Gitashu Jain LAWS 5903, Fall Term Final Submission: Research Paper

Colonialism to/in Capitalism – An analysis of the North American Free Trade Agreement (NAFTA) Negotiations 2017

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INTRODUCTION:

The economic proliferation and expansion of European power, including the expansion of colonial rule, has determined the economic development and social transformation of the underdeveloped and developing nations of the world. Such a transformation is incomplete as it only serves the interests of developed nations. It is important to determine how the idea of economic development in developing nations has a relationship of dependency with the interests of the developed nations. This paper argues that such relationships are based entirely on the economic interests of the more developed nations which jeopardize the growth of less-developed nations.

This paper will engage with relevant literature to expand on these questions. I will begin by examining the relationship between colonialism and capitalism, and also examine how this relationship serves as a connection between developed and less-developed nations. I will list a few problems faced by less-developed countries due to the capitalist practices of the developed nations. The paper will then analyze and discuss the North American Free Trade Agreement (NAFTA) negotiations that are currently taking place. This will help shed light on the dependency relationship formed between a developing country (Mexico) and developed countries (the United States of America and Canada).

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¹Underdeveloped and developing nations, (with respect to the context of this paper) refer to countries which do not possess technological infrastructure and industrial base necessary to support their populations. Throughout the paper, these countries (together) may also be referred to as less-developed countries. The paper would later look at Mexico, which is a developing economy as per the United Nations (UN). Methodology: M49 Standard. Online: UN Stats https://unstats.un.org/unsd/methodology/m49/

² Developed nations, refer to economically developed countries possessing advanced technological infrastructure and industrial base to support their population. This paper majorly focuses the discussion on Canada, United States and western Europe. As UN statistical data shows, Canada and the United States in northern America and western Europe are considered "developed" regions or areas. Methodology: M49 Standard. Online: UN Stats https://unstats.un.org/unsd/methodology/m49/

Lastly, the paper attempts to offer some possible solutions to this dependency of developing countries

(Mexican economy) on the developed countries (U.S. and Canada).

The Relationship Between Colonialism and Capitalism in the Modern World:

Sally Engle Merry defines colonialism as "a relation between two or more groups of unequal

power in which one not only controls and rules the other but also endeavors to impose its cultural order

onto the subordinate group(s)." (Merry 1991:891) She argues that colonialism influences the judicial

systems, turns courts into centers of sociocultural transformation, propagates the control of the

dominant group and makes changes in precolonial traditions. This means, one group tends to exercise

power over the other through coercion and establishes sovereignty through dominance in terms of

economics, education, etc. This leads to modification and modernisation of colonies as per the

requirements of the colonizers. The colonizers strengthen their economies by exploiting the labour,

accumulating capital and using resources of the colonies to produce low-cost products for higher

profits.

An example of this relationship can be seen in Bernard Cohn's work. Cohn's text is an

illustration of a struggle between the colonizers and the colonized. It also showcases how the Indian

population resisted the East India Company which had taken the role of the state. He discusses several

changes made to policies and laws by the East India Company thereafter, which led to further

exploitation of the Indian populations. (Cohn, 1997) This can be also seen in the cotton exports from

India to Britain in 17th Century. British power in India, through the East India Company transformed

India from the source of textiles to a source of raw cotton. Calico and chintz, types of cotton fabrics,

became so popular in Europe that by 1664 the East India Company was importing a quarter of a million

pieces into Britain. (Cotton – A History, 2016)

The political domination of colonizers over production and imposition of authority through

force showcase how the colonies became a center of exploitation and slavery. The part that relates

directly with capitalism is the influence of dominant groups on law making and the economy. It clearly

draws a parallel with Karl Marx's theory on the bourgeoisie and proletariats. Like the bourgeoisie's

imminent role in lawmaking in society, the colonial state's ideology was reflected in the influence of

the dominant group (kings, union leaders, elites, etc.) In both cases we see that the economy is

controlled by a small but powerful group.³ A similar argument is presented by Samir Amin. He talks

about the way in which capital accumulation, in its definitive form becomes a basic law which governs

the society, and the way in which colonizers themselves were a source of capitalism in the colonies.

(Amin, 2013)

Capitalism Karl Marx states, is "a mode of production based on ownership." (Giddens 1972:7)

Therefore, private property under the capitalist system not only led to accumulation and valorization

of capital, but also control over means of production. All this led to concentration of power in the hands

of bourgeoisie/capitalists – a class only concerned with maximizing profits through exploitation of

labour. The proletariats are the working class, who work for the bourgeoisie. Marx questions the

capitalist system by calling it a form of slavery and therefore, oppression. He says, "in order to survive,

men enter into certain relations of production with one another, independent of their will." (Giddens

1972:11) By relations of production, Marx highlights the two sections of the society – the section of

"haves", in control of property and resources, and the other sections of "have nots", who only have

their labour power to sell.

³ A small powerful group in this context is basically a group with an advanced economic standing, control of

resources and dominance.

between the bourgeoisie and proletariats is very similar to the struggle between colonizers and

colonized populations. The colonizers are the "haves" who control the resources, have a stronger

economic standing and advanced technology to dominate the "have nots." While Merry analyzes this

struggle between classes by highlighting not only the economic, but also social differences like

education, culture, caste and religion; Marx proposes this idea majorly through the economic

differences between them in terms of capital, resources and control over means of production. But their

different approaches seem to support the same argument. The limited access of the working class to

resources and capital forms a dependency-relationship between them and the capitalists. This also

limits their political participation and power to resist the exploitation they undergo for their basic needs

of subsistence. Therefore, even though conceptually different from each other, both capitalism and

colonialism share similar characteristics. From colonialization to decolonization, capitalism seems to

be thriving on the exploitation of a certain section not only for profit maximization, but also because

of other social differences.

Neo-colonialism – A capitalist approach of developed nations:

Similar to this is the relationship between developed and less-developed nations. Today, the

developed nations seem to be the "haves" who via investment of capital, exploit the less-developed

nations ("have nots") for higher profits and cheaper labour power. Capitalism in modern day world

seems to foster a new style of colonialism – neo-colonialism. Neocolonialism is a term coined by

Kwame Nkrumah in his book. He says, "In place of colonialism, as the main instrument of imperialism,

we have today neo-colonialism...[which] like colonialism, is an attempt to export the social conflicts

of the capitalist countries... The result of neo-colonialism is that foreign capital is used for

the exploitation rather than for the development of the less developed parts of the world." (Nkrumah,

1965)

Nkrumah's definition of neocolonialism helps to understand how developed countries use their

financial power to impoverish the less developed. It also explains how capitalism now transcends the

national boundaries and operates as global capitalism. He says, "investment, under neo-colonialism,

increases, rather than decreases, the gap between the rich and the poor countries of the

world."(Nkrumah, 1965) Today, capitalism acts as a force which pushes economies towards

development. But this is a myth with respect to the underdeveloped and developing nations. Capitalism

seems to encourage the idea of mass-scale production, specialization, market competition and fair trade

in order to allow all market players to maximize profit.

However, on an international level it unwillingly binds developing nations to serve as per the

needs of the developed nations. Grazia Ietto Gillies highlights in her review of The New International

Division of Labour, that the emergence of capitalism post World War II created and expanded the

opportunities for multinational companies. This has led the companies to access their world-wide

opportunities for manufacturing activities at a low cost and higher efficiency. "Progress in techniques

and costs of transport has led to the development of 'world market factories' usually located in "Free

Productive Zones." (I.Gillies, 1981) Free Productive Zones, as defined by Frobel et al., are any zones

suitable for the development of the world market factories' provided there is a large reservoir of labour

force and a minimum level of infrastructure. Thus, such companies relocate in less-developed countries

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⁴ Global capitalism here refers to the transnational or global production, accumulation and political control/governance of a powerful class over another.

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where they benefit by gaining grants and/or tax concessions from the state, local labour power, raw

materials or semi-manufactured, etc.

Samir Amin says, that these "owners" dominate the developing countries "through the control

of technological invention, access to resources, the globalized financial system, communication and

information technology, weapons of mass destruction, etc." (Amin 2013:5) This kind of investment

and expansion by the developed nations is unlikely to bring in significant degree of industrial

development in less-developed nations. As argued by Marx, exploitation of such people in the host

countries is based on menial labour and an inverse relationship between their low pays and profit of

the capitalists. In fact, "they are usually allocated only specific elementary sub-processes of production.

The availability of a cheap reservoir of unskilled labour is also likely to delay the mechanisation of

productive processes throughout the world." (I. Gillies 1981:45) Therefore, this sense of development

is flawed. The development is a form of modern mode of exploitation and reinstitution of colonization

in the modern-age.

Robert Knox argues that developed nations control even the technology which is passed down

to the less-developed states. He further argues that the investments by developed nations are only

limited to certain areas which benefit them the most. (Knox, 2016) The interests of the host countries

are generally marginalized by providing minimal infrastructure or by establishing diplomatic relations

with the foreign states or governments. On the international level, the unequal distribution of power is

purely based on a nation's economic standing/financial status. Knox also highlights how

"...Pashukanis studied the role of particular treaties in structuring and articulating imperialist

domination, arguing that a 'treaty obligation is nothing other than a special form of the concretization

of economic and political relationships'." (Knox 2016: 19) Such obligations then serve as the basis of

a long-lasting dependency-relationship between developed and less-developed nations.

This correlation is similar to the relationship of "core" countries and "periphery" countries, as defined in the development theory by Raul Presbrich and Hans Singer. (Toye & Toye, 2003) "[Dependency is]...an historical condition which shapes a certain structure of the world economy such that it favors some countries to the detriment of others and limits the development possibilities of the subordinate economics...a situation in which the economy of a certain group of countries is conditioned by the development and expansion of another economy, to which their own is subjected."(Ferraro 2008: 55) The "core-periphery" countries share a relationship of dependency. The "core" countries are those which have achieved a significant degree of industrialization and are in control of accumulated capital; whereas "periphery" countries are ex-colonies of "core" countries, or less-developed countries which have mass potential of development and industrialization. "Periphery" countries, in this sense, do not possess enough accumulated capital to support themselves and thus, require foreign capital and support to grow.

But Prebrisch argued that economic growth in the developed (industrialized) countries did not necessarily lead to growth in the less-developed (poorer) countries. In fact, the economic activity in these countries often led to serious economic problems in poorer countries. (Ferraro, 2008) Dependency theory also proposes that these less-developed countries, despite having mechanisms of their own, are weak members in the global market. Thus, the dependency of "periphery" leads to a flow of finished products and resources towards the "core" of wealthy developed nations, enriching the latter at the expense of the former. Therefore, the very idea of 'development' in this is modified by the "haves" in order to continue the exploitations of the "have nots". Development in this sense also seems to be a consequence of colonialism itself. Knox also talks about how, "for Chimni, decolonization was a contradictory phenomenon. It achieved progress in liberating the former colonial territories from direct political domination. However, the end of colonialism did not signify the end of imperialism but the beginning of . . . imperialism without colonies." (Knox 2016:27) The exploitation

of and undue influence on this group has led to an unequal status of international relations. Antony

Anghie argues that International law is basically international European law founded for their own

benefits. (Anghie, 2006) Such laws have paved the way for similarly unequal status relationships in

international institutions like the United Nations and various international trade agreements like the

NAFTA. Both capitalism and colonialism ignore the basic needs of subsistence of certain sections of

these populations.

All this is unavailable due to the precarious labour imposed by capitalists. Education or training

imparted in these institutions is modified. Sometimes trainings are given to unskilled labourers only to

replace the skilled labourers at half the cost. All of this leads to insecurity, alienation, no sense of

belonging, loss of livelihood in times of unemployment and low morale in workforce. (Knox, 2016)

Therefore, it becomes imperative to understand the degree of influence developed nations have while

trading and investing in the less-developed. Developed countries use their financial power as a source

to enter into less-developed nations and their markets, after which they exploit their resources and

labour. On being resisted, the countries either stop investing in the same country, or demand higher

levels of exploitation, either of which is detrimental for these less-developed countries and their

working classes. Similar to this is the case of North American Free Trade Agreement (NAFTA), which

is currently being renegotiated by United States, Canada and Mexico.

(NAFTA) Negotiations'17 - An Analysis of Trade Relations between Nations:

The North American Free Trade Agreement (NAFTA) is an international trade agreement that

sets the rules of trade and investment between Canada, the United States, and Mexico. In her book,

Ann E. Kingsolver says that after 1994, when NAFTA came into force, all tariffs on goods marketed

in the North American area were eventually removed as per the comprehensive agreement. (Kingsolver

2001:9) She also discusses how NAFTA policies reflected signs of neoliberalism. She says, in 1848,

Marx and Engels wrote about the goals of investment and merchant capitalists (the bourgeoisie) in a

way which is directly related to NAFTA's tariff reduction and trade.

She quotes Marx's work while discussing the reasons behind the formulation of NAFTA. Marx

says, "The need of a constantly expanding market for its products chases the bourgeoisie over the

whole surface of the globe... All old-established national industries have been destroyed or are daily

being destroyed. They are dislodged by new industries...that no longer work up indigenous raw

material, but raw material drawn from the remotest zones; industries whose products are consumed,

not only at home, but in every quarter of the globe...The intellectual creations of individual nations

become common property." (Kingsolver 2001:25) Kingsolver further quotes, "The bourgeoisie, by

rapid improvement of all instruments of production, by immensely facilitated means of

communication, draw all, even the most barbarian, nations into civilization. [The cheap prices of its

commodities] compels all nations, on pain of extinction, to adopt the bourgeoisie mode of production;

it compels them to introduce what it calls civilisation into their midst, i.e., to become bourgeoisie

themselves." (Kingsolver 2001:26) This summarizes the idea behind NAFTA, where the US acts like

the bourgeoisie, and with the aim of global capitalism intervenes into the Mexican markets. This also

explains the unequal status of Mexico and the US while trading with each other. The US, like capitalists

have introduced their understanding of civilization and development in Mexico. This then compelled

Mexico to undergo development and modernisation as per the requirements of the US.

As per United Nations, Mexico is a developing country whereas United states (US) and Canada

are developed. While the aim behind NAFTA was to reduce trading costs, increase business

investment and help North America to be more competitive in the global marketplace (The Balance,

2017), it only placed the developed countries, especially US, in the center of the global market with

millions of consumers. It turned the US into "the largest and most diversified economy in the world,"

(NAFTANow.org, 2017) whereas, even after 30 years of NAFTA, Mexico is still categorised as a

developing nation and ranks lowest in terms of development, share of investment and capital amongst

all three NAFTA nations. As per the news reports, "Between 1993-2015, trade between the three

members quadrupled, from \$297 billion to \$1.14 trillion. That boosted economic growth, profits, and

jobs for all three countries. It also lowered prices for consumers. During that time, the United States

increased its exports of goods from \$142 billion to \$517 billion. Canada (\$280 billion) and Mexico

(\$236 billion) were the top two U.S. export markets in 2015." (The Balance, 2017)

On a closer look, it is evident that the US (like any other rich or developed country), has

benefited the most out of NAFTA deal. Its exports to Mexico have allowed for higher profits, lower

costs and a larger consumer base, making Mexican populations dependent on US markets through

food, investments and jobs. While the United States has been the most profitable country out of the

agreement, its President Donald J. Trump calls it the "worst trade deal ever made in the history" and a

"total and complete disaster." (CNN, 2017). It is now three decades old and therefore, with progress in

all its economies, it needs modernisation. Thus, NAFTA is currently being renegotiated. While there

are many changes being proposed by all nations, this paper focuses only on the auto industry.

1. Auto industry under NAFTA:

One of the major products to be freely traded amongst Canada, US and Mexico are auto-parts.

The Auto Pact of 1965 uplifted almost all tariffs levied on auto parts to increase trade amongst all

North American countries. The cars are assembled throughout the three countries, making it a

"North American" product, rather than an individual country's product. But Donald J. Trump is

now threatening to impose 35% tax on Mexican cars, making them expensive and therefore, less

attractive to customers. This would then result in the breakdown of imports from Mexico to the

US, with the American companies preferring American or Canadian assembled cars. The result of

this would be a fall in demand of cars from US car manufacturers, leading to de-scaling of production and labour force, and thus, loss of jobs in Mexico. Mexico has been lucrative due to its low cost of production. (MacLean's, 2017) In 2015, due to cheap production costs, Mexico

overtook Canada in auto-part production. This has costed Canada millions of dollars.

In the current negotiations, Canada has encouraged an increase in the per-hour pay of an average Mexican worker. "Canadian auto-parts companies have more than 120 plants and 43,000 employees in Mexico." (Mac Lean's, 2017) Currently, Mexican workers earn \$6-7 per hour (with benefits) making it difficult to afford the products they make. Thus, the Canadian government is pushing for higher labour standards in a new agreement, propagating that Mexicans deserve a better pay. (Mac Lean's, 2017) The underlying interests on Canada with an increase in labour pay in Mexico are quite clear – it wants to bring back the auto manufacturers back in Canada. Many car manufacturers located themselves in Mexico in order to lower their costs of production and transportation, but at the same time to be close to their huge customer base in US and Canada. If the price of labour power increases in Mexico, Canada hopes, that it would bring the manufacturers back. An increase in taxes from the US would also affect the auto industry in Mexico, making things a little more favourable for Canada.

Clearly, both the developed countries are making efforts to exploit the flourishing auto industry in Mexico. This would also mean that the flow of foreign capital from developed nations will reduce in Mexico, leading to inflation, trade deficits and loss of resources. Clearly then, a reduction in the flow of resources from the "core" would tamper the development in the "periphery". It also showcases how developed countries are solely driven by the motive of self-interest, similar to the nature of the capitalists. The demands of the US clearly show their self-interest to promote home production, which would further strengthen their economy. But this would also lead to a diminution in the exports of Mexican economy.

The capitalist nature of the US can also be seen in other auto industry related demands made

by them. All three countries jointly produce 62.5% of auto parts in North America. Rest of them

are imported from various other countries in the world. Donald J. Trump proposes to increase this

to an 80%.5 Furthermore, he also demands that the US would produce 50% of the auto parts out of

that 80% production, as per the "US -specific content requirement". "The U.S. side sees

strengthening the rules of origin for the auto industry as a way to bring back some auto parts

production, including electronics, from Asia. But Mexico strongly opposes a U.S.-specific content

requirement, which would limit the growth of its own car industry." (CNBC, 2017) But Donald J.

Trump says that if US' demands are not met, he would end the trilateral trade agreement.

Evidently then, developed nations like the US are focused on self-growth and self-sufficiency.

More so, like in the case of NAFTA, it enables countries like the US to make high demands and threaten

to pull back benefits in case of resistance. This has established the dependency-relationship between

Mexico and the US, where Mexico still hopes to renegotiate and revise NAFTA rather than to do away

with it. Mexico also proposes bilateral trade agreements with US, if NAFTA can not be revised. This,

because US is one of the biggest markets for Mexico. It also plays a significant role in its infrastructural

development which generates millions of jobs for the Mexican population.

Thus, it is important to understand that "countries don't actually trade with each other—firms

and individuals do. The reason that we see as much trade as we do is because it is advantageous for

some U.S. firms and individuals to buy Mexican goods and services (\$316 billion worth in 2015).

Equally, it is advantageous for some U.S. firms and individuals to sell to Mexicans (\$267 billion worth

in 2015). To further complicate matters, U.S. firms and individuals actually owned \$108 billion of the

⁵ This is an approximate value. Some of the news reports say the proposed figure is 80%, while others say 85%. The paper uses

80% as it was found to be the same in majority of the reports.

larger stock of FDI in the U.S." (Mac Lean's, 2017) Thus, as the investments made by the US are much

stock of foreign direct investment (FDI) in Mexico, while Mexicans owned \$7.5 billion of the much

more in comparison to Mexico, it puts Mexico at a greater risk if it showcases resistance to its demands.

As "the U.S. and Mexico already have relatively free trade, so absent gunboat diplomacy to force

Mexicans to buy more U.S. exports, all the U.S. can really do is restrict the amount of imports from

Mexico by erecting new trade barriers." (Mac Lean's, 2017) Such a move would be very costly and

detrimental for Mexico.

Conclusion – The way forward?

From the analysis above, it is apparent that Mexican economy and development is largely

dependent on their trade relations with the two other North American countries, especially the US. As

per the UN's classification of countries, Mexico considered a developing country (Table C). (Country

Classification - UN, 2014) Canada is a developed country but is still dominated by US in terms of trade

relations due to the latter's financial and political power. This has been disadvantageous for both

Mexico and Canada while negotiating terms in NAFTA.

In my opinion, if NAFTA is not revised, it will cause a huge loss to all three nations, but

majorly to Mexico. It would then lead to new bilateral agreements between Mexico and the US, where,

the demands of US would be similar to its current demands in NAFTA. Therefore, there a few possible

measures which Mexico should opt for, in order to make itself less vulnerable to the United States.

Firstly, the monopoly of the developed countries over developing countries in terms of trade can be

broken if developing countries expand their trade with other developing economies. For example,

Mexico has various free trade agreements with other countries as well. It should, thus, increase and

expand trade relations with South Asian Markets (like India, Bangladesh, etc), and other countries like

Brazil and Argentina. As United States continues to act as a colonizing force in international trade

relations, it oppresses and exploits the less-developed nations. Therefore, Mexico should opt for such

expansion mechanisms. An emergence of new markets and large consumer bases would threaten the

dominance of the developed countries like the US.

Another change such countries can undertake in order to avoid the domination of the US over

trade deals could be import substitution industrialization. "Import substitution industrialization (ISI) is

an economic and trade policy which advocates replacing imports with domestic production. ISI is

based on the premise that a country should attempt to reduce its foreign dependency through the local

production of industrialized products." (Brian, 2009) Even though entirely not achievable, such a

substitution would create more jobs and would lead to a self-sustained growth. With the set up of new

industries, such a developmental policy would lead to the creation of an internal market. This would

encourage the nations to focus on their own growth and development by keeping the interests of its

population, without undermining or subjecting them to foreign exploitation. Thus, "ISI works by

having the state lead economic development through nationalization, subsidization of vital industries

(including agriculture, power generation, etc.), increased taxation, and highly protectionist trade

policies." (Street and James 1982:676)

The exploitation and oppression of less-developed nations depends upon their economic

vulnerability and dependency on developed nations. The developed nations use this reliance of less-

developed nations to invest into sectors of their economies which would in turn benefit them. The

association of developed nations and less-developed nations is thus, parallel to the relationship of the

colonizers with the colonized. The colonizers invested into the production of goods and services which

would reap them profits. Such a correlation between colonialism and capitalism is undying and non-

exhaustive, unless less-developing nations become assertive in demanding the fulfillment of their own

interests.

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