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Marxist Origins of the "Anti-Third World" Claim

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Abstract

This Essay is an experiment — a try-out — of an argument. The argument concerns what I regard to be the most serious of the claims made by the critics, namely, the claims concerning the relationship between the WTO and international trade law, on the one hand, and the Third World, on the other hand. The claim is this: the WTO is anti-development, and international trade law helps tilt the playing field on which the great game of trade is played against developing countries. It is the “most serious” of the claims, I think, because the giant and still growing divide between the First World and the Third World is the most important challenge facing the multilateral trading system in these first few decades of the new millennium. Trade officials representing the governments of nearly four or five billion people, and the critics that sympathize with them who work in various United Nations agencies, non-governmental organizations, and academic institutions, seem to harbor doubts about the extent to which the system can accommodate the development needs, or even promote sustainable, balanced growth.

MARXIST ORIGINS OF THE "ANTI-THIRD WORLD" CLAIM

*Raj Bhala**

> "[T]he chief mark and element of insanity . . . is reason used without root, reason in the void. The man who begins to think without the proper first principles goes mad; he begins to think at the wrong end."
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> —G.K. Chesterton[1]

I. *FEELING LIKE CHESTERTON*

A. *It Cannot All Be True*

It may come as a strange confession that as an international trade law teacher, I empathize with one of my favorite writers, G.K. Chesterton. Chesterton remarked that one of the reasons he became a Christian was that Christianity was accused of every vice, and the accusations sometimes were inconsistent.[2] The critics of globalization treat the World Trade Organization ("WTO") the way many secularists approach Christianity. Rather irrationally, both groups accuse their respective targets of nearly every vice. If the critics are to be believed, there seems to be very

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Law professors should always be so lucky as to work with such colleagues as I have on this project. My deepest appreciation goes to Mr. Scott Horton and to Ms. Andrea Morgan of the *Fordham International Law Journal*. They have been extraordinarily supportive and patient, and have provided me with one of the most valuable research opportunities a professor can have—to take risks and experiment with a "thought" piece, without being hampered by traditional constraints (other than page length!). The opportunity is perfectly timed. I am working on a book tentatively entitled *Trade, Growth, and Justice* for Foundation Press (forthcoming 2002). The ideas tested in this Essay are likely to find their way into parts of the book. In this regard, I also would like to thank my research assistants, Mr. Probir Mehta and Ms. Taloma Jayasinghe, George Washington University Law School Class of 2001. They offered indispensable help in shaping the arguments in this Essay, and for the book. And, they have been tenacious in tracking down relevant source materials.

Finally, I would like to thank my wife, Kara. As always, she supported this work. In particular, her rich experience on Wall Street, coupled with her astute knowledge of Marx's works, helped clarify many points about Marx's critique of capitalism.

1. C.K. CHESTERTON, ORTHODOXY 27 (Image Books ed. 1990) (1908).

2. *See id.* at 84.

little that the WTO and, by extension, international trade law are not guilty of.

Chesterton had a clever response. Christianity could not possibly be blamed for everything. It could not be guilty of being both too far to the East and too far to the West. It could not be both too meek and too supportive of aggression. So it is with the WTO and international trade law. Hurling every accusation dilutes the force of the precious few that actually might have something to them. Because they have failed to distinguish fact from fiction, and because they have neglected the importance of focusing on only the truly strong arguments, the critics have rendered themselves vulnerable to a Chesterton-type response.

In *Orthodoxy*, Chesterton provides us with this defense of Christianity, and with an evocative account of his own conversion. I do not plan to launch a broad-based defense of the WTO or international trade law in this short Essay. Nor do I anticipate explaining the evolution of my perspectives on WTO-related issues. I suspect the reader, if she agrees with nothing else in this Essay, will agree with me on one point: Chesterton's spiritual odyssey is far more interesting than my own intellectual one.

B. *Trying Out An Argument*

This Essay is an experiment—a try-out—of an argument. The argument concerns what I regard to be the most serious of the claims made by the critics, namely, the claims concerning the relationship between the WTO and international trade law, on the one hand, and the Third World, on the other hand. The claim is this: the WTO is anti-development, and international trade law helps tilt the playing field on which the great game of trade is played against developing countries.[3] It is the "most seri-

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3. This charge is made—explicitly or implicitly—in a very large number of publications, far too numerous to cite here. A particularly strong version of it comes in CHAKRAVARTHI RAGHAVAN, RECOLONIZATION—GATT, THE URUGUAY ROUND & THE THIRD WORLD (1990). Suffice it to say that the following recent books offer a rendition, in one form or the other, and in differing degrees of clarity and intensity, about the negative impact (actual or potential) of the WTO and international trade law on Third World development. *See* JEREMY BRECHER & TIM COSTELLO, GLOBAL VILLAGE OR GLOBAL PILLAGE—ECONOMIC RECONSTRUCTION FROM THE BOTTOM UP (2d ed. 1998); JOHN GRAY, FALSE DAWN—THE DELUSIONS OF GLOBAL CAPITALISM (1998); GEORGE SOROS, THE CRISIS OF GLOBAL CAPITALISM (1998); GRAHAM DUNKLEY, THE FREE TRADE ADVENTURE: THE URUGUAY ROUND AND GLOBALISM—A CRITIQUE (1997); WILLIAM GREIDER, ONE WORLD, READY OR NOT—THE MANIC LOGIC OF GLOBAL CAPITALISM (1997); WORLD TRADE—TO-

ous" of the claims, I think, because the giant and still growing divide between the First World and the Third World is the most important challenge facing the multilateral trading system in these first few decades of the new millennium. Trade officials representing the governments of nearly four or five billion people, and the critics that sympathize with them who work in various United Nations agencies, non-governmental organizations ("NGOs"), and academic institutions, seem to harbor doubts about the extent to which the system can accommodate the development needs, or even promote sustainable, balanced growth.

Their perception matters. Even if it is a mis-perception, it undermines their long-term fidelity to the system, and makes it all the more likely they will seek revolution rather than reform.[4] The minimal inference the claimants draw from the perception that the WTO and international trade law are unfriendly to the Third World is that more preferential treatment ought to be given to the Third World. The preferences are known in the jargon as "special and differential" (or "S & D") treatment.[5] Some critics draw a more radical inference: the multilateral trading system, as presently structured, is incapable of serving the development interests of the Third World. It must be leveled and re-constructed.

I do not intend to judge the truth or falsity of the claim in this Essay. Frankly, its veracity is a critical issue on which my own mind is not yet made up. I suspect the claim is correct with respect to some WTO operations, and with respect to some areas of international trade law, but that it is rather wildly off base in

WARD FAIR TRADE AND FREE TRADE IN THE TWENTY-FIRST CENTURY (Jo Marie Griesgraber & Bernhard G. Gunter eds., 1997); HANS-PETER MARTIN & HARALD SCHUMANN, THE GLOBAL TRAP: GLOBALIZATION AND THE ASSAULT ON PROSPERITY AND DEMOCRACY (Patrick Camiller trans., 1997); ARTHUR MACEWAN, NEO-LIBERALISM OR DEMOCRACY? (1999); DANI RODRIK, HAS GLOBALIZATION GONE TOO FAR? (1997). I think the titles and subtitles speak for themselves.

4. It is difficult to counsel with a straight face that withdrawal from the multilateral trading system—un-level as the playing field might be—is a wise policy choice. Thus, I realize the majority of the critics tend to advocate not autarky, but rather major reforms to the system by (for instance) far more generous S & D treatment for developing countries. However, it is not always clear where the dividing line is between a "major reform" and a "revolution."

5. For a discussion of S & D treatment set forth in the Uruguay Round agreements, see Alice Alexandra Kipel, *Special and Differential Treatment for Developing Countries*, *in* THE WORLD TRADE ORGANIZATION 617-94 (Terence P. Stewart ed., 1996).

other dimensions. But, for now, I am not opining on whether the attacks against the WTO and international trade law, with respect to Third World interests, are true or not. Instead, what I seek to explore here are the *intellectual origins of the claim.*

My argument is this: *the claim has its roots in Marxism, specifically, in Marx's critique of the international capitalist order.* Yet, these roots have been forgotten. I think these roots are important, and should be exposed. Doing so might actually be in the interests of the claimants. If they want to avoid a smashing Chesterton-like rebuttal, they ought to make their charge more compelling by displaying their intellectual heritage.

It is all too easy to read the term "Marxism" in a pejorative sense. It is all too easy to think Marxism is a bankrupt ideology in light of the collapse of communism virtually everywhere. Just as it is bad lawyering to underestimate the opposition, it is bad scholarship to dismiss prematurely an entire paradigm. The opposition may have a few good points; the paradigm still may yield some provocative insights with enduring value. Besides, many lawyers who have toiled away in multinational law firms for long hours at highly specialized and repetitive tasks, not receiving the full value of their labor input, and feeling alienated from clients, might be surprised at just how many passages from the works of Mr. Marx correctly capture their work life.

Thus, I am speaking about Marxism in an objective sense (to the extent that is possible). I am saying that as a matter of intellectual honesty, we ought to recognize the resemblance of the claim to a grand critique that was offered well over a century ago. I also must stress that I am not calling all critics of the WTO and skeptics of international trade law "Marxists." Some may be, whether they know it or not. But, I am not trying to mount an argument about the proper appellation for these folks. My focus is on the intellectual origins of the particular claim they make concerning the relationship between trade and the Third World.

C. *Another Confession*

In addition to feeling as Chesterton must have, let me offer another confession. I am not an expert in the writings of Karl Marx. Studying some of his works, and some of the critiques of them, does not make me one. If I do not yet feel ready to evaluate, in a normative sense, the truth or falsity of the claim, then I should hardly feel equipped to offer a critical evaluation of these works.

In other words, Marx is worthy of far more study than I have yet devoted to him.[6] I suspect that even after that study, I shall feel myself to be a bit more advanced student than I am now—but that will be all. In the meantime, I trust that the dwindling number of Marx virtuosos will be kind in interpreting my comments as limited to a small ration from the available feast of their literature, and limited to the context of the charge against the WTO and trade law. My comments hardly are intended to spoil the feast.

Perhaps the most thorough way to go about advancing my two arguments would be to dissect the works of Marx for passages that relate quite obviously to the rhetoric of the critics of the WTO and international trade law. For example, each of the dimensions of the "anti-Third World" claim (e.g., concerning agricultural goods, intellectual property rights, and so on) could be mapped to a passage, and a neat summary table presented. However, that time- and page-consuming methodology is best left for another format. The methodology in this Essay is more impressionistic, raising the specter that at times the discussion seem to be more a set of assertions than well-barricaded arguments. Again, I trust the reader will be forgiving.

II. *THE IMPERFECT TRANSLATION FROM GROWTH THEORY TO INTERNATIONAL TRADE LAW*

A. *Some Conventional Wisdom*

Is the multilateral trading system set up to ensure that trade can, in fact, help facilitate the transformation of the economy of a Third World country from one based on agriculture to one based on industry? This question is premised on the models of development constructed by great development economists, in particular, the two-sector, labor-surplus growth models of Sir W.

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6. I first encountered his works about 20 years ago, and have been an off-and-on-again acquaintance of them since then. Most recently, I was delighted to find excellent summary coverage of Marx's critique of capitalism and his views on imperialism and trade in the leading development economics textbook, MALCOLM GILLIS ET AL., ECONOMICS OF DEVELOPMENT 30-34 (4th ed. 1996). For this Essay, I have relied extensively on this source, as well as on several of Marx's own works.

Arthur Lewis,[7] John Fei, and Gustav Ranis.[8] Their models teach us that the story of Third World economic growth is not just (or even largely) about international trade. Rather, growth is a story about transformation from agriculture to industry. International trade can facilitate that transformation, if developing countries have access to foreign markets for the products in which they are beginning to specialize (e.g., low-value added manufactured goods). In other words, their models put the role of trade in Third World economic growth into a balanced perspective.

To critics of the WTO and international trade law, the answer to the question is obvious—"no." I doubt that most of the critics think in terms of two-sector, labor-surplus models. Thus, I suspect they tend to exaggerate the role trade can play in growth. It is a lot easier to excoriate the WTO and trade law if you believe trade is the critical engine of growth for the Third World than if you ascribe a handmaiden's role to trade in the growth process. Re-balancing a horribly skewed playing field, even tilting it in favor of the Third World, becomes indispensable to your ends. Accordingly, so goes the claim, market access for industrial goods that LDCs are beginning to produce—the very products that matter most to industrializing LDCs—is not as generous as it ought to be. In other words, more generous S & D treatment would allow trade to play a bigger role in facilitating the agriculture-to-industry change. Or, why not re-think the system entirely?

This claim sounds like an economic one. Indeed, several development economists and policy analysts have sounded the same note, namely, that developed countries ought to do more to open their markets to Third World products. I agree, but I think that at bottom, we can see the claim as involving the legal process. Economists premise their discourses on their theories of growth, coupled with the Ricardian principle of comparative advantage. But, the fact is that lawyers write the trade rules. It is lawyers, not economists, who control the keyboards, and thus get to translate the insights from growth theory and comparative advantage into a regime of international trade rules.

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7. *See* W. ARTHUR LEWIS, THE THEORY OF ECONOMIC GROWTH (1955).

8. *See* GUSTAV RANIS & JOHN FEI, DEVELOPMENT OF THE LABOR SURPLUS ECONOMY (1964).

I suggest that this translation project—from development economic theory into international trade law—never quite works out. The translation always is imperfect. If the economic insights were translated perfectly into trade law, then the General Agreement on Tariffs and Trade ("GATT")—WTO texts, regional trade agreements, and bilateral trade deals would be considerably shorter than they are now. All they would need to say is "all tariff and non-tariff barriers are hereby abolished." They would need only a brief annex defining very broadly "tariff barriers" and "non-tariff barriers." Then, items of particular importance to industrializing LDCs (low-and high-value added manufactured goods, for instance) would be assured duty-free access throughout the developed world.

Why is the translation process imperfect? Why is our international trade law regime dreadfully large and nightmarishly complex, and (in the eyes of the critics) hostile to the Third World? Obviously, something happens in the translation process that makes it so.

Conventional wisdom says that "something" is lobbying. Interest groups representing various causes—from legitimate groups worried about threats to human health from genetically modified organisms ("GMOs"), to protectionist bodies worried about fair foreign competition—intervene just as economists hand off the translation work to the lawyers drafting the rules. The result is a message from economists laden with pressure from interest groups. Indeed, there is an entirely separate body of economic theory that explains the intervention—public choice theory.

Thus, the conventional wisdom would suggest that if the translation process—putting the economic logic of growth theory and comparative advantage into trade law—were perfect, then we would see far more generous S & D treatment than we observe in fact. In terms of product coverage, it would be universal (or nearly so). In terms of political conditionality, there would be none. The entire S & D program would be tailored to facilitate the transformation from agriculture to industry of which growth theory speaks, and to help Third World countries realize comparative advantages. In brief, it would be designed to make sure that the "trade variable" could do all it can (while recognizing that more must be done by other variables) to stimulate the growth process.

In sum, the supposed paucity of S & D treatment for developed countries might result from old-fashioned protectionism in developed countries, and that this result might be viewed as an illustration of public choice theory. I would go so far as to say this view is conventional wisdom, in that it is quite common in Washington circles to explain away trade outcomes by throwing one's hands up and saying with a resigned face "it's the lobbyists."

B. *The Tendency to De-Radicalize*

Observe that the conventional wisdom has a way of draining radicalism from the answer to the question I framed at the outset. If the WTO and international trade law do not do enough to assist Third World countries in their economic transformation from agriculture to industry, then the reason has to do with lobbying pressures in the trade ministries and legislatures of developed countries. There is nothing inherently sinister about global capitalism. There is no conspiracy among the power elites of developed countries against developed countries. Rather, it is all a matter of the way political institutions work in the developed world. They tend to be nests of special interests, and many of these interests operate against the transformation aspirations of developing countries. If only these poor countries had more lobbying clout in Washington, D.C., Brussels, Tokyo, and Ottawa, then maybe they could cut themselves a better deal.

My point is that this approach to the "anti-Third World" claim is patronizing. The conventional wisdom puts a grey pinstripe Brooks Brothers suit on Mr. Marx. It does not try to see how and why he wears the clothes he regularly sports. That is, by sweeping away the radical element, by throwing it in a dustbin, the conventional wisdom does not take the "anti-Third World" claim seriously enough. I think that when we de-radicalize the claim, when we co-opt it into a respectable application of law and economics (that being public choice theory), we lose track of what it is all about. It is a bit like taking the angels out of the artwork by Fra Angelico.[9] Chesterton would not approve.

So, what I would like to put forth is another way of explain-

9. Fra Angelico's "The Coronation of the Virgin," which hangs in the Louvre Museum, is pictured in several art books, including CLAUDE MIGNOT, *The Pocket Louvre* 339 (2000).

ing the oft-repeated criticism that S & D treatment is insufficient, and that this insufficiency is a prime example of just how unfair the WTO and international trade law are to the Third World. The explanation is one whose origins date to the works of Karl Marx. In fact, that is precisely my point. If we simply review some of what Marx had to say, then perhaps we shall see that there is a Marxist ring in the claim hurled against the WTO and international trade law.

III. *REVIEWING THE MARXIST MODEL*

A. *A Story of Inevitable and Merciless Exploitation*

The Marxist origins of the "anti-Third World" claim can be revealed by asking whether wealthy countries block—rather deliberately, I might add—economic growth in the Third World by limiting access to their markets for Third World exports. Do the wealthy countries talk like free traders, but at the negotiating table behave like mercantilists, with the goal of maximizing market access for their own multinational corporations ("MNCs")?

In the Marxist paradigm, the answers are a resolute "yes." In 1867, Karl Marx published the first volume of *Das Kapital.*[10] Before then, he had written about various aspects of the nature of capitalism in *Economic and Philosophical Manuscripts of 1844.*[11] Between these two dates (sometimes co-authoring with Friedrich Engels) he produced a large body of work in which he developed his critique. I find one of Marx's works that clearly and concisely expresses his ideas is *Wage Labor and Capital.*[12] This Essay began as a series of lectures Marx delivered in Brussels in December 1847, which were published in 1849.[13]

10. *See* KARL MARX, *Das Kapital, reprinted in* THE MARX-ENGELS READER 294-442 (Robert C. Tucker, 2nd ed. 1978). A very generous selection from *Das Kapital* is found at pages 294-438 of what I think is the best single-volume compilation of Marx's works.

11. *See* KARL MARX, ECONOMIC AND PHILOSOPHIC MANUSCRIPTS OF 1844 (Martin Milligan trans., Prometheus Books ed. 1988).

12. *See* KARL MARX, *Wage Labor and Capital, reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 203-17. In contrast, I find *The Grundrisse* very tough going indeed. Excerpts from it are reprinted in THE MARX-ENGELS READER, *supra* note 10, at 221-93. Professor Tucker's introductory note to *The Grundrisse,* in which he states it is a link between the early works (like *Wage Labor and Capital*) and *Das Kapital,* and in which he agrees that the text of *The Grundrisse* is raw, is very helpful. *See* THE MARX-ENGELS READER, *supra* note 10, at 221.

13. *See The Lives of Marx and Engels, in* THE MARX-ENGELS READER, *supra* note 10, at xvii.

As I confessed at the outset, I do not pretend to have mastered all of Marx's works. But, the basic story line in Marx's classic critique of capitalism is clear enough:[14] competition among capitalists ultimately will doom their economic system. The chain of causation, said Marx, was inevitable—historically determined, as it were. For present purposes, I am not bothered about the flaws and inaccuracies of Marx's prediction. Rather, I am concerned with his views of what happens amidst, and because of, capitalistic competition. Marx urged that in that process, capitalists will exploit rather mercilessly not only workers in their own countries, but also workers in poor countries, and indeed the poor countries themselves. Here, I think, lies the origin of the "anti-Third World" claim.

B. *The Concept of "Surplus," and the Insatiable Appetite for New Markets*

Marx's critique of capitalism posits two critical factors of production: labor and capital. "Labor," of course, refers principally to workers on a factory assembly line. "Capital" means physical capital, such as machine tools on an assembly line.

The model does not ascribe much importance to other factors, such as land or human capital. In the model, "capitalists" are the class of businessmen who own the capital, and who employ labor to work with the capital in the production of goods. The goal of capitalists—as free-market economists champion in their classical and neo-classical models—is to maximize profits. In the Marxist terminology, it is a relentless drive for "surplus labor."[15]

Occasionally, Marx is rather imprecise in some of his terminology, and here we happen upon an example. As I intimated, he speaks of "surplus," which at least in a loose sense we can

14. *See* THE MARX-ENGELS READER, *supra* note 10, at 1-443 (containing Marx's essential writings on this critique). The Famous expression of this Marxian theory of history is, of course, *The Communist Manifesto*. *See* KARL MARX, *The Communist Manifesto*, *reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 469-500. *The Grundrisse* discusses the contradictions of capitalism that lead to its self-destruction. *See* MARX, *The Grundrisse*, sec. C, *End of Capitalism*, *reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 291-92.

15. *See e.g.*, KARL MARX, *The Grundrisse*, sec. H *The Dynamics of Capitalism*, *reprinted in* THE MARX-ENGLES READER, *supra* note 10, at 247-50.

equate as conceptually the same thing as "profits" and "returns to capital." How so?

Every capitalist has to pay his workers. Likewise, every capitalist has to invest money "up front" in a machine. The capitalist wants to generate as much money over and above the wages he must pay his workers, and over and above the previous investment expenditures in machines. In other words, every capitalist is motivated to maximize "profit," in the sense of the amount of money earned from selling products made by labor and capital, less the amount he must pay to workers and for the machines. Put squarely in the language of modern-day economic theory, every capitalist wants to maximize profits, which is done by maximizing gross revenues from sales, and minimizing variable and fixed costs of production.

However, capitalists do not have much control over sales revenues. In the long run, they cannot generate higher returns to capital by raising prices. So, said Marx, there is cut-throat competition. (I understand one Marxist famously remarked that when it comes time to hang capitalism, the capitalists will compete to sell you the rope!) The point is that in their competition with one another, capitalists ineluctably over-produce. That is, capitalists tend to saturate—and eventually super-saturate—the markets in which they sell their goods. The inevitable result is a decline in prices for those goods.[16]

The way out of this spiral of over-production and price declines is to expand the size of the market. But, the market in any one country is only so large (particularly in the short- and medium-term, and where population size is not growing rapidly). So, capitalists seek to expand their markets by finding new ones overseas. Here, then, is where capitalists become imperialists.

The more intense the competition in their domestic markets, the more voracious their appetite to find new consumers. Indeed, they may unite on one point—entry into an unholy alliance with their governments and military to force open foreign markets. Of course, that unity breaks down when the military-industrial complexes of the great powers fight among themselves over the spoils from newly-opened foreign markets.

It is precisely on this point that V.I. Lenin expounds in his

16. *See* KARL MARX, *Theories of Surplus Value*, *reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 443-65.

1916 classic, *Imperialism: The Highest Stage of Capitalism.*[17]

> The building of railways seems to be a simple, natural, democratic, cultural and civilizing enterprise; that is what it is in the opinion of bourgeois professors, who are paid to depict capitalist slavery in bright colors, and in the opinion of petit-bourgeois philistines. But as a matter of fact the capitalist threads, which in thousands of different inter-crossings bind these enterprises with private property in the means of production in general, have converted this work of construction into an instrument for oppressing *a thousand million* people (in the colonies and semi-colonies), that is, more than half the population of the globe, which inhabits the subject countries, as well as the wage slaves of capitalism in the lands of "civilization." Private property based on the labor of the small proprietor, free competition, democracy, *i.e.*, all the catchwords with which the capitalists and their press deceive the workers and the peasants—are things of the past. Capitalism has grown into a world system of colonial oppression and of the financial strangulation of the overwhelming majority of the people of the world by a handful of "advanced" countries. And this "booty" is shared between two or three powerful world marauders armed to the teeth (America, Great Britain, Japan), who involve the whole world in *their* war [the First World War] over the sharing of *their* booty.[18]

With just a few changes in words—for example, from "building of railways" to "forging of international trade routes"—it is easy (though, again, perhaps not correct in a normative sense) to translate Lenin's classic into a modern-day critique of the WTO and international trade law.

This "bourgeois professor" earns his keep partly by explaining the purported virtues of WTO membership for countries like China—a natural progression in China's economic development, a reinforcement of its nascent democratizing trends through the enforcement of GATT Article X transparency obligations, and the continued movement to a more civilized rule of law culture.[19] But, in Marxist-Leninist terms, what the accession

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17. *See* V.I. LENIN, IMPERIALISM: THE HIGHEST STATE OF CAPITALISM (Junius Publications Ltd. ed. 1996).

18. *Id.* at 4-5 (preface to the French and German editions).

19. *See generally* Raj Bhala, *Enter the Dragon*, 15 AM. UNIV. INT'L L. REV. 1469 (2000) (discussing China's odyssey with respect to the GATT-WTO membership, the proposed terms of such membership, and the benefits and risks of membership).

to the WTO of new Members from the Third World is all about is market access. Market access for whom? Not so much for China and other developing countries, Marx would reply, as for the hegemonic trade powers that already are in the club. China is a case in point. Even the President of the United States could not help but admit that the 15 November 1999 bilateral concession agreement between the United States and China was the most lopsided trade deal in history.[20] American MNCs won nearly everything; domestic producers gave very little.

C. *The Source of Surplus—Accumulated Labor*

There remains a small conceptual leap from the concept of surplus and the need to open up markets overseas, on the one hand, and Lenin's conclusion quoted above, on the other hand. The bridge between the two sides is Marx's proposition that the capitalists' "surplus" is formed from accumulated labor.[21]

In the Marxian paradigm, capitalists might not have much control over the cost of capital. They have to buy machines for the factory assembly lines at whatever price prevails, and eventually they must recoup that investment if they are to avoid insolvency. Thus, says Marx, the essential source of surplus (i.e., profits) is labor. Specifically, he means that a capitalist's profit really is a surplus generated by accumulated labor. But, what does this proposition mean?

To maximize profit, the capitalist minimizes the one variable over which he has some control—wages. The capitalist produces more and more, and endeavors to raise the productivity of capital, through greater division of labor.[22] Laborers work on ever-more narrow, and thus ever-less satisfying, tasks. They use machinery that enables them to produce more in a given period

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20. *See id.* at 1530.

21. *See* KARL MARX, *Wage Labor and Capital, reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 207-10 (discussing this proposition).

22. *See id.* at 211-17 (discussing the division of labor and its effects on wage rates). *See also* KARL MARX, *The Grundrisse*, sec. G *Capitalism, Machinery and Automation, reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 278-90 (discussing fixed capital and the increasing automation of labor); KARL MARX, *Das Kapital*, chs. XIV *Division of Labor and Manufacture* and XV *Machinery and Modern Industry, reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 388-417 (discussing the division of labor in the manufacturing process and in society); KARL MARX & FRIEDRICH ENGELS, THE GERMAN IDEOLOGY 50-54, 60 (1845) (Prometheus Books ed. 1998) (discussing the division of labor and its consequences, including, ultimately, revolution).

of time, so the scale of production expands (hence the consequences of over-production and price depression that I mentioned above). As the workers' tasks are divided, they are by definition simplified.

Marx argued that as workers compete with one another for employment that is monotonous, wage rates in this repulsively unskilled labor market inevitably fall. The capitalist is only too eager to pay workers only a subsistence wage, or as near thereto as possible. That way, the "return on capital"[23]—another way of describing "surplus" or "profit"—is larger. Here we see a rather direct connection to a critical dimension of the "anti-Third World" claim: neither the WTO nor international trade law does enough to protect the rights of workers in developing countries.

I said that Marx argued the source of surplus is "accumulated" labor. What does the adjective "accumulated" mean? It refers to Marx's famous labor theory of value,[24] which the following example illustrates. Suppose a worker at IBM requires 10 hours to produce a personal computer ("PC"). IBM sells the computer for US$2,000, a price that reflects ruthless competition in the PC market among a number of producers—IBM, Dell, Gateway, etc. Is the worker paid US$2,000 (or anywhere near that amount)?

Of course not, urged Marx. Marx says that IBM will pay a wage that is the minimum amount necessary for the worker to survive—a subsistence wage. Suppose that amount is US$100. It ought to be quite apparent why Marx sneered that "[t]o be a productive laborer is, therefore, not a piece of luck, but a misfortune."[25]

So far, this analysis is all quite familiar to students of classical and neo-classical economics. The caveat to add is that Marx

23. I should point out that the meaning of expression "return on capital" (or "return to capital") in the Marxian paradigm is a bit different from that in the modern-day capitalist sense. Whereas Marx was rather imprecise in this terminology, the Wall Street analyst would consider it the to be the rate of return that an owner of a machine earns from the funds he invested to buy that machine. In other words, it refers to the return on invested capital, which is a narrower concept than "profits."

24. *See* KARL MARX, *Das Capital, reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 307-19 (discussing use value, exchange value, and the labor time necessary for the production of a commodity). Marx discusses how labor surplus is created. *Id.* at 344-61. Marx also discusses the greed of capitalists for surplus labor. *Id.* at 364-67.

25. *Id.* at 418.

assumed there is a large pool of labor—a reserve army of the unemployed—that ensures (along with the division of labor) that wage rates are kept low.[26] As soon as workers lobby for a wage increase, they will be met with the rebuttal from capitalists that there are many outside the factory gates willing to take their jobs. The machinery the capitalists employ in the production process is their ally: it dispenses with the need for muscular power, thereby expanding the pool of eligible workers to include weaker men, plus women and children.[27]

To be sure, there might be an excess demand for workers, based on labor shortages. Marx would reply that such a situation would not endure, that sooner or later, the capitalist business cycle would turn. The tendency of capitalists to over-produce when in competition with one another might lead them, at some point, to cut back temporarily on production. In turn, they would lay off workers, and the redundant workers would staff the reserve army of the unemployed.

At this point, Marx's argument takes a U-turn. He re-visits the production process, and posits that the PC (in my example) embodies 10 hours of labor. That is, the value of the PC is based on the 10 hours of labor. Yes, that value also reflects other factors of production—capital and land, for example. But, Marx dwells on the labor input, hence the name for his theory of the valuation of goods—the labor theory of value. Moreover, the surplus (i.e., profit) of capitalists is derived from the deliberate failure of the capitalists to return to the worker all 10 hours of value that are embodied in the PC. In the example, the worker toiled for 10 hours, but received only $100. For Marx, that $100 is not anywhere near the full labor value embodied in the product. It might translate into, say, 4 hours worth of work, assuming a subsistence wage of $25 per hour. In other words, the capitalist obtained a surplus from the worker of 6 hours.

Here, then, is the explanation for the statement that the surplus generated by capitalists is "accumulated" labor. For every PC IBM sells, it accumulates 6 hours of labor in the sense that it does not return this portion of the value of the product to

26. *See id.* at 426-28 (linking wage rate movements with the expansion and contraction of the industrial reserve army).

27. *See id.* at 404 (discussing the employment of women and children, as well as the lengthening of the work day and the intensification of labor).

the worker who made it. The repeated phenomenon of paying workers less than the labor value embodied in their work is accumulated surplus. As Marx wrote in *Das Kapital*,

> The value of a commodity is, in itself, of no interest to the capitalist. What alone interests him, is the surplus-value that dwells in it, and is realizable by sale. . . . The shortening of the working-day is, therefore, by no means what is aimed at, in capitalist production, when labor is economized by increasing its productiveness. It is only the shortening of the labor-time, necessary for the production of a definite quantity of commodities, that is aimed at. The fact that the workman, when the productiveness of his labor has been increased, produces, say 10 times as many commodities as before, and thus spends one-tenth as much labor-time on each, by no means prevents him from continuing to work 12 hours as before, nor from producing in those 12 hours 1,200 articles instead of 120. Nay, more, his working-day may be prolonged at the same time, so as to make him produce, say 1,400 articles in 14 hours. . . . The object of all development of the productiveness of labor, within the limits of capitalist production, is to shorten that part of the working-day, during which the workman must labor for his own benefit, and by that very shortening, to lengthen the other part of the day, during which he is at liberty to work gratis for the capitalist. . . . The directing motive, the end and aim of capitalist production, is to extract the greatest possible amount of surplus-value, and consequently to exploit labor-power to the greatest possible extent.[28]

It is this fact, urged Marx, that makes capitalism inherently exploitative, and the conditions under which it occurs alienate the worker from the fruits of his labor. Simply changing a few words in the above-quoted package would suffice to make it appear to be a contemporary attack on global production and trade, the evils of which are felt by workers in poor countries, yet which are effectively protected in good measure (so the claim goes) by the WTO and its rules.

Marx took the point one step further, saying that capital itself is accumulated surplus.[29] His point was that capitalists may re-invest the accumulated surplus generated by the difference

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28. *Id.* at 383-85.

29. *See id.* at 420 (stating that "[t]he correlation between accumulation of capital and rate of wages is nothing else than the correlation between the unpaid labor trans-

between the labor value of a product (in the above example, ten hours), on the one hand, and the return to labor (in the above example, four hours), on the other hand. Specifically, they re-invest in physical capital, buying more machines and building more assembly lines. In fact, capitalists need to re-invest the surplus in order to expand production, and thereby become larger and stronger in their competition with one another.[30] Hence, for Marx, the source of not only profit, but also of capital, is accumulated surplus from labor.

IV. *IMPERIALISM AND TRADE*

A. *The First Link: Access to New Markets*

What does the Marxist argument have to do with trade in the modern-day multilateral trading system, and how is it the starting point for the now-fashionable proposition that developed countries block full and fair participation in this system?[31] First, as I intimated in Part III, in their never-ending efforts to maximize surplus in the face of intense competition in exhausted domestic markets, capitalists inevitably look for new markets overseas. Marx makes this point in various works, including *The German Ideology*:

> With the advent of manufacture the various nations entered into competitive relations, a commercial struggle, which was fought out in wars, protective duties and prohibitions, whereas earlier the nations, insofar as they were connected at all, had carried on an inoffensive exchange with each other. Trade had from now on a political significance. . . . In spite of these protective measures large-scale industry universalized competition . . . , established means of communication and the modern world market, [and] subordinated trade to itself. . . . By universal competition it forced all individuals to strain their energy to the utmost. It destroyed as far as possi-

formed into capital, and the additional paid labor necessary for the setting in motion of this additional capital").

30. *See* MARX, *supra* note 11, at 41-52 (concerning the accumulation of capital and competition among capitalists).

31. One obvious answer to this question, which I am not pursuing here for reasons of space, is the whole school of thought known as "dependency theory." For an excellent series of Essays on the strengths and weaknesses of this theory, see DEPENDENCY THEORY—A CRITICAL REASSESSMENT (Dudley Seers ed., 1981). Likewise, for the present, I am not delving into systems theory, but the reader may wish to refer to IMMANUEL WALLERSTEIN, THE ESSENTIAL WALLERSTEIN (2000).

> ble ideology, religion, morality, etc., and, where it could not do this, made them into a palpable lie. It produced world history for the first time, insofar as it made all civilized nations and every individual member of them dependent for the satisfaction of their wants on the whole world, thus destroying the former natural exclusiveness of separate nations.[32]

It seems quite apparent that Mr. Marx was commenting on globalization and its pernicious effects long before the critics of the WTO and international trade law.

In the 18th, 19th and early 20th centuries, the search for new markets led to overt colonialism. The expression "trade followed the flag" meant that a colonial power could open up new trading markets by sending in its navy first. In fact, Lawrence James' examination of colonial history suggests that the opposite actually occurred in many instances—the flag followed trade in order to secure and reinforce trade routes that merchants had pioneered.[33] I might also remind us that even Marx suggested the possibility of a few salutary effects, however unintended they may have been, of British colonialism in India, namely, the destruction of the age-old and oppressive village system that was the foundation of Oriental despotism.[34] But, these debates are for another time and place.

In the late 20th and early 21st centuries, it is not uncommon to hear it said that MNCs from developed countries are the new agents of colonialism, and international trade law is written to serve MNC interests.[35] Critics point out that the bargaining power to open up new markets is asymmetric. That is, except where the developing country is large and powerful—Brazil, China, Mexico, or India, for instance—MNCs (or their government representatives, such as the United States Trade Representative) are largely able to dictate terms of market access.[36]

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32. KARL MARX, THE GERMAN IDEOLOGY, *supra* note 22, at 77, 81.

33. *See* LAWRENCE JAMES, RAJ—THE MAKING AND UNMAKING OF BRITISH INDIA (1997). (Okay, I do like the title, but I also like the sub-title.)

34. *See* KARL MARX, *The British Rule in India*, *reprinted in* THE MARX-ENGELS READER, *supra* note 10, at 653-58.

35. *See, e.g.*, the books cited *supra* note 3.

36. I must remark on the passion with which this point is put in my classes by students from developing countries who come to the George Washington University Law School after serving in senior negotiating posts with ministries of their respective

B. *The Second Link: Extracting Surplus*

The second link (also intimated in Part II) between the Marxist argument and the proposition that the multilateral trading system is an un-level playing field takes us back to the concept of labor surplus. As capitalists open up new markets overseas, they also locate production facilities overseas, particularly in colonies or former colonies ("foreign direct investment" ("FDI"), in modern parlance). After all, why not make goods in these Third World countries, where labor costs are relatively lower than in the home countries of the MNCs, thereby minimizing returns to labor and maximizing profits? In so doing, capitalists extract surplus from Third World laborers—a colonial, or neo-colonial, surplus.

This extractive process, Marx argued, is inherently exploitative. Developing countries need the surplus to re-invest in their own economies (e.g., in new production facilities). Precisely because they are poor countries, they lack a large endowment of resources to use as a basis for industrialization. Draining what surplus they do have from their workers makes their growth process all the more difficult.

Unfortunately for the poor countries, the principal source of investment comes from abroad—FDI. This investment generates accumulated surpluses that MNCs repatriate to the bank accounts of the capitalists that run them from plush offices in developed countries.[37] Contemporary critics of the multilateral trading system would add simply that WTO rules—such as the Uruguay Round Agreement on Trade Related Investment Measures ("TRIMs")—actually protect this exploitative process.

C. *The Third Link: Hypocritical Trade Policies Advocated by an Unholy Alliance*

There is still another dimension to the relationship between the Marxist paradigm and the "anti-Third World" claim leveled

governments. Surely these class interventions are not all stories woven from their imaginations.

37. From time to time, workers in the home countries of the own multinational corporations tire of their exploitation, and threaten industrial action. Then, the capitalists can take some of the labor surplus extracted from developing countries, and use it to increase the wages of the restless workers. Of course, the increase would be the minimum amount necessary to stave off the threatened action. *See* GILLIS ET AL., *supra* note 6, at 30-31.

at the WTO and international trade law. The critics claim that during the present period of neo-colonialism, as in the colonial era of the past, capitalists advocate free trade policies vis-à-vis developing countries. They push for open markets overseas as an outlet, or vent, for their excess production. Simultaneously, they lobby their governments for protection from foreign imports, so as to avoid exacerbating competitive pressures in domestic markets. Here is a double standard that amounts not to pure free trade, but rather mercantilism in new garments.

Worse yet, there seems to be nothing in the logic of capitalism to put an end to the hypocrisy. Marx and his adherents, as I have suggested, observed that the declining rates of return to capital in developed country markets, caused by over-production and ferocious competition, coupled with the prospect of cheap labor overseas, mandate a push to pry open Third World markets. Yet, independent of this mandate is another: natural resources. Some Third World countries have minerals and other raw materials necessary to fuel the engines of capitalist production.

Accordingly, so goes the Marxist critique, capitalists push to secure these sources of supply for their factories. For the Third World country, the result is over-investment in its natural resource sector.[38] Rather than focus on giving birth to, and nurturing, infant industries, the country is "encouraged" by MNCs and their governments to pursue a free trade policy that allows foreigners to invest in this sector, and assures them of a steady source of supply from it. Depending on the geographic location of, and political structure in, a particular Third World country, it may be impossible to safeguard these sources and trade routes without military help. Hence, now as in the avowedly colonial era of the past, an unholy military—industrial alliance is established.

A particularly intriguing feature of this alliance was identified by a formerly famous development economist of the mid-20th Century—Paul Baran. (I confess great disappointment at the lack of attention given today to his work.) In his 1957 classic, *The Political Economy of Growth,* Baran inquired why workers in developed countries generally had declined to unite with their cohorts in developing countries, and to protest against the ex-

38. *See* GILLIS ET AL., *supra* note 6, at 33.

ploitation of the military—industrial complex. Baran's argument was that developed country workers tended to benefit from the alliance.[39]

Suppose the supply of natural resources from developed countries were restricted or cut off, and re-directed to infant industries in the Third World. Would the developed country workers be better off? Hardly, said Baran. They would lose their jobs, because absent this supply of natural resources, which were essential inputs in the goods they made, their factories would have no option but to close down. The most obvious example of the clash of interests was between workers in defense industries in developed countries, on the one hand, and workers in emerging industries in the Third World, on the other hand. It was no small clash, given the economic importance and political prominence of defense and defense-related industries in developed countries.

In sum, the third link is this: very nearly dictating free trade policies to developing countries, while limiting the access of developing countries to developed country markets, hampered the integration of developing countries into the multilateral trading system. They could not grow to become robust players, because the playing field was not level. They could not protect their infant industries. Their agricultural and industrial sectors remained exposed to stiff foreign competition in their own domestic markets, and they had few overseas opportunities themselves. Indeed, small producers and local industries—from handicrafts to textiles—were destroyed.

Worse yet, goes the Marxist-influenced argument, in some developing countries the power elite—rulers and their families, the land-owning aristocracy, and well-connected businessmen—connive with foreign powers against the interests of the poor. This elite class enjoyed the luxury items made by foreign MNCs and exported to developing countries. Cars and washing machines are examples. Members of the elite class also were quite happy to see the MNCs produce luxury goods locally, which they could afford.

Thus, wrote the renowned Brazilian development economist, Celso Furtado, serious income inequality within a Third

39. *See* PAUL BARAN, THE POLITICAL ECONOMY OF GROWTH (1957); *see also* the discussion of Baran's argument on this point in GILLIS ET AL., *supra* note 6, at 32.

World country can, and does, lead to an alignment of interests between local elites and foreign capitalists.[40] Why would these elites advocate a more level playing field for multilateral trade, if that would entail (1) limiting luxury good imports (in order to preserve precious foreign exchange reserves for imports essential to the poor, or to emerging industries), (2) a re-orientation of domestic production away from luxury goods consumed by local elites and toward basic goods in which there was a broader societal interest, and (3) maybe even formal income redistribution?

Conversely, why would foreign capitalists seek radical change, when (1) they profit from exporting luxury items to the power elite in developing countries, and (2) their own home markets are spilling over with excess production? To the contrary, the local power elite and foreign capitalists have every incentive to keep the trade regime just the way it is.

Not surprisingly, therefore, after winning independence from their former colonial masters, and particularly after the Second World War when a number of development theories arose that condoned one form or another of protectionism to assist in the growth process, many Third World countries turned inward. China's and India's socialist policies (different in nature and severity, to be sure), and much of Latin America's import substitution policies, are examples. Some theories were rather pessimistic about the possibility of ever achieving a level playing field within a capitalist paradigm. They called for a restructuring of economic and social relationships, along non-capitalist lines,[41] and these calls found outlets in various United Nations declarations.[42]

V. *THE ROMANCE OF ORTHODOXY*

In an indirect way, Chesterton's chapter title—"The Ro-

40. *See* Celso Furtado, *"The Brazilian Model" of Development*, *in* THE POLITICAL ECONOMY OF DEVELOPMENT AND UNDERDEVELOPMENT 324-33 (Charles K. Wilber ed., 1979).

41. Such theories are discussed in Keith Griffin & John Gurley, *Radical Analyses of Imperialism, the Third World, and the Transition to Socialism*, 23 J. ECON. LIT. 1090 (1985).

42. *See, e.g.*, *Declaration on the Establishment of a New International Economic Order*, G.A. Res. 3201 (S-VI), 6 (Special) U.N. GAOR, 6th Spec. Sess., Supp. No. 1, at 3, U.N. Doc. A/9559; *Resolution on Permanent Sovereignty Over Natural Resources*, G.A. Res. 3171, U.N. GAOR, 28th Sess., Supp. No. 30, at 52, U.N. Doc. A/9030 (1973); *Resolution on Permanent Sovereignty Over Natural Resources*, G.A. Res. 1803, U.N. GAOR, 17th Sess., Supp. No. 17, at 15, U.N. Doc. A/5217 (1963).

mance of Orthodoxy"[43]—captures the argument I have sketched above. Chesterton meant that, for him, orthodox Christian teaching was far more fulfilling—more comforting in an emotional sense, and more persuasive in an intellectual sense—than all the alternatives he considered. I do not mean to suggest I find Marxism "romantic," though just a few decades ago it most definitely was to a very large number of influential minds around the world. Rather, my point is that the critics of the WTO and international trade law, and in particular those practitioners and scholars who say the multilateral trading system and its rules are adverse to the interests of the Third World, are attracted more romantically to Marx's orthodox critique of capitalism than many of them either realize or admit.

Specifically, I have argued that the origins of their "anti-Third World" claim lie in some of Marx's works. Orthodoxy, i.e. Marxist teaching about the nature of capitalism and its consequences for imperialism and trade, is the root (or, at least, one of the important roots) of their claim. The critics who profess very great concern about the relationship of the Third World to the multilateral trading system stand in a line that leads—with twists and turns, and through many scholars, novelists, poets, and artists—back to Marx's critique.

Labor exploitation, class conflict, rapacious competition among global competition that injures the poor, conspiracies among elites, dominance of politics (including those of the WTO) by hegemonic developed countries—all these are elements in the "anti-Third World" claim. Yet, these are precisely the elements out of which Marx constructed his critique in the mid-1800s. While this origin has been obscured (perhaps deliberately so in the post-Cold War era), it is neither obscure nor insubstantial. In my view, however flawed it was as a prediction, and however insanely evil it was when put into practice during the 1900s, the critique remains a uniquely potent condemnation of capitalism and its attendant phenomena such as international trade.

The "anti-Third World" claim is a passionate one. But, as in any romance, the greater the passion, the harder it becomes to pull back for a moment and reflect on the basis for the passion. Is not passion inherently irreducible and inscrutable? Chester-

43. *See* CHESTERTON, *supra* note 2, at ch. VIII.

ton's *Orthodoxy* answers this question. He is quite candid and self-critical in his introspection concerning a matter far less susceptible to rational discourse than international trade law and policy. I think the "anti-Third World" claimants can learn a lesson from Chesterton. In fact, for three reasons, I think they had better do so if they want to advance their cause more effectively.

First, it is a lot easier to respect a claim if the claimant is open about her philosophical underpinnings, particularly if these underpinnings are reasoned. I know I am in for a far greater intellectual struggle if I am up against a critic of the WTO who grounds her charge in the strongest parts of Marx's works than if I am debating a critic who has no idea why he takes the positions he does. What are those parts of Marx's works with the greatest endurance, despite the dreadful experience with communism in practice? I think they are Marx's critique of capitalism that I outlined in Parts III and IV. What difference does being open about this root make? It is the difference between talking with a mature, committed intellectual in the lobby of a law school library at 11 p.m. versus a dilettante at a Student Bar Association party who is looking for a marketable cause around which to organize a fund-raiser next week.

To be sure, I may not agree with the Marxist critique, but do you see how a critic of the WTO and international trade law who does agree with it shifts the grounds of the debate? I am no longer obligated merely to defend as sufficiently generous the phase in periods for developing countries in the TRIMs Agreement, or the special rules on red light subsidies for least developed countries in the Agreement on Subsidies and Countervailing Measures, or some other technicality of S & D treatment. Now, I am forced to defend the whole of trade law. I am forced to explain why the WTO and its rules are not instruments for the hegemonic trading partners. The debate has become a far more ambitious one, and it will spill over from the law school library lobby to the late-night coffee house.

Second, the "anti-Third World" claim is more than just passionate. It is a potentially devastating charge against the pre-eminent trade-liberalizing institution and the mountain of law on which it sits. Revealing the full genealogy of the claim leads us to a revelation: the international trade world is bitterly divided. If the origins of the claim really do lie in some of the writings of Marx, then we could not say so easily there is one paradigm for analyzing the WTO and international trade law that embraces a few different perspectives. We could look askance at a Fukuyama-inspired argument[44] that there is a consensus around the world in favor of liberal democracy and market capitalism, and that the only real debates are quibbles about the specifics of the democratic institutions or the extent of intervention in the marketplace to direct outcomes. Rather, we would have to stare uncomfortably at the reality of a radically different paradigm motivating practitioners and scholars, one that impels them to work towards outcomes that may be incompatible with those we seek.

Here again, the debate becomes a far more ambitious one. It will not do for me to yell and scream about the inhumanity of Stalin's Russia or Mao's China, because we are not talking about communism in practice. The intelligent critic will stipulate to that sordid history, and insist that the matter at issue is the effect of international trade in the capitalistic GATT-WTO paradigm on the Third World. Confronted with the "anti-Third World" claim rigorously grounded in Marx's more potent criticisms of capitalist development, I shall be forced to re-read Marx, his intellectual heirs, and his detractors. I shall be forced to attack the very paradigm of the critics.

To do so, I shall have to know more than just all the strengths and weaknesses, all the sharp points and the excesses, of that paradigm. In addition, I shall have to deal with a bevy of statistics, and countless heart-rending anecdotes, about the large and growing divide between the First World and the Third World, and even within particular Third World countries. I shall have to explain why post-Cold War capitalism in general, and specifically trade liberalization through the GATT-WTO system, are not the reasons for the divide. I shall have to marshal statistics about the direct relationship between (1) maintaining an economy open to international trade and (2) growth in per capita gross national product. Otherwise, I cannot mount a successful counter-claim for reform rather than revolution. I believe I can do so, but notice how much more difficult my burden of proof has become.

44. *See generally* FRANCIS FUKUYAMA, THE END OF HISTORY AND THE LAST MAN (1992) (arguing that there is a coherent, directional progression of history leading most of humanity to liberal democracy).

The first two reasons for exposing the genealogy of the "anti-Third World" claim are teleological. The first reason is about intellectual respect for a counter-paradigm. The second reason is about highlighting the very existence of the counter-paradigm. Both reasons lead to a common end, namely, shifting the debate to a more ambitious level on which the "anti-Third World" claimant is no longer a muddle-headed gadfly moved by politically liberal rhetoric. She is a serious thinker with a rational devotion to a view of the world that seems to find support in the data about poor countries she examines, and on the streets and in the villages of the poor countries to which she travels. Her perspective puts me to the test.

I think there is one more reason to plumb the heritage of her "anti-Third World" claim. But, this reason is not teleological. Rather, it is an end in itself: intellectual honesty. Surely Chesterton would approve of that.