The destiny of labour in *Capital* Book III

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ABSTRACT

The validity of labour value, as Marx formulated it, had its end recently decreed because the application of new technologies would have given to information and knowledge the prevalence in the production of commodities and even of value. This article aims to appraise if and how these changes actually imply a disruption with Marx' theory, taking into account not only its general form in Book I of *Capital* but also the more complex forms in Book III. In this final point of the work the meaning of value and of the general determinations of labour is inverted, requiring a more refined understanding of Marx thought, and then, of present circumstances.

KEYWORDS

Marx, *Capital*, Book III, Meaning of value, General determinations of labour

The Problem

In its recent and more advanced forms, capitalism has seemingly overwhelmed the framework of traditional relations between capital and labour. This is at least what is affirmed by some authors, to whom value is today produced much more through technical advances and knowledge than through labour, depriving Marx's theory of value partially or entirely of its validity. The workers of this new sphere, called "immaterial", would have much more importance than those associated with the production of real commodities, and necessary labour time would have been replaced by deviating and particular forms of determining time in the creation of exchange value. In this cognitive capitalism, based on access to information, the theory of social classes and of historical movement as class conflict would be relegated to the past. For a convincing theoretical and practical appraisal of social conflicts in the XXI century, an adequate understanding of these new forms is therefore crucial.

These changes cannot be simply denied, for they express something that has actually happened. Nor can they have their importance diminished by showing the prevalence of classical forms of work in countries situated in the periphery of the capitalist system. Although these indeed predominate in the world, and they exist even in advanced capitalist countries, the new forms also exist and are strategic to modern capital reproduction. Although they are wrongly interpreted by those who want to deny the centrality of labour, they indicate, on the other hand, real phenomena disguised in a twisted way.

There is no shadow of doubt that these phenomena do not deny Marx's criticism of capitalism, provided this criticism is taken in its totality, i.e. in the final result corresponding to Book III of *Capital*. The greatest part of Marxist studies is however concentrated in Book I, especially because it deals directly with the capital-labour relation in its various spheres, from the buying and selling of labour power to its employment in the successive phases of commodity production and finally to the reproduction of the working class itself as a commodity for and by capital. This is the level called by Marx "capital in general", i.e. capital in its fundamental definition of self valorizing value, capital that is valorized through buying and using labour power. Book III however deals with the distribution of surplus value among capitalists representing the many industrial branches. At this level, of the "multiplicity"[1] of capital, of individual capital competition, labour appears in a secondary role. This perhaps explains why Book I is more read by those interested in the basis of Marx's criticism of capitalism, in the concepts of exploitation and of surplus value, in the very process of work.

[1] The expressions "capital in general" and in "multiplicity" were discovered and their meaning in Marx' work was explained by Roman Rosdolsky in his classic book. Rosdolsky, Roman. *The making of Marx's Capital*. London: Pluto Press, 1977.

But Marx projected his work following a rigorous presentation order, beginning from general categories and coming to more complex ones. Before going further, two points must be observed here. First, in their presentation the categories correspond to real relations between social agents, so that the deduction of a category from another one does not follow the criteria of any logic, revealing instead how social relations themselves are articulated in real practices. The so formed whole is ideally rebuilt by the categorical presentation, which exposes the articulating order already in the more general categories, where the constituent opposition of capitalist society is simpler. Second, these more general categories – commodity and money – cannot be considered as more "abstract" than the following – wage labour and capital, for instance – and these last are not more "concrete" in the sense of being closer to reality. They are more general in the sense of their generality, i.e. in the sense that all social relations occur under their form. A commodity is not something "abstract". On the contrary, it is very tangible and can be found everywhere around us; it is the most generalized form and the first one by whose power capitalism transforms modes of production and ways of life different from those convenient to him. But the opposition inherent to every commodity, the one between use value and exchange value, is also the simplest. And through its movement in social practices emerge more complex oppositions, like the opposition between labour power and capital, or the opposition between productive and unproductive labour.

The relation of Book I and II with Book III of *Capital* fulfills the same determination. The forms dealt with in the level of "capital in general" appear before, because they ground the forms of competition among capitalists. But in this resulting level the first forms acquire the most complex articulation. Whereas the first establish social averages, like value, competition occurs by a process of deviating from averages. At the same time, nevertheless, always seeking to escape from averages, competition establishes them. It is precisely in this way that value is socially fixed, so that only in Book III is it possible to understand how the entire process described in Book I actually works, as in a kind of retrospective definition, fulfilled by categorical presentation.

Let us examine this point in more detail and precision.

Values and Prices

Competition among capitalists was thought of by Marx as the culminating point of his theoretical system since its first version, written between 1857 and 1858 and published only in the XX century under the name of *Grundrisse der Kritik der Politischen Ökonomie*. Competition is defined in this work as follows:

> Conceptually, *competition* is nothing other than the inner *nature of capital*, its essential character, appearing in and realized as the reciprocal interaction of many capitals with one another, the inner tendency as external necessity.

> Capital exists and can only exist as many capitals, and its self-determination therefore appears as their reciprocal interaction with one another.[2]

Whereas the beginning of the presentation develops the "inner nature" of capital – its "essential determination", based on the relation to labour power –, the sequence shows how the internal element becomes effective by the imposition that every individual capital makes on any other, as something external, an "external necessity". Namely, the contradiction of "capital in general" is that it excludes the wage labourer from property of the means of production, but also includes him as an employee. In other words, capital needs labour in order to create value, but tends also to replace him by advanced machines and technology.

With the exception of times of open class struggle, however, this "internal determination" is imposed on each individual capital by competition, in which capitalists try to reduce their production costs for the purpose of selling commodities cheaper than their rivals, thus taking away their market. Book III of *Capital* indicates this as the cause of the tendency in capitalism for scientific research and adoption of new techniques, a general tendency fulfilled through individual interests. Once an average technical standard of labour productivity is set up for all capital in a determined industrial branch, each of its members has the reference of the exploitation rate of labour and of average earnings. They will then strive to obtain a larger portion of the market, selling more products than their rivals by the reduction of prices and costs, by the rise in productivity of the labour power they employ. The denial of living labour by dead labour,[3] as stated by the "inner" capital contradiction, occurs through pressure exerted by competition among capitalists.

Furthermore, the whole movement so described in the first parts of Book III is grounded on the simultaneous existence of value as individual value – resulting from the particular labour productivity obtained by certain individual capital – and value as a social average. This last one is always set up again, when the other capitalists imitate the innovation created by those who had differentiated themselves. They also raise the productivity of the labour power they now employ, making the relative advantage of the former disappear. Value is therefore set up as a social average by this movement of constant differentiating and constant removal of difference. As mentioned above, the working-out of abstract labour time described in chapter I of Book I, must be understood in retrospect: only Book III explains how competition among individual capitalists actually sets it up.

What is fundamental in this processes is that differentiation and removal of difference are simultaneously complementary and opposite, thus happening together and shaping a dialectic. According to its traditional definition of socially necessary labour

[2] Marx, Karl. *Grundrisse*. London: Penguin, 1973, p. 414.

[3] The reference here is to the famous metaphor of Book I: "Capital is dead labour, that, vampire-like, only lives by sucking living labour, and lives the more, the more labour it sucks". Marx, Karl. *Capital*, vol.1. New York: International Publishers, p.241.

time, value as average is posited through its opposite, i.e. through the deviating value that results from the particular productivity of labour obtained by an individual capitalist against his rivals.

Things become complicated, however, when beside these values and determined by them, emerge prices. Here we do not have to reconstitute the complexity and articulation of the many kinds of prices presented in the first two parts of Book III. Not even the famous and difficult transformation problem, about which so much has already been written.[4] It suffices to define cost price and production price in general terms.

The former is the sum of constant and variable capital. It is different from value because it excludes the part correspondent to surplus value, included in value. In such addition, capital presents itself as a whole, so that it is impossible to see that only its variable part creates surplus value. Capital in its entirety is then proposed as creator of surplus value, as if surplus value were just added to cost price. This is an evident development of fetishism, defined since the beginning of *Capital*. But here the development is set in motion by competition among individual capitalists, and not among individual producers and proprietors of their means of production, as in Book I. Individual capitalists aim at the reduction of cost price when they adopt a new technology.

The rate of profit is calculated on the basis of cost price, and is distinguished from the rate of surplus value by the fact that this one reveals only the degree of exploitation of labour power, taking therefore into consideration just variable capital. The rate of profit, on the other hand, takes into consideration the cost price, i.e. not only variable, but also constant capital, and on this total cost the surplus obtained by the capitalist is measured. Calculated upon this rate, profit is therefore smaller than surplus value, hiding exploitation and the fact that only labour power creates value. Constant capital, the private property invested in means of production, seems to be justified in its condition of value creator. We will return to this point later, when dealing with the fetishism of capital.

The price of production results from adding the average profit to the cost price of each individual capitalist. In other words, each one of them has his own cost structure, generally different from others. But from their competition an average profit is imposed upon an entire industrial branch, and even among different branches, places, and countries:

> "Under capitalist production (…) it is rather a matter of realizing as much surplus value, or profit, on capital advanced for production, as any other capital of the same magnitude, or *pro rata* to its magnitude in whichever line it is applied".[5]

Capitalists are always comparing their individual possibility of profit to that of their rivals, and if it is smaller than what can be obtained in another sphere of production,

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[4] See chapter 3 of Mandel, Ernest. *Capital*. London: Penguin, 1976.
[5] Marx, Karl. *Capital*, vol.3. New York: International Publishers, 1998, p.194.

or in another country, no one hesitates in at least trying to transfer their investments. The consequence is the equalization of the many rates of profit forming an average that, once added to cost prices – and here individual differences are actually conserved – results in the price of production.

In the composition of this reference price, both levels of competition are present: the level of the average general profit, and the level of the difference between costs of each capitalist. Even more, they are present in the permanent movement by which each one tries to deviate from the average, in order to get an extraordinary earning, but by doing so contributes to the restoration of the average. And then, through this movement the permanent division of social labour between the various activities where use value is created occurs. That which in Book I was done by commodity producers, now is done by capital for capital, i.e. with the purpose of profit. The mediated and negative form by which the average is constituted, form imposed by competition, recovers the central characteristic of capitalist society, as formulated by Marx for the simple commodity circulation, "namely, that the labour of private individuals takes the form of its opposite, labour directly social in its form".[6]

But now an essential difference between these two moments of the presentation of *Capital* is clear. The division of social labour executed by capital through prices of production, through average and differential profits, fulfills a rule totally distinct from the former. Each individual capitalist appropriates a portion of surplus not correspondent to that created by him, but to that attributed to him by competition, according to the general rate of profit. In this case the principle of distribution of surplus value deviates from that of its production. In Marx' words,

> But the other element of the price of commodities, the profit added to this cost price, does not depend on the amount of profit produced in a given sphere of production by a given capital in a given period of time. It depends on the mass of profit which falls as an average for any given period to each individual capital as an aliquot part of the total social capital invested in social production. When a capitalist sells his commodities at their price of production, therefore, he recovers money in proportion to the value of the capital consumed in their production and secures profit in proportion to his advanced capital as an aliquot part in the total social capital.[7]

The difference between both moments is related to the passage of surplus value into profit, i.e. to the inclusion of constant capital in cost calculation. Constant capital acquires a decisive weight in the surplus distribution: individual capitals or industrial branches in which this portion of capital is absolutely or relatively larger grab a larger portion of surplus than the one actually created by this individual capital or industrial branch. The converse occurs with capitals or branches where constant capital is smaller than the average case, absolutely or in relation to variable capital.

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[6] Ibid., p. 69.
[7] Ibid., p. 158.

Variable capital, nevertheless, keeps being the only actual creator of surplus value. What is altered is its distribution principle. The rate of profit does not necessarily correspond to the rate of surplus value, by deviating itself more or less according to the magnitude of capital as a whole in each individual hand or sphere of production. Therefore, the very prices of production include a mass of surplus value different from that produced with the employment of capital.

That is why prices seem to nullify the existence of value in itself, and the theory of value seems "incompatible with the actual process", seen as something that "should be refused in order to conceive the actual movement".[8] Herein lays a crucial point for the question posed at the beginning of this article. An important objection to the centrality of labour in contemporary capitalism refers to the alleged suppression or weakness of the law of value. In markets oriented by speculative prices, what could value really mean?

This question, however, would not have surprised Marx. On the contrary, he designated it as the key for the passage from Books I and II to Book III. In a world in which the social sphere is accessible only through competition within the private sphere, value cannot be achieved without being inverted as a distributive principle. It still exists, but it is dialectically transformed and hidden. The rule of labour in value is effective through its opposite: dead labour, labour immobilized in the means of production, enters in the cost price calculation and so distorts the distribution of surplus value. On the other hand, capitalist property over dead labour puts workers as non-proprietors, as opposite to capital. This opposition is not only evident at the beginning of Marx1s presentation in Book 1, it also organizes *Capital's* very presentation, especially in the passage to Book III, where it is present in the difference between price and value. Here, the passage from labour as the basis of the production of value to private property as the basis of distribution value is crucial.

From labour to private property

Book III of *Capital* can thus be understood in the sequence of its parts through the progressive detachment of private property from labour. This is already the case when industrial capitalists divide social surplus value among themselves according to the total magnitude of their capital, and not only to the magnitude of its variable part. It is property over constant capital, as opposed to living labour, that makes the difference here.

[8] Ibid. p. 152. The complete quoted text is: "(...) on the assumption which has being the basis of all our analysis so far, namely that the commodities are sold at their values. There is no doubt, on the other hand, that aside from unessential, incidental or mutually compensating distinctions, differences in the average rate of profit in the various branches of industry do not exist in reality, and could not exist without abolishing the entire system of capitalist production. It would seem, therefore, that here the theory of value is incompatible with the actual process, incompatible with the real phenomena of production and that for this reason any attempt to understand these phenomena should be given up". This last part, deviates from the original text of Marx. A closer translation would be: "(…) the theory of value should be refused in order to conceive the actual movement". In the original German, see Marx, Karl. *Ökonomische Manuskripte 1863-1867*, MEGA 4.2. Berlin: Dietz Verlag, 1992, p.230.

In a second moment, commercial capital appears as a sector separated from the productive sector, taking as its exclusive charge activities like selling and buying first executed by the former. This is the subject of the fourth part of Book III.

At this point, productive and unproductive labour is the decisive distinction. It is again impossible within the narrow limits of this article to resume all the details involved in this distinction and in the debate it has provoked. What must be said is that both characters of labour result from its use by capital, not from any inherent quality of labour itself. According to Marx, labour is productive when it produces surplus value, and unproductive when not. But this depends on the activity in which it is employed by capital. Industrial capital[9] uses labour to produce commodities, whereas commercial capital does it generally just to change the value form in them – from commodity to money and vice versa. Of course, some activities necessarily associated with trade are nor restricted to modification of the value form, they also interfere in the matter of the product, to conserve it until consumption or to bring it to the consumer. The major part of the activities of commercial capital, however, those which define it as commercial properly speaking, is indeed circumscribed as a mere change of the value form.

The principle of distribution deviates in this case even more from the pure rule of labour, because commercial capital normally does not create surplus value but is entitled to appropriate part of the surplus value created through industrial capital. This right to participate in the division of social surplus value derives from the fact that commercial capital executes an indispensable task for the reproduction of social capital and also that it invests in this task a considerable amount, added to industrial capital to compose the social aggregate. Indirectly it contributes to the creation of surplus value, setting industrial capital free to concentrate on its proper productive activity. And finally, it is an important part of social wealth, of the mass of property in the social aggregate. This part in the aggregate has a weight within the general competition among capitalists, for an extra profit in the autonomous trade activity would bring capitals from the productive activities, in the broad equalization movement. The resulting average rate of profit must therefore include commercial profit, inserted in the price of production the part of social surplus value deviated to the commercial sector.

The next step of categorical presentation corresponds to what Marx calls interest-bearing capital, in the fifth part of Book III. Here the process becomes more complicated, but it is possible in general to say that in the distribution principle private property is even more detached from labour. Subordinated to the valorization of value, credit is directed to facilitate production and commercialization of commodities that contain surplus value. Property of money entitles to lend it at interest, because the borrower will use it to produce surplus value, part of which he must pay back to the proprietor. This is a right secured by the loan contract. A new division of social surplus value occurs now, once again corresponding to the division between two distinct groups of capitalists: those who can

[9] It must be here remembered that the concept of industrial capital is not limited to that invested in industry properly speaking, but includes that invested in agriculture, fishing, mining etc.

lend, as money capital proprietors, and those who are not money proprietors and who must then borrow it in order to invest it in surplus value productive activities. In this division, the productive capitalist deducts from the whole profit the part he has to pay as interest, keeping the rest as profit of enterprise.

Behind this division of surplus value, the division between both groups of capitalists is revealed, derived from a real unfolding of capital forms separating the mere property from the use of it. Property presents itself as established rather by law than by purely economic relations, associated to the use of means of production and of labour power. Each one of the parts in which surplus value is now divided follow different working principles: competition, for the profit of enterprise, and the loan contract, for interest. Both parts go to "two different persons who both have different legal claims to the same capital, and hence to the profit created by it".[10] In other words, what ultimately divides both parts of profit and both groups of capitalists is the difference in the "legal claim" they own. Through the legal form, private property as a fundamental principle is totally evident.

With the consolidation of this division between both groups and both forms of capital, supply conditions of money capital are always in the hands of those who concentrate it, making it appear as a thick mass. They can impose their terms and so the distribution of surplus value inverts its order: after interest being paid, the rest will be divided among industrial and commercial capitalists; the average rate of profit is now deducted from the average rate of interest, not the contrary. In this inverted form, pure property of capital subordinates the entire production and competition process, i.e. the very distribution of individual capitals, and through them of labour, among the many branches of society. The resulting confusion conceals the fact that the total profit is obtained by productive capital through exploitation of labour, conceals the origin of surplus value, and puts in its place mere property under the form of interest as the source of social surplus.

Not the relation between worker and capitalist, but between two kinds of capitalists now appears as the form of value valorization. And all this happens within the distribution level, not the production level. Distribution, however, by inverting the fundamental order of capital, now commands production. Even if labour is still central for value and surplus value creation, it is relegated to a second place by the fetishism, completed and expressed by the famous formula D-D. It is not by chance that in the visible modern social processes, the materiality of labour appears with diminished importance.

Yet there is a last step in the detachment of private property, a step represented by ground rent in the sixth part of Book III. Marx there presents a new social division, between a group of landowners that only own land without using it, and another group of rural capitalists that uses natural resources to obtain surplus value from rural workers. Part of this surplus value is destined to the payment of rent, in a new deduction from total social surplus. It consists of a kind of premium that non-proprietors must pay to

[10] Marx, Karl. *Capital*, vol.3. New York: International Publishers, 1998, p.372.

proprietors for using a resource from which they are excluded by property itself. Marx speaks of "monopoly" to characterize such exclusion and emphasize how the power of "certain persons over definite portions of globe, as exclusive spheres of their private will to the exclusion of all others" is arbitrary.[11] It is noteworthy that exclusion here occurs by the "private will" of "certain persons", something belonging to the legal sphere as much as the "legal claims" that entitles the proprietor of money capital to lend at interest. But property appears now as a "monopoly", because it must necessarily exclude, in order to force the excluded ones to pay rent. And Marx's irony about the right of disposition "over definite portions of globe" shows the patent absurdity of the situation.

It is again impossible to explain in detail here how Marx presents this subject matter. But it must be said that from ground rent he opens the possibility of deriving new forms, as for instance rent over natural resources in general and building site rent. From all this, a first element to be retained is that in rent the distributive principle through private property completes the process of detachment from the principle of labour as value creator. Rent takes part of the total surplus value of society, and for it the proprietor of nature does not have to give employment to anybody, just receiving what corresponds to his mere property. Gradually labour loses its power of determining distribution, being replaced by private property.

Taking into consideration that this entire movement occurs by an inversion of production and distribution, executed by credit, and taking into consideration how strong interest-bearing capital and ground property are today linked in speculation, it is quite understandable the enormous implications of the problem discussed in Book III. Despite the fact that labour employed in a productive way is still the only creator of surplus value, labour employed in unproductive distribution forms gives to commercial and financial capitalists, together with landowners, a "legal claim" to parts of the social plunder. These are just the deviating forms of distribution, objectified in prices of production, interests and ground rents. They appear, however, determining social standards, commodity values and money. And indeed deviations help to compose averages. Mistaking deviations as if they were averages, however, is a mere result of the inversion really completed by capitalism, a system where a "claim" to share profits is taken as the very creator of profits, where the relation between capitalists in the various branches of the economy seems to replace labour as the basis of sociability.

Immateriality and crisis

A second element to be retained from Marx's presentation of ground rent is the absurdity of the social circumstance, by which "definite portions of globe" are in possession of "certain persons". Property receives here the best possible characterization as "monopoly" over something that is not even a product of human labour. If in Book I of *Capital* commodities are defined as market destined products of labour, Book III adds,

[11] Marx, Karl. *Capital*. vol.3. Op.Cit., p. 609.

once again inverting a definition, that there are commodities which are not products of human labour:

> In the consideration of the *appearance forms* of ground rent (…) we must insist that the *price* of things which have no *value* in themselves or by themselves, i.e. are not product of labour, as ground, or that at least cannot be reproduced by labour, as antiques, can be determined by very casual combinations. In order to sell something, it is only needed its monopolization and alienation.[12]

The word "monopoly" appears again here, now as a condition of "alienation" in the sense of selling and buying. In order to become a commodity, something must only be capable of "monopolization", so that if human labour cannot produce it or its producing labour is so singular that it cannot be reproduced, even so this thing can be capable of "alienation". The condition for it is private appropriation, excluding other people from the right to its use.

Precisely at this point, the application of science to production is introduced by capital. Before its closer examination, however, let us recapitulate another problem. As we have seen, individual capitals in competition try to deviate from the reference of the average rate of profit, for this reason inserting into their particular production process technical improvements which will reduce costs and therefore prices. Lower prices afford them the possibility of acquiring markets by selling more than their rivals. But this advantage is annulled when rivals imitate the new technique, so reducing their costs and prices too, and recovering lost markets. Application of science in production is broken out by individual and rivalling interest, its socialization being an indirect result of competition.

The general case presented by Marx in Book I of *Capital* is already a clear manifestation of the typical fetishist form in commodity production. Scientific innovations represent the culminating point of the process examined through chapters 11 ("co-operation"), 12 ("division of labour and manufacture") and 13 ("machinery and modern industry"), corresponding not exactly to the course of history, but to the evolution of capital's fetishism. For co-operation, capital assembles a vast number of workers, whose combined strength creates more products. For manufacture, capital distributes tasks among workers now specialized, increasing their potentiality of creating use values. For industry, capital associates labour to new technical conditions through the application of science. In other words, labour continues as the only creator of value, but capital is the agent that increases labour productivity, by which a larger production of use values is possible. This fetishism is particular to capital: it employs, it organizes workers, it proposes new techniques. Of course, it can only do it by excluding workers from property

[12] Marx, Karl. *Ökonomische Manuskripte 1863-1867*. Op.Cit., p. 681. This text was not included by Engels in his edition of Book III, and has no correspondence in the English translation of *Capital*.

of the means of production, of which it always keeps the monopoly. But it does it anyway, thus revealing the real side of fetishism.

And fetishism is even deeper in the modern forms of application of science that constitute the so-called cognitive capitalism. They mean a progress of the general case above examined and at the same time a differentiation from it. Imitation by rivals of the new productive process adopted by an individual capitalist, formerly conducive to propagation of the techniques, today is hindered by the presence of patents and copyrights. It is precisely this point that is stressed by critiques of the permanence of labour in a central position, who affirm that science also creates value. More than a mere recognition of the fact, nevertheless, a good understanding of its meaning for actual capitalism is needed.

As we have seen, individual capitalists tend to apply science to productive processes in the interest of deviating from normal conditions and of obtaining an increased productivity for the labour employed. Not only the price, but the very value of commodities is reduced, because more use values are produced in less time by means of application of more complex machines and techniques. This can either reduce the value of variable capital, by dismissing workers, or reduce the value of constant capital, by saving energy or raw materials. If the adopted technology saves energy or raw materials in such a degree that it compensates the expenditure in buying new machines, then the value transferred from means of production to the product is reduced. If the adoption of new technology saves labour power, so much the better, for then the newly created value is itself reduced in each commodity.

Only the individual value is in this way reduced, not the average value by which the rest of the branch produces a commodity. Individual capitalists are interested in obtaining a patent for the new technology they develop and adopt, preventing their rivals from imitating it, in order to conserve the exceptional advantage it gives them. Scientists and technicians are hired, as their labour power becomes a commodity, but if their product is copied, it loses value, i.e. the individual value differentiated from average values. New techniques can support this difference only if they can somehow be the object of "monopolization".

Therefore, the text of Marx quoted immediately above receives a broader meaning. Among the many kinds of labour whose product "cannot be reproduced" – and Marx was thinking of antiques – now scientific and technical labour are fundamental. Its reproduction and generalization must be somehow hindered by non- economic means, by social processes outside the spheres of production and distribution of commodities. This occurs even outside scientific activity, since the modern definition of science requires the universal possibility of repeating an experiment. Even scientific method is distorted under the dominion and interest of capital.

It is within the sphere of law that devices are found to hinder the imitation of scientific and technical work, because this sphere provides the "legal claims" characteristic of the entire system by which surplus value is distributed through deviations. This explains the need of the system in obtaining and keeping "monopoly" over intellectual products, the patents vital for actual business and for so many jurists hired to find means for expanding copyrights.

In the present conditions of distribution and production, science creates values not as social averages, but as individual deviations from normal standards, as legal forms of appropriation of surplus value created by productive social labour. But once these individual values permanently deviate from averages through intellectual property, they acquire the social relevance that averages had.

The dialectics of competition formulated by Marx, i.e. between differentiation of values and suppression of difference, is then annulled or at least weakened. Private property wins even here. This is however the logic of the deviating movement presented in Book III, according to which the appropriation of surplus value by branches that never contributed to create it assumes the form of a genuine expropriation of a group of capitalists by another group – the group that employs labour productively by the group that employs labour unproductively or that simply do not employ it. This expropriation right is completed through the dominance of credit and financing of production and consumption. Now titles are more valuable than labour, trade-marks and brands are taken as the creation of products. With this new confusion, the limit between social and private disappears, turning individual values into norms that claim to be social averages.

The so called "immaterial" labour pretends to create value under these circumstances. Although they present deviations as averages, deviations are still deviations, belonging to the sphere of the forms of distribution of surplus value. If distribution now predominates over production, this is notwithstanding a formal inversion inherent to the existence of capital "in general", within which value form dominates the creation of the substance of value. This entire inverted world reveals the real side of capital's fetishism. And it is not casual that deviations from the essential forms of value distribution through social averages are today decisive as a guarantee to the reproduction of capital. Indeed, competition and mutual expropriation among capitalists are the only strategies for survival in an historical moment of the chronic fall of profit rates. Patents over products of "immaterial" labour, not exactly over this labour itself, represent a central element of these strategies.

But in no moment, patents and brands really substitute the creation of value by socially necessary labour time. The formal character of the process by which social substance is dominated, i.e. labour by capital, is always menaced by the contradiction between form and substance. Expropriation of capital by capital is not able to restore the force to expropriation of labour by capital. However much competition invents devices to distribute surplus value among the various branches of social capital, a time arrives in which this does not resolve anymore the problems in effective creation of surplus value.

Present technology acts much more in the sense of making possible appropriation, not production of surplus value. And even being important as consumers, unproductive workers do not have the same social relevance as productive workers have. Capital in the so called “service sector” is not able to employ workers in the creation of surplus value, but it exploits them more and more brutally, because they create for their employers the “legal claims” to social surplus value. The more they work, the greater is this claim of their employers, the portion these capitalists can capture from the whole. This is the meaning of profit for bankers and merchants. Mistakenly it is registered in social accounting books as profit, together with profits of the productive sector; yet it is just a deduced part of total profit correspondent to the surplus value created by workers of productive sectors. Therefore, the calculations made in the 1990s to demonstrate that the rate of profit was rising, when it actually was already depressed, were wrong.

The present crisis can well be understood as an obliged return of deviations to patterns, of prices to values, of unproductive to productive labour. The predominance of credit is not itself affected, only transferred to public debts, but governments are incapable to permanently resolve chronic debt and speculation problems, because these problems are the answer found by capitalism to deeper and older valorization problems. A technical and organizational revolution like that which occurred as an answer to the Great Depression of the 1930s would be today irrelevant, in view of the fact that it already happened in the 1990s, but acted in the sense of the distributive deviations and not of the production of value. As always, it is not possible to predict the inevitable end of capitalism; and it is also not desirable to do so, in order not to diminish the importance of the subjective side in fighting against it. The depth and magnitude of the crisis urge us to search for an equally deep and vast solution within the system of private property. Such a solution is not easy to find, but at least it is easier for those whose interest is not supporting private property, but, on the contrary, relegating it to the past.