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Appropriating Life: Property in the Age of Bioeconomics

In March 2015, the European Patent Office (EPA) granted two controversial patents on seeds in a final ruling. Activists, politicians, plant breeders, and even plant science multinationals criticized this decision as an inappropriate and illegitimate intrusion of patent legislation into the domain of seed production of plant breeding. By granting patents on seeds, the EPA had taken a decisive step towards strengthening the position of Monsanto, Syngenta and other industry giants by sacrificing food sovereignty and the status of seeds as natural and cultural heritage – or so the critics said. But does the EPA ruling really announce the advent of an agriculture dominated by intellectual property (IP) rights? What if the issue is more complex than simply handing over the basis of food production to a handful of multinationals? Why, for example, did seed activists suddenly find themselves on the same side of the conflict as Syngenta, one of the main targets of their campaigns?

My research project explores the significance of property in plant breeding, crop genomics, and agricultural biotech. It looks at the various forms of property in this field which go way beyond the scope of patents and patent legislation. Instead of understanding property narrowly as “intellectual”, it conceptualizes appropriation as a process which involves the material transformation of plants and people into property and proprietors. Before plants, genes, and traits can enter the legal domain, they require molding, shaping, and reconfiguration, while the scientists, companies, and breeders involved in this work are turned into entrepreneurs whom we expect to manage the former as economically as possible.

From breeding stations to patent lawyers to laboratories to national and EU offices, I am following the biographies of property matters, trying to understand how legal aspects interlock and correspond with their material, ecological, economic, and social dimensions. If property can take a multitude of forms – patents, plant varieties, scientific papers, or bags of seed –, what are the actors and structures they depend on or bring forth? What is the contribution of the modern (private, that is) conception of property to an economy that is centered around the market and how do things need to look like so that we can take them there? And, finally, where are the limits of property: is private property really as powerful as we think, or is it not rather a very fragile thing that is critically overestimated by both its critics and apologists?