agreement. The author’s position is that “TRIPS is about transforming information, knowledge and ideas into intellectual property rights which can then be traded on the global market in the form of internally tradable commodities” (p. 187). After discussing the different types of intellectual property devices that are covered by TRIPS (Trademarks, Industrial Design, Integrated Circuit Design and undisclosed information as well as the more familiar Patents and Copyright), Rikowski asks the important question of whether intellectual property even belongs in a trade agreement. She answers the question by saying that while “the argument that TRIPS should not be part of the WTO might seem, at first, to be rather convincing . . . upon careful examination it is clear that the TRIPS Agreement definitely is part of trade, and indeed that this is its overriding aim” (p. 204).

She then turns to a particular discussion of how Patents and Copyright are treated under TRIPS and its implications for library services and the profession. As for Copyright, Rikowski concludes that “the overriding aim in TRIPS is to encourage and exacerbate the trading of intellectual property rights . . . and it is not concerned with trying to achieve the main balance in copyright, i.e. the balance between the free flow of information

and the giving of rights to creators of works and copyright holders” (p. 257). She also raises the exclusion of the moral rights of authors from TRIPS coverage as an indication of further imbalance. As for Patents, she points out that while the implications for libraries is less direct than in the case of Copyright, the ability to patent traditional, indigenous knowledge has a significant impact on the developing world. She points out that “large corporations in the developed world can easily appropriate traditional knowledge, transform it into an intellectual property right, patent it and make money out of it, without having to compensate the original creators of the knowledge” (p. 245).

At the conclusion of part three, Rikowski makes the claim that “[i]t should now be clearly apparent that the GATS and TRIPS together represent powerful, far-reaching agreements that could, and I am sure will, have serious implications for the library and information professions” (p. 287). As a whole, the book stands up to this claim. Her recommendation that “as a profession we surely need to take urgent action on these matters” (id.) is well taken.

Had Rikowski stopped here, the book would still be an important contribution to our understanding of this emerging area of information policy. But she continues with part 4 in which she presents what she calls “An Open Marxist theoretical perspective on global capitalism and the World Trade Organization.” Her stated “intention . . . is to convince the reader of the importance of bringing theory and practice together, and moreover to present the argument that Marxism provides a more adequate theoretical understanding and analysis of society and the economy and its intrinsic workings than any other theory” (p. 292). This is an ambitious undertaking, but Rikowski lays out a convincing argument in the final chapters. Of course, this work is tentative and needs to be developed through further research and analysis. Certainly this book will be an important resource for future work in the area.

The implications of international trade agreements are an important component of the study of information policy. Unfortunately, the area is not as widely recognized as such and is often given inadequate attention, both in the library school curriculum and in the ongoing advocacy program of many library associations. This book should help to alleviate this gap and it should be read by anyone seeking a deeper understanding of the global processes that are at work in promoting the commercialization of privatization of public services.